

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2015–16

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL (ADDITIONAL PROVISION 2)

Against the Bill – On Merits – 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 THE INLAND WATERWAYS ASSOCIATION

SHEWETH as follows:-

- 1 A Bill (hereinafter referred to as “the bill”) has been introduced 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.
- 3 The additional, amended and discontinued works proposed to be authorised as specified in Additional Provision 2 to the Bill include works affecting the Trent & Mersey Canal, Wyrley & Essington Canal and the Grand Union Canal.

Your Petitioner

- 4 Your Petitioner is a registered charity, founded in 1946, and a company limited by guarantee registered in England & Wales, with approximately 16,000 members which advocates the conservation, use, maintenance, restoration and development of the inland waterways for public benefit. Individual and corporate members of The Inland Waterways Association, and members of the public whose interests in waterways are promoted and protected by the Association, include boat owners, holiday boat hirers, boat building and hiring companies, marina and moorings operators and other waterway related businesses of all kinds, canal restoration groups, community boat charities, canoeists, anglers and users of canal towpaths for recreational walking, cycling, travel to work and for access to the natural and built heritage of the waterways. The locus standi of your Petitioner was accepted in relation to their previous petition.

Your Petitioner’s Concerns

- 5 Your Petitioner and their rights and interests, including the enjoyment by the

public and the commercial interests of the canals, are injuriously affected by certain details of the design and construction of the railway and associated works authorised by Additional Provision 2 to the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.

Wood End Lane, Fradley

6 Your Petitioner has previously petitioned against certain provisions of the Bill, which petition (No. 574) has yet to be heard before the Select Committee. Additional Provision 2 (AP2) in part responds to your Petitioner's concerns about the Canal Crossings at Woodend, Fradley (as set out in paragraphs 21 through 28 of Petition 574) and your Petitioner welcomes the proposed changes to the horizontal and vertical alignment of the railway in that vicinity. However, AP2 includes an amendment to the previously indicated route for the diversion of Wood End Lane which was made without prior consultation with your Petitioner, who considers that this will injuriously affect the built heritage, tranquillity and amenity value of the Trent & Mersey Canal and its Conservation Area to an unnecessary extent.

7 Wood End Lane, although a minor road, now carries significant traffic including HGVs accessing the Fradley Park Industrial Estate. As the estate and an adjacent housing area continue to grow this traffic will only increase and improvements to this part of the road will further encourage its use. At present this has little impact on the canal but AP2 proposes to divert it to run alongside the canal below Woodend Lock, rising onto a high embankment to cross over the Handsacre Link tracks, and with a further embankment for the access road to Woodend Cottage.

8 Your Petitioner has proposed an alternative route for the Wood End Lane diversion which would take the road under rather than over the Handsacre Link tracks to better protect the canal, and also the local environment and landscape. The benefits of this include:

- Avoidance of the very high road embankments in close proximity to the Trent & Mersey Canal, reducing visual impact and noise disturbance from road traffic to the canal, and to the local landscape;
- Avoiding noise and visual impacts on the heritage interest of the Trent & Mersey Canal Conservation Area and the setting of its Listed Buildings;
- Minimising construction impacts on the canal and towpath users, and minimising ongoing loss of tranquillity;
- Avoiding wider impacts on the recreation, tourism and economic benefits of the canal system.

Your Petitioner requests that the Promoter be required to fully assess this alternative route for the Wood End Lane diversion.

Cappers Lane and Lichfield Cruising Club

9 Your Petitioner is pleased to note that AP2 includes the necessary realignment of approximately 300m of the Wyrley & Essington Canal at Cappers Lane by construction of a diversion channel to maintain the continuity of the canal

beneath the HS2 viaduct, and the construction of a replacement for Cappers Lane canal bridge. This will ensure that the continuing restoration of the canal now known as the Lichfield Canal will not be prejudiced. However, your Petitioner is concerned that no provision of replacement facilities for Lichfield Cruising Club is included.

- 10 It is acknowledged in the AP2 Supplementary Environmental Statement (SES) that due to the amended vertical alignment of HS2 at Cappers Lane and construction of the canal and road diversions, Lichfield Cruising Club (LCC) will suffer loss of 12 of its boat moorings for up to 2.5 years and permanent loss of its slipway, boat maintenance facility, crane hardstanding and associated car parking area. Such loss would grievously impact the functioning and finances of the Club.
- 11 The Promoter maintains that the displaced boats can move to other facilities nearby and that the moorings will be reinstated upon completion of construction. But this takes no account of the limited availability and higher cost of other moorings, or that the new channel will be constructed on a curve making mooring problematic, and will be crossed by a new road bridge with restricted access to the offside for mooring, or that the former tranquillity of these moorings will be lost to noise from both HS2 and road traffic.
- 12 The Promoter offers no solution to the loss of the slipway and maintenance facilities. Other boatyard facilities in the vicinity would not be able to replace all the lost capacity and would be significantly more expensive to use than the Club's DIY facilities. There is a vague promise in the SES to work with LCC to "assist them to reconfigure their operation", whatever that may mean, and there is a reference to eligibility for financial compensation. But compensation should only be necessary where appropriate mitigation cannot be incorporated in the works and in this case both the moorings and the maintenance facilities can and should be replaced.
- 13 LCC has through correspondence and meetings put forward a practical scheme, plan and preliminary costings for replacement of its lost facilities by construction of a boat mooring arm, covered slipway, crane hard standing and car parking on land in its ownership adjacent to Cappers Lane, linked to the remaining canal at the present winding hole (turning basin) adjacent to Watery Lane Bridge, with a towpath footbridge to maintain continuity. Your Petitioner considers that the Promoter should be required to construct these works at their expense and as part of the Advance Works, programmed to start in 2018 quarter 2, so as to be available before the existing moorings and facilities are lost on commencement of the main works in 2018 quarter 4.

Grand Union Canal, Slough Arm

- 14 Your Petitioner also requests better protection from construction impacts and noise for certain sections of the Grand Union Canal additionally affected by AP2. These arise from additional land to be taken for the Heathrow Express Depot alongside the Slough Arm of the Grand Union Canal at Iver.

- 15 The site on which the displaced Heathrow Express Maintenance Yard is proposed to be located is now in a rectangle of land bound to the north by the Grand Union Canal Slough Arm, to the south by the Great Western Slough-Iver existing railway line, to the west by Station Road/ Langley Park Road (B470), and on the east by Hollow Hill Lane. A line of boats single or double moored (according to width) occupies all the non-towpath side of the canal between the Station Road/ Langley Road, and Hollow Hill Lane. Amongst these boats are a total of 45 residential boats occupied by households, paying council tax and living permanently at this location. The remainder are leisure boat moorings, available to be used by their owners for extended periods but not as a main residence.
- 16 The proposed depot will be in use for the majority of each day and illuminated as required. It will impact the canal environment, these boats and especially their residents as a result of the visual and noise nuisance created by the activity of movement and maintenance of the trains.
- 17 Your Petitioner requests alterations to the design and overall height of the proposals, to reduce visual and noise nuisance. These alterations need to improve noise & visual mitigation of both construction and operational impact of the facility to protect the canal, and the recreational amenity it represents. This amenity benefits public users, those individuals who moor their boats there, and particularly those residents who live on their boats and who are amongst the closest residents to the proposed maintenance depot, in the least soundproof dwellings.

Other issues

- 18 Your Petitioner confirms that other route wide issues addressed in their Petition 574 including Noise Mitigation, Construction Compounds, Limits of Deviation and Design Principles (paragraphs 6 through 20) remain valid and relevant to the additional concerns engendered by AP2. Any changes to the specific locations listed as affected under each of these headings due to AP2 will be identified when these matters are addressed before the committee.

Conclusion

- 19 In consideration of the above, your Petitioner reserves the right to raise any further matters of concern related to the above matters and related to any changes or additions to the Bill that may arise from continuing discussions, the preparation and publication of reports, any revisions that may be made to current plans or any other matters relevant to our expressed concerns that may occur in due course and prior to our representation before the Select Committee.
- 20 For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended as proposed above, including amendments to the design of the Wood End Lane diversion at Woodend, Fradley near Lichfield, replacement mooring and maintenance facilities for the Lichfield Cruising Club

at Cappers Lane, and improvements to the design and mitigation around the Heathrow Express new depot affecting the Grand Union Canal, Slough Arm then the Bill should not be allowed to pass into law.

- 21 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and their rights and interests and for which no adequate provision is made to protect your Petitioner and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

YOUR PETITIONER therefore humbly prays 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 Petitioner 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 Petitioner will ever pray, &c.

NAME: Grenville Messham
Director Trustee and duly authorised representative of The Inland Waterways Association

Signature.....

NAME: Ivor Caplan
Director and Trustee of The Inland Waterways Association

Signature.....

Backsheet

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