

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2015-16

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

P E T I T I O N

Against Amendment of Provisions – 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 THE LONDON BOROUGH OF CAMDEN

SHEWETH as follows:

1. A Bill (hereinafter called “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.
3. A third Additional Provision (hereinafter called “AP3”) to amend the powers in the Bill, reintroduced on 28 May 2015, has been introduced into and is now pending in your honourable House.

4. Amongst other amendments, AP3 would amend Schedule 1 to the Bill, to confer additional power to accommodate changes to the design of Euston Station ("the Station") and its approach area and other design changes in the London Borough of Camden.
5. Your Petitioners are the local authority for the London Borough of Camden ("Camden"). They were established by the London Government Act 1963, which also conferred important powers and duties upon your Petitioners. Numerous enactments since that date have added to your Petitioners' statutory powers and duties. They are the local planning authority and are, therefore, responsible for general planning and preparation of location plans. They are also the local highway authority and have other powers and duties in relation to activities of public concern including housing, public health, recreation, civic welfare and amenity and the economic well-being of the area. As such your Petitioners are responsible for the protection of their property, rights, security and interests and those of the citizens, inhabitants and ratepayers of Camden as a whole.
6. Your Petitioners allege that they and their property, rights and interests in their area and the inhabitants thereof could be injuriously and prejudicially affected by the provisions of AP3 if passed into law in their present form and they accordingly object to AP3 for the reasons, amongst others, hereinafter appearing.
7. There are very many matters arising from the proposals in the Bill as proposed to be amended by AP3 which are of considerable concern to your Petitioners. Your Petitioners believe the amendments contained within AP3 and the provisions of the Supplementary Environmental Statement 2 and the AP3 Environmental Statement ("the SES") that accompanies it do not overcome your Petitioners' objections to the scheme, which were set out in the Petition referenced 0184 against the Hybrid Bill ("the Original Petition"). Therefore Camden and its environment will be unnecessarily injuriously affected by the Bill unless additional measures are implemented in an attempt to mitigate the impact of the proposed works. In that regard the objections raised in the Original Petition along with the requested amendments to the Bill and requirements of the Promoter therein remain and should be read alongside your Petitioners' objection to AP3 hereinafter appearing.

Euston Station Design

8. The amendment to the Station's design contained in AP3 would provide for the construction of the Station in a staged programme that would take seven years longer to construct than was proposed in the Bill scheme, meaning the construction of the HS2 station alone wouldn't be completed until 2033, very significantly increasing the detrimental impacts on residents and businesses in Camden. The first stage, described as Stage A, would be the building of the six High Speed 2 tracks required for Phase 1 of the Bill and would include subsurface platforms and ground level concourses. The second stage, stage B1, would be the lowering of five tracks in the existing Station to provide the High Speed 2 tracks required for the anticipated Phase 2 Bill. The construction programme assumes that the final stage, described as Stage B2 and being the remainder of the existing Station works, could be developed by Network Rail as the owner of the existing Station at some as yet undetermined time in the future. Both Stage A and Stage B1 are said to incorporate passive provision that would allow the existing Station to be redeveloped at a later date (outside the HS2 Bill process) and joined into the HS2 Station to create a comprehensive developed Station.
9. In the Original Petition, your Petitioners objected to the proposals for the design of Euston Station for a number of reasons. Those proposals included the construction of an additional building to house HS2 platforms to the west of the existing Station. This was completely unacceptable for the reasons set out in the Original Petition, in particular in paragraph 12. Your Petitioners wished to ensure that any alternative solution for the Station took account of the Euston Area Plan, which has been developed jointly by your Petitioners, the Greater London Authority and Transport for London, rather than the Hybrid Bill proposal, consisting of an additional section of station bolted onto the current structure. Unfortunately, the amendments in AP3 as described above do not address your Petitioners' concerns and fail to accord fully with the objectives in the Euston Area Plan.
10. The continuing desire of the Promoter of the Bill to design the HS2 Station in isolation from the existing Station, which AP3 and the SES would not change, would severely limit the ability of all parties involved (including your Petitioners, Transport for London, Network Rail the Mayor of London and the Promoter) to achieve the Euston Area Plan objectives; particularly permeability, well planned over-site development across both sites and the delivery of an integrated world-class station. The spine building proposed in the AP3 design, which runs north to south between the proposed HS2 Station and

the existing Station would prevent the type and layout of development that could otherwise be possible in the existing Station were a truly integrated approach to be adopted. It would also prevent east-west and full north-south movement across the site as envisaged in the Euston Area Plan. These deficiencies will, in your Petitioners' respectful submission, result in a failure to promote growth of the type that is supposedly one of the main drivers of the HS2 scheme.

11. The works proposed in the approach to the Station, including the reintroduction of Line X, creates additional significant construction impacts that will detrimentally affect the residents adjoining the throat. The Promoter has not adequately assessed (or assessed at all in places) the detrimental impacts the extended duration of the phased scheme will have on the health of residents, schools, organisations and other "receptors", nor has a community safety audit been undertaken.
12. There is no acknowledgement of the Crossrail 2 proposals in the Station design proposed in AP3. This is very likely to result in a missed opportunity to integrate Crossrail 2 fully into Euston Station and result in unnecessary additional land take to build the Crossrail 2 scheme, leading to additional cost and unnecessary demolition, an unacceptable loss of homes, businesses and community facilities and further significant disruption in the local area, all of which would not be necessary if the whole station site was planned at the same time. These issues and others lead your Petitioners to the inevitable and unfortunate conclusion that the Station design proposed in AP3 and the SES is wholly inappropriate.
13. To overcome the issues identified by your Petitioners there must be a full and comprehensive development of the proposed HS2 works and the existing Station to form one integrated station on a level deck, with provision to ensure the future delivery of over site development above the station and tracks. This would entail the tracks within the existing Station being lowered to the same underground level as the proposed HS2 tracks with a shared concourse covering the whole Station at ground floor level. This alternative solution must accord with the Euston Area Plan, provide for coordination of all the elements of a strategic transport interchange and other proposed transport infrastructure projects such as the proposed upgrades to the Northern Line, and it must require sharing worksites with Crossrail 2 and working with Network Rail, Transport for London and Crossrail 2's Nominated Undertaker to better integrate HS2 with Crossrail 2.

14. As mentioned in the Original Petition, the proposals for a comprehensive station at Euston must enable the creation of a world class sustainable station building design which allows appropriate scale and quantum of over-station and other associated development, including replacement of and new open space and housing and provision of sustainable drainage and which would bring about a high quality public realm. This should include improvements to the eastern façade on Eversholt Street, replacing the existing blank and imposing wall with ground level activity, and improved pedestrian and cycle connectivity in and around the Station, including a dedicated high quality, well lit and signed pedestrian walking connection to St Pancras as an alternative to Euston Road, always ensuring community safety.
15. The design and operation of the Station must also take into account the surrounding ultra-low emission zone ("ULEZ") (by, for example, requiring servicing of the station with low emission vehicles only), provide the best possible local transport integration, provide for the best use of the space to the front of the Station and be developed in such a way as to protect and enhance the business profile of the area, addressing congestion within the Station and elsewhere. Your Petitioners believe that there is no need for the bus stands on Eversholt Street or a linear bus station in front of the station when the existing street network can be utilised. Your Petitioners have given a commitment jointly with the Mayor of London to produce a Planning Brief for the over-site development associated with the Station, which will require detailed discussion and technical input in terms of station design work from the promoters and Network Rail. Your Petitioners seek a similar commitment from the Promoters to undertake and share work on station design. Of crucial importance to your Petitioners is their inclusion and that of the local community in the design process.
16. Your Petitioners refer to their request for a temporary terminus at Old Oak Common in the Original Petition and in their petition against the second Additional Provision to the Bill. It is clear that facilities should be provided so as to allow trains to turn back at Old Oak Common and/or make a connection with Crossrail 1 through the provision of turnback sidings or any other appropriate mechanism to allow Old Oak Common to function as a temporary station or to allow trains to link with Crossrail 1 so as to reduce demands on Euston Station during the construction period and importantly, to reduce the impact on the residents of Camden.
17. In summary, your Petitioners' primary request of your honourable House is that the current proposals for the Station should be rejected and that the Promoter be

instructed, in consultation with your Petitioners, Transport for London, the Greater London Authority and the local community, to prepare a revised scheme which takes an integrated approach including Network Rail High Speed 2 and Crossrail 2 to achieve a comprehensive redevelopment of the Station with a level concourse deck at ground level, in accordance with the objectives set out in the Euston Area Plan.

18. Were your honourable House not to find favour with the primary request mentioned above, your Petitioners respectfully request your honourable House to require the Secretary of State to give a commitment to ensure that work will not commence on the proposed HS2 station at Euston until the necessary powers and funding for the redevelopment of the existing Network Rail station are in place, and that those powers include the provision of a level deck concourse for the HS2 and classic station.
19. Your Petitioners are aware that other petitioners will be presenting alternative suggestions for the design of the Station and its approaches. Your Petitioners would welcome a "within footprint" station that is deliverable and trust that your honourable House will provide those petitioners with a full opportunity to make their case.

Transport

20. According to the SES, the scale of excavated waste identified as arising from the proposed works originating from the Euston area alone will be 2.5 million tonnes. This is 21% more than identified in the original Bill scheme. Demolition and construction waste will amount to a further 1 million tonnes according to the SES, 26% more than identified in the original Bill scheme. As a result the further intensification of lorries and heavy goods vehicles will incrementally increase the unacceptable levels of risk to pedestrians, cyclists and other road users across a wide area of Camden. It will also increase the air pollution so that it further exceeds an already unacceptable level and will therefore worsen the effects already raised in the Original petition. The geographical extent of the impacts (including lorry and HGV routes), the duration of works, and the volume of lorry and HGV traffic will have significant and avoidable negative impacts on Camden.
21. Your Petitioners consider that the use of rail for the delivery and removal of all construction related materials, spoil and equipment would overcome a considerable number of issues arising with the construction impacts of the scheme, including road safety, noise, air pollution and ground settlement. The SES assumes removal of waste material by road with only an unspecified limited volume that could be moved by rail.

Your Petitioners therefore repeat its request in the Original Petition that your honourable House require the Promoters to adopt the principle that rail haulage will be used for the delivery and removal of all construction related materials, spoil and equipment, unless it is manifestly impractical to do so. This has been achieved in the construction of Crossrail and would reflect best practice. Feasibility work carried out by Transport for London also indicates that this would be possible and on that basis are seeking a minimum of 70% of construction materials and waste to be moved by rail. Your Petitioners support Transport for London's position on this and also seek the maximum use of rail for movement of construction materials and waste.

22. Where it is demonstrated by your Promoters to be manifestly impractical to use rail haulage, your Petitioners ask your honourable House to require the Promoters to restrict lorry routes to the Transport for London Road Network and Strategic Road Network, and in any event avoid routes of a sensitive nature. To that end your Petitioners ask your honourable House to require the Promoters to enter into a binding Sustainable Construction Transportation Plan with your Petitioners and Transport for London. The plan should provide the opportunity to agree (a) specific routes for lorry movements associated with demolition, construction and utilities works (to be coordinated between the various work sites and construction compounds), (b) lorry holding areas and (c) fully funded mitigation that provides a network of safe pedestrian, school and cycle routes, with penalties to be applied for non-compliance. The plan would need to take into account the impact of the construction and associated utilities works on emergency response times and adapt to development and change across Camden during the lengthy construction period. It would therefore need to enable ongoing agreement for changes with your Petitioners and Transport for London. It should provide for a unified and simple ongoing community liaison scheme throughout the construction period (funded by the Promoter) which requires the Promoter to engage with and inform your Petitioners and others about the traffic impacts across Camden as those impacts change.
23. Given the disproportionate risks of Heavy Goods Vehicles to cyclists and other vulnerable road users your Petitioners also request that the Code of Construction Practice includes a commitment to the implementation of industry best practice on the safety and sustainability of construction vehicles, including the industry-led Construction Logistics and Cycle Safety (CLOCS) standards and Freight Operator Recognition Scheme (FORS). A commitment to meet London's ULEZ standards (which

will be in place from Euston Road southwards) and an extension of those standards to include all vehicles (not just HGVs and not just vehicles used for spoil removal), would assist in minimising air quality impacts.

24. The east-west link bridge at the northern end of the Station, which was included in the original Bill scheme, would not be provided if AP3 were approved. This omission increases your Petitioners' concerns about the design of the Station, where there is an absolute barrier to movement from east to west across the station. Your Petitioners consider that this east-west link bridge is essential to allow safe travel and permeability of this part of Camden for cyclists and pedestrians. The bridge would also assist with pedestrian access between Euston and HS1 at St Pancras, and with access for passengers arriving at Euston Station using classic services to the relocated taxi rank facilities. Even with the comprehensive redesign that your Petitioners are requesting, the reinstatement of this east-west link bridge should be provided by the Promoters in the final scheme.

25. In the context of significant increase in rail demand and your Petitioners' desire for the Promoters to use rail as much as possible for the delivery and removal of construction related materials, spoil and equipment, your Petitioners are concerned that in order to construct HS2 the existing classic rail services will need to be reorganised in some way. This could involve diversion of rail services, short termination or some other rearrangement in the interim. This could have a detrimental effect on local residents and businesses, commuters and visitors to Camden. Therefore your Petitioners consider it vital that, as options are developed, your Petitioners are involved in the organisational process along with other key stakeholders. To achieve that, your Petitioners ask your honourable House to require the Promoter to enter into a Construction and Rail Service Plan before construction commences, with a view to reducing the construction time at Euston and enabling the use of rail to transport material used during the demolition and construction process in a more sustainable manner, and reducing the unacceptable impact of lorries and heavy goods vehicles on Camden.

26. Your Petitioners are concerned about how changing patterns in the movement of traffic and pedestrians in and around the Station will be dealt with during and after construction. Your Petitioners consider that the proposals and locations for taxi facilities will create inappropriate overprovision for taxis and create additional unnecessary disturbance and congestion and will fail to provide easy links for those who choose to

use or who rely upon taxis, particular those with restricted mobility. Your Petitioners are keen to ensure that the strategic needs of safe, high quality provision for movement by cyclists and pedestrians are taken into account better at the Station, with fully integrated cycle parking that does not encroach on open spaces. The Promoter should be required to fund any temporary or permanent changes to the highway network to achieve that aim.

27. Your Petitioners share the concerns of Transport for London about the protection of onward access to interchange with the Underground during construction of the Station works. Disruption to that access would worsen the already inadequate onward provision at surface level for pedestrians, cyclists and bus services. Careful management and mitigation would need to be agreed with Transport for London and your Petitioners, and any necessary mitigation must be funded by the Promoter. Wherever possible, the Promoter should work with Transport for London and your Petitioners to avoid through-running of Underground lines, which would have the potential to create knock-on impacts on other public transport services and on local streets. Your Petitioners share Transport for London's concerns about the design of the project failing to recognise the projected levels of growth in demand on public transport services, and requests that the Promoter should be required to work with Transport for London to ensure that such growth is taken into account properly.
28. Your Petitioners request that the Promoter must be required to demonstrate the need for the proposed height and size of the replacement Hampstead Road Bridge, given the likely disruption that will be caused during and following construction as a result, and that it should reconsider the design of the bridge in consultation with your Petitioners and Transport for London, with a view to reducing the impact of the bridge.

Open Space

29. The amount of open space that would be lost remains the same in AP3 as was proposed in the Bill but the proposals for replacement have been revised. According to the proposals set out in AP3 and the SES, the period that the public will have to endure the temporary loss of open space will be extended until 2033 – a period of more than 15 years. No or inadequate measures have been put in place to ensure that a sufficient quantity of open space or adequate quality is available to local residents and others during the construction period.

30. The proposals for the replacement of open space on a permanent basis would not provide equivalence in terms of quantum, quality or location. For example, the proposed open space to the north of the Station appears to your Petitioners to be poorly located adjacent to busy transport use and facilities. Even if well designed, it would not provide open space of appropriate quality and would not provide an adequate replacement of the open space lost. It is shown as an island of open space between a large road bridge, service road, turn around point and taxi circulation space. That is most unlikely to be a well-used and vibrant open space, more a poorly designed area that has the potential to attract anti-social behaviour. Further, an additional development block which is unconnected to the Station has been added in AP3, appearing on an area that was previously to be provided as open space under the original proposals in the Bill. That would therefore increase the amount of open space to be lost permanently.
31. In addition to the request contained in paragraph 79 of the Original petition, your Petitioners ask your honourable House to require the Promoter to enter into an Agreement with your Petitioners to secure an ongoing mitigation programme to address temporary re-provision of open space during construction, including the identification of specific opportunities to mitigate the severe loss of open space to the local community, and a commitment to actively seek temporary or 'pop-up' solutions throughout the construction phase, ensuring that construction sites and compounds are not left idling for extended periods.
32. In addition to the request contained in paragraph 81 of the Original petition, your Petitioners ask your honourable House to require the Promoter to enter into joint working with your Petitioners to identify and create high quality open spaces which can be used to provide permanent re-provision of open spaces lost as a result of the HS2 scheme as proposed to be amended by AP3.

Habitability

33. The proposed changes in the nature, location, position of construction and construction sites and the timing of the construction works as set out in AP3 and the SES will mean that more residential properties are likely to be adversely affected by AP3 than would be affected under the Bill as deposited. Your Petitioners note that the SES identifies approximately 1025 residential buildings that are forecast to experience noise levels higher than originally assessed; however, there is some uncertainty as to whether the

Promoters will provide noise mitigations to those properties. The cumulative impact arising from construction of the scheme (including not just noise, but also dust and other impacts) are not adequately assessed nor are the impacts of the numerous utilities works that are scheduled during the construction phase. Your Petitioners consider it essential that the Promoters are required to provide an undertaking to agree to implement and maintain the following package of measures at its own cost:-

- (a) all the dwellings within the residential blocks identified in the SES as experiencing noise levels higher than the noise insulation trigger levels (“the qualifying properties”), and any subsequent properties identified as being so affected, should be provided with an appropriate noise insulation and ventilation package (as agreed by your Petitioners) regardless of any on-site mitigation, unless otherwise agreed by your Petitioners and/or the property owner;
- (b) a habitability assessment (such as the adapted Housing Health and Safety Rating System proposed by your Petitioners), should be carried out on the qualifying properties (together with properties that fall within 10% of the noise threshold used to determine the location of the qualifying properties) in order to establish whether additional appropriate mitigation measures are required to ensure habitability of the qualifying properties;
- (c) this customised approach for a package of mitigation, informed by the habitability assessment should be agreed with your Petitioners and/or the property owner prior to installation;
- (d) a further habitability assessment should be undertaken after the mitigation measures have been installed with a view to assessing the effectiveness of the mitigation measures; and
- (e) if the measures installed do not sufficiently mitigate the impacts, the residents of the property will be rehoused at the cost of the Promoter.

Children’s Services

- 34. Your Petitioners note that according to the SES, new major adverse significant effects have been identified in relation to several schools and children’s services in Camden. However, it is with some concern that your Petitioners consider the assessment of

impacts on those identified schools and children's services in the SES is flawed and does not describe the actual scope and magnitude of detrimental effects that will be experienced.

35. In order to ensure there are no negative residual impacts on children's services your Petitioners ask that your honourable House requires the Promoter to provide the mitigation measures requested in paragraph 75 of the Original Petition.
36. Your Petitioners ask that your honourable House requires the Promoter to enter into an Agreement with your Petitioners to provide a social worker to assist families with vulnerable children during the decanting of those buildings on and around the Regents Park Estate that are required to be demolished for the HS2 scheme and during the beginning of the construction phase (in total for a minimum of the five years). So far, no legally binding commitment has yet been made.
37. There is reference in the SES to proposed works planned near North Gower Street which would affect Maria Fidelis Lower School, which is currently located on the North Gower Street site. The extent of the proposed works means that the school will experience significant noise effects extended from around 41 months in the original Bill scheme to seven years under AP3.
38. An agreement has been entered into which allows the Maria Fidelis Lower School to be relocated to the Upper School's site on Phoenix Road to create a consolidated school complex. The necessary permissions are currently being obtained to allow the school to be built but the timing currently projected shows that the new school will not be completed before the Promoter intends to commence the HS2 scheme works. Your Petitioners consider that the school would be so severely disrupted by the proposed construction works that it would not be able to effectively operate at the North Gower Street site. Therefore your Petitioners ask your honourable House to require the Promoter to undertake not to commence any works of construction or demolition in the vicinity of the Maria Fidelis North Gower Street site until such time as the pupils of the school have been moved to their new school in Phoenix Road.

Impact of Utilities Works

39. There are numerous references in AP3 and the SES to the need to divert existing utilities on and around the Station construction sites. These works will cause major disruption for residents, business and road users in Camden.

40. The Promoter has failed to adequately assess the impact of utilities works, including on emergency response times and bus journey times. Your Petitioners ask that these impacts are fully assessed and any adverse impacts on residents, businesses, pedestrians and cyclists, emergency response times and bus journey times are appropriately managed and mitigated. This should be included in the Sustainable Construction Transportation Plan mentioned earlier in this petition.
41. Despite the proposed extensive utilities work, there is no explanation of plans that the Promoter may have to put in place to prevent or manage any disruption to utility supplies to local residents or business. Your Petitioners ask your honourable House to require the Promoter to put in place an emergency response plan to deal with any utility failures that result from the construction works. This plan should include provision to provide temporary accommodation, transport, food and other support to those residents who have suffered utility failure for a long period of time, all at the cost of the Promoter.

General

42. Your Petitioners are concerned that, having reviewed all of the documents forming part of the SES, it is clear that there is no overall management proposal for the construction phase at the Station and surrounds. There are a number of proposed construction work sites but there is nothing governing the interaction between these construction sites nor any mechanism for maximising spaces for innovative uses when they are not being used for construction, such as (for example) use as a temporary open space or other temporary use. There is also no requirement on the Nominated Undertaker to carry out a holistic assessment of the Euston area when making applications to your Petitioners for approvals under the Bill. Your Petitioners ask your honourable House to require the Promoters to adopt and implement at its own cost a Euston Site Management Plan in order to overcome those concerns. This would help to secure a reduction in the detrimental impacts that would otherwise be suffered by residents, businesses and visitors in Camden in a comprehensive way.
43. There are other clauses and provisions in AP3 which, if passed into law as they now stand, will prejudicially affect the rights and interest of your Petitioners and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

YOUR PETITIONERS THEREFORE HUMBLY PRAY

your honourable House that the Amendments of Provisions may not pass into law as they now stand and that they be heard by themselves, their counsel, agents and witnesses in support of the allegations of this petition, against so much of the Amendments of Provisions as affect the property, rights, and interests of your Petitioners and in support of such other clauses and amendments as may be necessary and proper for their protection and benefit.

AND YOUR PETITIONERS will ever pray, &c.



SHARPE PRITCHARD LLP

Agents for the London Borough of
Camden

HOUSE OF COMMONS

SESSION 2015-16

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

P E T I T I O N

of

THE LONDON BOROUGH OF CAMDEN

AGAINST,

BY COUNSEL, &c.

SHARPE PRITCHARD LLP
Elizabeth House
Fulwood Place
London WC1V 6HG
Parliamentary Agents