

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

PETITION

Against the Bill – on Merits – Praying to be heard by counsel, &c.

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

THE HUMBLE PETITION of Coventry City Council

SHEWETH as follows:-

1. A Bill (“the Bill”) has been introduced into and is now pending in your honourable House intituled “A bill to make provision for a railway between Euston in London and a junction with the West Coast Main Line at Handsacre in Staffordshire, with a spur from Old Oak Common in the London Borough of Hammersmith and Fulham to a junction with the Channel Tunnel Rail Link at York Way in the London Borough of Islington and a spur from Water Orton in Warwickshire to Curzon Street in Birmingham; and for connected purposes”.
2. The Bill is presented by Mr Secretary McLoughlin, supported by the Prime Minister, the Deputy Prime Minister, Mr Chancellor of the Exchequer, Secretary Theresa May, Secretary Vince Cable, Secretary Iain Duncan Smith, Secretary Eric Pickles, Secretary Owen Paterson, Secretary Edward Davey, and Mr Robert Goodwill.
3. Clauses 1 to 36 set out the Bill’s objectives in relation to the construction and operation of the railway mentioned in paragraph 1 above. They include provision for the construction of works, highways and road traffic matters, the compulsory acquisition of land and other provisions relating to the use of land, planning permission, heritage issues, trees and noise. They include clauses which would disapply and modify various enactments relating to special categories of land including burial grounds, consecrated land, commons and open spaces, and other matters, including overhead lines, water, building regulations and party walls, street works and the use of lorries.

4. Clauses 37 to 42 of the Bill deal with the regulatory regime for the railway.
5. Clauses 43 to 65 of the Bill set out a number of miscellaneous and general provisions, including provision for the appointment of a nominated undertaker (“the Nominated Undertaker”) to exercise the powers under the Bill, transfer schemes, provisions relating to statutory undertakers and the Crown, provision about the compulsory acquisition of land for regeneration, reinstatement works and provision about further high speed railway works. Provision is also made about the application of Environmental Impact Assessment Regulations.
6. The works proposed to be authorised by the Bill (“Phase One of HS2”) are specified in clauses 1 and 2 of and Schedules 1 and 2 to the Bill. They consist of scheduled works, which are described in Schedule 1 to the Bill and other works, which are described in clause 2 of and Schedules 2 and 3 to the Bill.
7. Your Petitioners are Coventry City Council. Your Petitioners and their rights interests and property, are injuriously affected by the Bill, to which your Petitioners objects for reasons amongst others, hereinafter appearing.
8. For instance, the construction of HS2 will have a severe impact on several strategically important roads in your Petitioners’ area. In addition, railway services which are used by your Petitioners’ residents are liable to be adversely affected during the construction of the railway authorised by the Bill and when the railway authorised by the Bill is operational.

Background

9. Following an initial meeting with the Secretary of State for Transport on 7th November 2012 your Petitioners have continuously sought to engage with the promoters of the Bill. Despite a number of meetings and over 7 letters and emails to the promoters and to the Department for Transport during the interceding time raising 18 issues, comprehensive or even partial responses have only been provided on 8 of these. Since the publication of the Bill and supporting information in November 2013, the promoters have responded to none of the letters and emails sent by your Petitioners. This is disappointing since the promoters’ unwillingness to engage has made it necessary for your Petitioners to deposit this petition. Each of the points contained in this petition has previously been raised with the promoters.

Coventry

10. Coventry is the 9th-largest city in England and the 13th-largest UK city overall. It is the second largest in the West Midlands. The city is growing. For instance, Friargate, an office based development is planned on approximately 37 acres of land around Coventry railway station. When completed the scheme will provide a new business district for the city of up to 300,000m² of new development, of which 185,000m² will comprise high quality office accommodation. A total of 25 new buildings are planned for the site, including 14 Grade A offices, two hotels, homes, and retail and leisure facilities. It is estimated that the Friargate development will help create approximately 14,000 jobs over the next 15 years. Coventry railway station is also growing. For instance, passenger numbers rose at Coventry from 2.24m in 2001 to 5.42m in 2012, an increase of 142 per cent. Further future growth is predicted. Your Petitioners consider that the continued growth of Coventry and its station are essential and regret that the scheme promoted by the Bill will imperil this growth.

HS2 Construction Traffic

11. The construction of HS2 will have a severe and unacceptable impact on several strategically important roads in south Coventry including the A429 Kenilworth Road, A45 and Gibbet Hill Road corridor to the A46. These routes are crucial to the local economy and any additional pressure on them must be mitigated.
12. Your Petitioners request that appropriate mitigation measures are put in place to address the impact of HS2 construction traffic across the Coventry road network. For instance, your Petitioners submit that the Nominated Undertaker should be required to use best endeavours to utilise the rail, river and canal networks for transport purposes. The Nominated Undertaker should be required to confirm the numbers and type of vehicles which will use certain routes and assess impacts accordingly, particularly cumulative impacts. The Nominated Undertaker should also be required to minimise the cumulative impact of lorry movements; for instance, lorry movements should be properly managed and kept to a minimum, confined to normal worksite hours and lorries should use the route to the strategic road network that has least impact on residents and businesses.
13. HS2 construction traffic will cause physical damage to the local highway network. The Bill does not make provision to mitigate the impact of this damage. Your Petitioners submit that the Nominated Undertaker should be required to carry out and fund all necessary remedial and repair works to the highway to a standard specified by the relevant highways authority. Your Petitioners submit that the promoter of the Bill should be required to carry out detailed condition surveys before and after the construction period on the local highway network which is, and which will be, affected by the proposals, particularly on highways which are to be heavily used by construction traffic.

14. The scale of construction traffic associated with HS2 is unprecedented when compared to other infrastructure works in the Coventry and Warwickshire area. HS2 will generate daily flows in excess of 1,000 HGVs at key construction locations on Coventry's border, with routes typically crossing several highway authority boundaries.
15. Your Petitioners submit that the cumulative impact of construction traffic has been inadequately considered and is poorly presented in the ES with no significant consideration of how major sites of economic activity, for instance, Warwick University and Westwood Business Park, are impacted. Paragraph 12.1.6 of the five Community Area Forum Reports (ES 3.2.1.16) for Warwickshire states that "Engagement has been undertaken with the key transport authorities including Warwickshire County Council (WCC) and the Highways Agency (HA)". This disregards the identification of haul routes through Coventry's highway network and no contact has been made with your Petitioner to consider these impacts and how they may affect access to key employment sites such as Warwick University, Jaguar Land Rover World Head Quarters and Westwood Business Park. Particular areas of impact include the use of the A45, A429 and routes to the A46.
16. Your Petitioners submit that the promoter should be required to provide the resources, equipment, co-ordination and staffing for a sub-regional Active Traffic Information System across Warwickshire and Coventry as well as neighbouring authority area impacted by HS2 construction. Your Petitioners also seek assurances from the Secretary of State and or the Nominated Undertaker that opportunities to deliver local access improvement schemes to major employment sites will be collaboratively explored with all stakeholders and implemented as part of any enabling works required to mitigate construction traffic impacts arising from the proposed scheme.

The interchange – local connectivity

17. Scheduled Work Nos. 3/20 and 3/20A of the Bill provides for a People Mover linking the HS2 Birmingham Interchange Station with the NEC, Birmingham International Station and Birmingham Airport.
18. Your Petitioners are concerned that the location of the People Mover stop at Birmingham International Station is poorly located for rail passengers wishing to interchange between HS2 and local and national rail services. The Bill proposal for the Birmingham International Station People Mover stop is located some distance from the station concourse and platforms resulting in a longer than necessary walk-time for passengers. These arrangements will be inconvenient for passengers accessing HS2 from the West Coast Mainline ("WCML"), will significantly reduce the possibility of the high speed and existing lines working together as a single network, and will be unappealing for those who are dependent on the Interchange station for access to HS2.

19. Your Petitioners consider that if the proposal for the interchange is not improved, the likelihood of growth being shared beyond the immediate interchange station area will be reduced. It is possible that the interchange could have a neutral or negative impact on Coventry by generating strong growth in its immediate vicinity but little elsewhere. This will create localised growth only and adversely distort inward investment activity in the sub-region.
20. Your Petitioners seek to make the interchange between HS2 and national rail services as seamless as possible, and therefore seek an undertaking from the promoters that the Birmingham International Station People Mover stop be re-located so as to facilitate direct access between the People Mover stop and the Birmingham International station platforms.
21. Your Petitioners are aware of an alternative proposal developed by Birmingham Airport which proposed a combined People Mover stop for the NEC and Birmingham International Station, which would be located above the existing station platforms.
22. Your Petitioners support this alternative proposal which incorporates a south eastward expansion of the existing Birmingham International station concourse towards the revised People Mover stop and provides direct access to each station platform. This support is conditional on pedestrian flow controls being incorporated in the design in order to segregate NEC and rail passenger flows during major events.

The Interchange – traffic

23. The HS2 Interchange Station will also increase traffic on surrounding major road corridors as traffic from the surrounding area is drawn to 6,400 parking spaces. The boundary of Coventry is 3 miles from the Interchange Station site which is directly served from the A45, which also runs through Coventry. It is understood that one of the objectives of HS2 is to be a catalyst for development in the area served by the station. For this to be possible strong and strategic highway connections will be required. The Coventry and Warwickshire Local Enterprise Partnership (“CW LEP”) anticipates that 28,700 Full Time Equivalent jobs are to be created directly along the A45 corridor by 2031 irrespective of HS2 within 10 to 20mins travel time by road from the HS2 Interchange Station. Your Petitioners are concerned that traffic access to HS2 will over burden already constrained urban junctions and absorb capacity provided by already identified improvement opportunities which are required to support planned growth.
24. Your Petitioners request that the promoters and / or the Nominated Undertaker be required to (i) address the impact of additional traffic on the wider road network, including the A45 corridor within the Coventry area, and (ii) provide sufficient mitigation to ensure that currently available highway capacity is not further reduced by HS2 access traffic, thereby reducing the capacity on the local highway network to accommodate local growth.

Local Rail Services

25. HS2 will damage local rail service provision at Coventry station through reductions in express long distance rail services. For instance, the Environmental Statement that accompanies the Bill ("the ES") states that from 2026, the number of daily long distance WCML services calling at Coventry will reduce from 46 to 32 (Volume 5: Technical Appendices, Transport Assessment (TR-001-000), Part 10: Route-wide and off-route assessment, Table 9.4). Without a commensurate increase in alternative inter-city services this can only damage the regeneration of Coventry city centre.
26. Paragraph 9.4.17 of that document says –"Table 9.-4 does however show some reduction in service level at a limited number of locations. At Coventry, it is considered that Birmingham International provides an attractive high speed alternative".
27. Your Petitioners disagree with this statement. Even with enhanced People Mover connectivity, as sought above, total travel time, taking account of interchange from Coventry City Centre to London Euston via HS2, will be slower than the existing fast WCML service from Coventry. The HS2 scheme will also result in fewer direct trains from Coventry to London. The overall impact without mitigation is therefore an unattractive alternative to the existing position. Your Petitioners seek assurances that opportunities presented by HS2 for freed up capacity on the classic rail network will be utilised to provide commensurable rail service provision directly serving Coventry station. The reduction in services to London should be mitigated by the provision of other long distance inter-city journeys which call at Coventry and / or an increase in the number of valuable, middle distance inter-urban journeys (for instance to Milton Keynes, Leicester, Nottingham, Oxford and Reading) calling at Coventry.
28. Your Petitioners also seek assurances that should the provision of such services require further direct investment to the existing rail network (for example in order to provide additional infrastructure and capacity) that such investment will be openly and seriously considered and not treated as a constraint that rules out the provision of mitigating service opportunities. Your Petitioners consider that appropriate mitigation measures could include the provision of additional passenger and freight crossing paths at Coventry and Nuneaton and the provision of measures on the existing WCML to enable additional services.

Future 'double-tracking' of the Coventry – Leamington Rail Line at Milburn Grange

29. Your Petitioners submit that, where the high speed rail line is proposed to cross the Coventry to Leamington rail line at Milburn Grange (Scheduled Work No. 2/172 of the Bill), the rail overbridge at this point should allow for the future doubling of this section of rail line.

30. Proposals to increase capacity on the Coventry – Leamington rail line, in order to cater for more frequent long distance passenger and freight services and to enable new local passenger services to a new station at Kenilworth, are currently under development. Whilst these proposals have yet to be finalised, any lack of provision in the design of the high speed railway for a future double track alignment at Milburn Grange would severely prejudice further future capacity improvements on the Coventry – Leamington rail corridor.

Future 'four-tracking' of the West Coast Main Line at Berkswell

31. Your Petitioners are concerned that the Bill does not allow for the future four-tracking of the Coventry - Birmingham rail corridor of the WCML where the proposed high speed rail line crosses at Berkswell (Carol Green) (Scheduled Work No. 2/146 of the Bill).
32. The option of four-tracking of this section of the WCML needs to be safeguarded in order to cater for further significant increases in rail passenger and rail freight demand in the longer term.
33. On the Birmingham – Coventry corridor, increased rail passenger demand post-HS2 could, for example, be driven by major economic development around the Birmingham Curzon St, UK Central (Birmingham International) and Coventry Friargate sites or by expansion of Birmingham Airport. The ability to cater for such longer term demand will contribute significantly to the future delivery of high quality public transport in the West Midlands.
34. Passive provision for four-tracking has already been designed in to many of the structures already constructed over the section of railway between Coventry and Birmingham and has been requested by both your Petitioners and Network Rail for the replacement for the A45 bridge managed by Solihull Metropolitan Borough Council.
35. Your Petitioners contend that the proposals as set out in the Bill should not be treated differently from any other infrastructure. The costs and practicalities of introducing four-tracking subsequent to the construction of the high speed rail line would be significant. By not including any such provision, the Bill severely prejudices the railway's ability to cater for any future increased passenger and freight demand in the longer term.

Link with High Speed One

36. Your Petitioner is concerned that the design of the Old Oak Common HS2 Station does not include passive provision for a future direct rail link between the new railway and the 'High Speed 1' line.

37. Your Petitioner supports the work undertaken by Transport for London in this respect and believes that maintaining passive provision at the new Old Oak Common Station for a future fully segregated, European gauge, twin track rail tunnel to a connection with the HS1 line between Islington and Stratford represents the best long term option for providing a robust and future-proofed connection between the UK's first two high-speed rail lines.
38. Your Petitioner contends that including such passive provision at Old Oak Common Station will:
- (a) safeguard the longer constructing this strategically important rail link;
 - (b) significantly reduce the amount of money such a link might cost; and
 - (c) minimise the disruption to the new HS2 high speed rail line which would otherwise stem from the future construction of such a link.
39. To ensure the potential for direct services from the West Midlands to Europe is maintained, your Petitioner seeks an assurance from the promoter that the design of the Curzon Street and Interchange Stations will include passive provision for the facilities necessary to accommodate international services in the future.

Jobs and Training

40. Neither the Bill nor the documents which accompany it explain how jobs and training opportunities will be afforded to the CWLEP area. Your Petitioners request that your honourable House require the promoters to put in place a funding strategy that will help your Petitioners to better support affected local businesses, and maximise skills and training opportunities arising from the construction of the works, and to promote local employment and procurement opportunities in relation to the construction works.

Name of interchange station

41. The working name of the interchange station, namely Birmingham Interchange Station, is not representative of the catchment area it serves or the anticipated function of the station, which is not to provide access to and from Birmingham but to provide access to and from the wider West Midlands area and airport. That principle is acknowledged in the Bill's title and your Petitioners consider that a more appropriate station name should be selected, possibly by competition, which captures the wider West Midlands catchment area covered by the station.

YOUR PETITIONERS therefore humbly pray your Honourable House that the Bill may not be allowed to pass into law as it now stands and that they may be heard by their Counsel, Agents and witnesses in support of the allegations of this Petition against so much of the Bill as affects the property, rights and interests of your Petitioners and in support of such other clauses and provisions as may be necessary or expedient for their protection, or that such other relief may be given to your Petitioner in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.

SHARPE PRITCHARD LLP

Agents for Coventry City Council

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HIGH SPEED RAIL (LONDON – WEST MIDLANDS)

P E T I T I O N

of

COVENTRY CITY COUNCIL

AGAINST,

BY COUNSEL, &c.

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