

To the House of Lords

Session 2015–16

PETITION against the

High Speed Rail (London – West Midlands) Bill

THE PETITION OF Camden Cutting Group

Declares that:

1. The petitioner is specially and directly adversely affected by the whole Bill except the provisions under the cross-headings “Railway matters” and “the Crown”.

Your Petitioner

2. The petitioner is the Camden Cutting Group, a neighbourhood organisation with over 270 active local supporters. The Camden Cutting Group speaks for those residents in the area bound in the south by Granby Terrace, in the north by Parkway, in the west by Park Village East, and in the east by Arlington Road. About 3,000 people live in this area. The open railway cutting leading to Euston is in the centre of this neighbourhood.
3. The Camden Cutting is at the centre of a London community that coexists with the railway. The area is a real neighbourhood, surprisingly quiet, and a liveable mix of two Conservation Areas, historic buildings and social housing. The Cutting area is currently a tranquil area, with relatively little through-traffic, benefiting from the space and light and air that the railway cutting creates while accepting the limited intermittent noise the trains produce during the daytime.

Your Petitioner’s concerns and how the Camden Cutting neighbourhood is directly and specially affected by HS2

4. The Environmental Statement published with the Additional Provision (AP3) details that all the streets within the above area are predicted to suffer significant adverse effects as a result of the scheme, even after the inclusion of the mitigation proposed by the Promoter (including 622 of the 1,349 properties being provided with Noise Insulation).
5. Our immediate neighbourhood is threatened by heavy construction for ten years (2016-2025) and the wider community for at least eighteen years (2016-2033).
6. A significant proportion of this construction will be undertaken at night, in the close vicinity of dense housing. Night-time construction on this scale and for this duration has never previously occurred in a residential area of the UK.
7. The final report of the House of Commons Select Committee states that “Camden is exceptional, and needs special treatment” (para 237).
8. The Environmental Statement (‘ES’) is clear that there are a large number of significant adverse effects on the community that cannot be mitigated by HS2 as they remain Significant Adverse even after mitigation.

9. In spite of the scale of the work, the duration and the anti-social impact, compensation is extremely restricted. Except under the very limited circumstances of the Need to Sell Scheme, residents are not being offered any protection against the fall in value of their homes during the lengthy construction period, making moving home impossible. For those staying in their homes throughout the construction phase there is no compensation provided in spite of the acknowledged un-mitigated significant adverse environmental impacts. If such work is to occur its impact on the local community must firstly be minimised, secondly be fully mitigated where possible, and third, compensation paid where mitigation is otherwise impossible or incomplete.
10. Prior to the House of Commons petitioning process we met many times with the staff of HS2 Ltd to discuss specific local issues of concern and have attended open consultation events set up by HS2 Ltd and the London Borough of Camden ('LBC'). These events were frequently HS2 Ltd informing the local community rather than open dialogue and have had little effect in persuading HS2 staff to lessen the impact of HS2 on our community. The AP3 proposal documents, the Supplementary Environmental Statement for AP3 ('SES'), and the current proposed Bill give no indication that HS2 have grasped the nature of the local community that has striven so hard to engage with it. Concerns that we have raised about the Environmental Statement and Code of Construction Practice (CoCP) have not been addressed.
11. We believe it is inappropriate to bring construction on this scale into a dense residential area of London in the manner being proposed. The Promoter's desire to protect other interests including Network Rail and Train Operating Companies, is at the expense of residents. The rights and interests of local residents are deeply damaged in a way that should be unacceptable in a modern democracy.
12. We are aware of the assurances given to London Borough of Camden during the House of Commons consideration of the Bill. These assurances are often concerning process and fail to reduce significantly the majority of significant adverse impacts on your Petitioner's members. Consequently they are inadequate, and while individually are mostly a step in the right direction they do not provide sufficient protection for residents in the Cutting area. In the sections below we ask for measures that would guarantee that the assurances already given by HS2 Ltd can be adequately enforced, and we seek additional assurances that will give adequate protection to residents.

Summary of works and our concerns

13. The work that will be happening outside our doors, as described in the Bill includes:
 - (a) Demolition of 12 metre high Park Village East (PVE) retaining walls and of the central retaining wall at the Parkway portal
 - (b) Reconstruction of PVE retaining walls at a height of 35 metres high above HS2 track level plus 15 metres below existing track level requiring extensive contiguous piling, ground anchors and compensation grouting
 - (c) Deep excavation and construction of new retaining walls within the Cutting
 - (d) Construction of a high speed rail dive-under box about 30m deep
 - (e) Demolition and reconstruction of the existing Line X conventional rail cross-over
 - (f) Phased demolition and reconstruction over eight years of Hampstead Road Bridge (currently 4.8 metres higher and twice as long at 220 metres)
 - (g) Demolition and reconstruction of Mornington Street Bridge, and construction of a temporary replacement bridge

- (h) Demolition and reconstruction of Granby Terrace Bridge
- (i) Construction of two concrete portal boxes
- (j) Reception and dismantling of tunnel boring machines
- (k) Construction of three ventilation/intervention buildings adjacent to the Cutting
- (l) Works on the classic railway tracks, signalling and other systems
- (m) Installation of new tracks, gantries, signals etc
- (n) Construction compounds throughout the neighbourhood
- (o) Utility works in many neighbourhood streets
- (p) HGV construction traffic along both residential streets and main roads for years
- (q) HGV holding area in the London Zoo car park
- (r) Years of 'significant noise' and months of 'significant vibration'

14. Most of this work will take place in the 750 metre length of the Cutting, making it an incredibly intense work site for many years. The proximity of the 4 key rail lines into Euston intended to remain open throughout the construction period means that much of this work will take place during 'possessions'. (Possessions are periods when the Promoter takes possession of the working lines temporarily. To avoid disruption to rail users these possessions will generally be at night-time, in particular 23.00 – 05.00).
15. Work at Euston Station (18 years) and possible redevelopment of the conventional rail side of the station (probably beyond 2033) followed by over site development in the Cutting (further decades of work) will also impact our neighbourhood.
16. The Draft Code of Construction Practice allows much of the work in the Cutting to be exempt from normal working hour restrictions and to take place 24 hours a day, seven days a week.
17. The Cutting is a large open area with hard sound reflective surfaces; works anywhere in the Cutting will create impacts for a great distance. Mornington Terrace, Clarkson Row, half of Mornington Crescent, Park Village East and part of Parkway are completely exposed across the open Cutting to the full brunt of the works. The adjoining cross streets of Mornington Street and Mornington Place are almost as exposed as are parts of Delancey Street. A wider area will be affected by construction traffic with heavy lorries on quiet residential streets and about 900 HGVs a day (450 'two way trips') on the local High Street A400. These impacts will include air pollution as well as noise and vibration.
18. Additionally your petitioners are most concerned to note that some neighbourhood streets will suffer a permanent increase in traffic and pollution as a result of HS2 with predictions of up to 40% more traffic than is currently the case.
19. The human cost of the HS2 construction has not been considered seriously by HS2 Ltd. If you are working at home, attending school and revising for A Levels for example or hoping to sleep at night between 2016 and 2025 your life will be seriously disturbed. It is unrealistic to think that life goes on as normal while a 12 metre high 3 metre thick retaining wall is being demolished outside your house and a 35 metre high one being built in its place (just one example). The basic human right to the peaceful enjoyment of property is being removed by ten years of disruptive construction in the Camden Cutting.
20. The Promoter has frequently stated that a principle of infrastructure construction is that impacted residents must be prepared to bear some level of 'temporary' disturbance for

the wider public good. However HS2 do not recognise that ten years of construction is not a 'temporary' disturbance. Over the decades the legislative framework has developed to protect residents from the damaging and unreasonable impacts of construction in normal circumstances but the Promoter is seeking to disapply much of that legislation and replace it with their own set of rules while removing resident's recourse to legal remedy.

21. The Construction Programme in SES2 & AP3 ES 3.2.1.1 Vol 2 Figure 9a and the Construction Phasing Maps in the Vol 2 Map book SES2 & AP3 ES 3.2.2.1 CT-20-005 to 010) clearly show ten continuous years of construction 2016 to 2025. Within this period, table 19 in the AP3 ES predicts periods of noise up to 36 months where the 'significance criteria' will be exceeded in the Camden Cutting neighbourhood. The actual length of time that residents are expected to put up with serious disruption may be much longer, for example from 2017 to 2022 in the one location where detailed noise graphs have been provided.
22. The night time noise during the construction phase will be a particular issue for the Cutting. There are no comparable projects in the UK where such a level and duration of night time noise has been created in a densely populated residential area.
23. The SES & AP3 ES Section 14 describes some of the noise and vibration that Camden Cutting residents will experience and includes the statement in 14.3.14 that 'The mitigation measures, including noise insulation where necessary in the affected parts of these buildings, will reduce noise inside all dwellings to a level where it should not significantly affect residents.' Evidence is not given to support this. In particular it disregards the particular nature of construction noise, and how disruptive this is to sleep patterns. It is unrealistic to contend that installation of secondary glazing will make homes fully habitable. HS2's noise insulation policy requires noise to be reduced to below SOAEL level, but to provide full mitigation over long periods and allow adequate sleep the noise insulation mitigation should be set at LOAEL level.
24. HS2's modelling of the impact of construction noise in the Cutting area is inadequate. There is a risk that it fails to take account of the way that noise is reflected and channelled by the hard surfaces in the Cutting area, and also through gaps in some buildings for example with sound reaching the rear of buildings that are not currently identified for noise insulation.
25. The noise modelling is based on 'average' noise levels (LAeq) not maximum noise levels (LAm_{ax}) and therefore its intrusive impact on sleepfulness has not been accurately assessed or mitigated. Further the noise model has not been calibrated through real world testing, and there are no plans to do so.
26. In addition, the installation of secondary glazing where Noise Insulation is being provided may have knock on effects that ultimately could make many homes uninhabitable. The policy of installing secondary glazing to mitigate for excess construction noise relies on windows remaining closed during construction periods. Many homes rely on windows being open to manage heat build up, in particular in summer months and at night. The current proposals from HS2 Ltd do not provide adequate ventilation given the building stock and specific issues in the Cutting area (inhabited mansard roofs in many houses for example).

27. Temporary re-housing will be required for at least some people, but the current policy is inadequate. (Note that we contend that an adequate policy on habitability would see a much larger number of people potentially eligible for re-housing. Also note that this 'temporary' re-housing may be for many years in practice). Irrespective of the number re-housed, the policy is inadequate in providing no assurance that residents will be entitled to equivalent accommodation locally that takes account of their particular needs (e.g. schooling), and ensures they do not bear any of the costs of this re-housing. HS2 Ltd have consistently stated that they do not believe any re-housing is required for noise mitigation, and this appears to explain why the content of the policy is inadequate. Our contention is that the policy will be required, and must be made adequate.
28. Vibration will exceed the Significant Observed Adverse Effect Level for periods of up to three months for some Camden Cutting households (SES & AP3 ES14.3.15 & Volume 5 Technical appendices Sound, noise and vibration SV-002-001) but inadequate proposals are made for mitigation or temporary rehousing.
29. The SES & AP3 ES recognises 'residual' significant negative impacts on our neighbourhood but does not propose solutions, implying that we are to put up with them without mitigation or compensation.
30. The Bill currently before the Committee in the House of Lords still does not account for these issues. The report of the Select Committee in the House of Commons contains repeated references to the 'exceptional' nature of the impacts on Camden and there are warm words from the government on dealing with impacted communities fairly. Yet the Bill remains unchanged, and with the interests of residents hugely damaged.
31. In the House of Commons Select Committee stage of the Bill, HS2 Ltd gave a number of assurances to Camden Council which were suggested as being to the benefit of local residents. We believe these assurances, while welcome, do not get anywhere near to appropriately managing, mitigating or compensating for the proposed development. We note that Camden Council has a complex relationship with HS2, and while it has a role to represent local residents and protect their interests, it also has a role as a development partner of HS2 on the Euston Station Strategic Redevelopment Board. These roles conflict, and Camden Council does not operate purely as the representative of the interests of local residents.
32. There are omissions and inaccuracies in the various AP3, SES and ES documents that limit our understanding of the impacts. HS2 Ltd staff have in many cases failed to answer questions or provide information that would assist in this regard. Our members have repeatedly asked for a list of known errors in the documents some of which may impact on residents, but HS2 Ltd has refused to provide this information.
33. The design of the HS2 works in the Camden Cutting and at Euston is still not complete, with critical elements still at the conceptual design stage and your petitioner is concerned there may be impacts not anticipated in AP3 and the Bill or that technical difficulties may extend the duration of the construction process and prevent the reinstatement of key local infrastructure that has been removed to facilitate HS2 coming to Euston.

The Relief Sought by your Petitioners

34. The impacts on Camden Cutting of HS2 are many and varied and there is no single measure that will stop serious detriment to the community and individuals. Most of our community wish to stay where they are, not pack up and leave. Many modifications are required to the HS2 proposals to make the neighbourhood liveable during the years of construction.
35. For the reasons given in this petition, your Petitioners respectfully ask that the proposed scheme be varied that appropriate amendments to the Bill be made on each of these issues is addressed below..

Development of Euston Station

36. The current Bill is seeking outline permission for re-development of both sides of Euston station. However the Supplementary Environmental Statement for AP3 only covered the impacts of development of the HS2 side (West) of the station.
37. Any changes to platform or track layout in Euston Station has knock on impacts on the Hampstead road bridge and the track layout in the cutting. In particular, any design decision to have a "level deck" at Euston and reducing the height of the conventional tracks and platforms will increase the incline out of Euston station and possibly require further significant engineering works in the Camden Cutting area. With the Promoter's and Network Rail's desire to keep the rail network running, your Petitioner is extremely concerned that any further work will be immediately after the HS2 works in the Cutting area thereby extending the devastating construction impacts well beyond 2026 for the Cutting area as well as Euston Station.
38. There are currently no clear plans for re-development of the classic (East) side of the station, yet the report of the Select Committee of the House of Commons called for an integrated approach. Current proposals for Crossrail 2 do not provide a high quality intergrated design. Until there is a plan for a comprehensive, integrated station, incorporating all phases of HS2, classic station redevelopment and Crossrail 2, the full extent of the appropriate demolition and construction work cannot be determined.
39. We believe that a further Environmental Statement is required in order to understand the total impact on the local community of developing both sides of the station, not only in the area in the immediate vicinity of Euston Station but also in the approaches. This requirement stands, whether HS2 and others accept the need for an integrated design, or whether HS2 and Railtrack proceed with the current A/B1 and B2 approach with separate developments of the classic and HS2 (West) sides of the station.
40. We ask that the relevant authorities (e.g. Department for Transport, TfL, Railtrack and HS2) be required to develop a plan for an integrated design (including all phases of HS2, classic station redevelopment, and Crossrail 2), including the final approach to the station. This plan must have HS2 Design panel members' input embedded from the start in a meaningful way.
41. We ask for an undertaking that no demolition works in the Camden Cutting area and south to Euston Station take place until after (1) a full Environmental Impact Assessment of an integrated design has been carried out with the associated publications and consultation on an Environmental Statement has been carried out including calculating the cumulative impact of all aspects of the redevelopment of

Euston station and its approaches, and (2) detailed designs for an integrated Euston Station have been prepared and passed the appropriate planning scrutiny.

42. We ask that the Committee direct the government to provide a funding package and an appropriate legislative framework for the redevelopment of the whole of Euston station if any work is to begin on demolition and construction work on the West side of the station.

Alternative Principal or Temporary Terminus Station at Old Oak Common

43. If HS2 stopped at Old Oak Common the negative impacts on densely populated parts of London would be avoided (much as has been done in France and Germany for example) and the necessary mitigation and compensation asked for in this petition would not be required.
44. It is already proposed that there be a station on the HS2 line at Old Oak Common (OOC).
45. We note also that the original siting of the terminus at Euston assumed that HS2 needed to link to HS1, and this made Euston a logical terminus. The idea for a link has since been dropped. However since this significant change of scope, no significant work has been conducted on the optimal siting of the HS2 terminus (or indeed whether a terminus of the size proposed in Euston is needed at all).
46. At a minimum we ask that Old Oak Common is developed as a temporary London terminus for the high speed section of the line to allow time for alternative proposals for the resolution of delivering HS2 services into central London to be properly assessed, and ultimately resulting in a well considered design for Euston Station and its approach to be developed within the existing station.
47. We ask that a cost benefit analysis is conducted that estimates the overall reduction of cost to HS2 of terminating the line at Old Oak Common (in the London Borough of Hammersmith and Fulham), including any necessary redesign of the station at Old Oak Common to make this possible, and calculate the effect on the cost benefit analysis. This could include any other alternatives identified now the HS1-HS2 link has been removed as impractical with Euston as the Terminus.

Noise Thresholds for Noise Insulation

48. We ask that the noise thresholds for noise insulation should be lower than the limits in the CoCP. These limits are based on BS5228 and are used for typical construction projects where disturbance is temporary, not ten years. Normal life cannot go on during ten years of excessive noise. Normal life includes sleeping, doing homework or revision, socialising, working or just being at home or in one's garden.
49. Noise levels that exceed the 'significance criteria' for periods of up to 36 months or three years spread over a significantly longer period and with typical highest monthly noise levels of 70 to 90 dB are tabulated in Table 19 of the SES2 and ES Vol 2. Note that this means that the highest individual noise events will likely be significantly louder than these figures. We have asked for further noise graphs for additional locations in addition to the one we received after our House of Commons Select Committee appearance. This one location showed worryingly high noise levels both day and night for most of the ten year period. To date these additional graphs have not been provided.

50. Noise limits for obtaining residential Planning Permission are lower than those proposed by HS2, even if high levels of noise are not present for the entire time.
51. Right now the streets in the Camden Cutting are quiet with only local traffic and limited intermittent train noise principally during the daytime; years of potential round the clock heavy civil engineering will alter the external environment radically for the worse.
52. We ask that given the exceptional nature and duration of the HS2 construction project (10 to 18 years or more) that acceptable noise limits follow standards for permanent conditions, not those for typical construction works.
53. For these reasons, we ask that the noise thresholds for noise insulation should be lower than the limits in the CoCP and Information Paper E23. We ask that the limits should be:
 - 65 dB during the day 0800-1800 on weekdays (instead of 75 dB)
 - 60 dB during the day 0700-2200 Sunday (instead of 65 dB)
 - 55 dB at night 2200 -0700 dB (same as proposed by HS2)
 - 65 dB at other times (instead of 65-70 dB)
54. Further, the CoCP and E23 Information Paper requires that the trigger levels are applied when the noise levels predicted or measured by the contractor exceeds the limit in for ten days in any fifteen consecutive days or for 40 days in any six month period. This is a potential 800 days over the ten year length of the construction.
55. We ask that these trigger levels are applied when the noise level predicted by the contractors exceeds the limit for five days in any fifteen consecutive days or 20 days in any six month period or 30 days in any 12 month period or 40 days in any two year period.
56. We are aware of assurances given to Camden Council that confirm that the Local Authority retains its powers and obligations under section 60 and 61 of the Control of Pollution Act 1974. In theory this allows Camden Council to determine lower noise thresholds for noise insulation and re-housing. In practice this is not adequate as it provides no clarity to residents on whether or how this power will be used over the extensive period of works. Instead it makes residents reliant on Camden Council, a body with conflicting interests. Your petitioner believes that it is appropriate that Parliament makes a clear determination on this as part of the legislative process.

Use of LAmax as a threshold measure for Noise Insulation

57. We ask that in addition to the LpAeq dB limits given in the CoCP and Information Paper E23, LAmax limits are given for the construction phase. LAmax refers to individual noise events (as opposed to averaged noise levels over a period of time) and are relevant as it is individual noise events that are a key determinant of sleepfulness of an environment at night, not just average noise.
58. We have been told by HS2 staff that the current noise model does not support prediction of LAmax. If this is the case then we contend that the current noise model is not fit for purpose as a tool for measuring and managing the impact of construction noise of this scale, duration and intensity in a densely populated residential area. We ask that HS2 Ltd is directed to create an appropriate noise model and noise policy that accounts for LAmax events at night and the impact on sleepfulness, and that no night-

time construction noise is created until this is in place. This policy needs to be drafted on the realistic basis that many homes cannot be easily protected from unacceptably high levels of LAmax noise.

59. HS2 have contended that such an approach is not possible, which risks leaving residents open to significant harm. If this is the case, we ask that a highly precautionary approach is taken to estimating and mitigating the impacts in the Cutting area. This approach must consist of lower LAeq noise threshold levels, for both noise insulation and re-housing, noise insulation above minimum requirements, an extended re-housing policy and compensation.

Validation of Noise Modelling

60. The determination of which homes qualify for noise insulation packages (or re-housing) is based on noise modelling conducted by HS2. In a variety of instances we believe this modelling fails to take account of the specific local environment and is insufficiently precise. In other cases the modelling is based on inaccurate or inadequate baseline noise data. We ask that HS2 commit to reviewing all such cases and re-model as necessary.
61. We ask that the noise modelling be subject to a calibration regime. Testing should be conducted to determine how closely the noise model accurately represents real noise effects from the Cutting on various receptors including those beyond the current predicted range of significant impact. Mitigation should be re-considered as necessary in the light of this calibration. This is an appropriate and proportionate step given this scale, duration and intensity of noise has never been created previously in a densely populated residential area.
62. In order to accurately predict if insulation or rehousing will be necessary we ask that HS2 undertake an open review of construction noise modelling and reporting of data (as we have spotted a number of errors) by a third party, with all results made public. The review should consider the specific nature of the Camden Cutting environment (large open cutting with hard sound reflective retaining walls and no mitigating features), the actual designs and construction techniques, equipment and programme, and also construction traffic. The review should also consider the accuracy of baseline modelling and whether it is sufficiently detailed.
63. We ask that this noise modelling and mitigation specifically addresses impacts at the rear of buildings (e.g. rear facing windows in Mornington Terrace and Delancey Street for example), buildings exposed behind gaps between other buildings, and buildings that have direct line of sight of the works even if they are further away (such as Mornington Street for example) not just those facing the works. Recent works in the cutting have clearly identified this is a problem with residents on Albert Street kept awake by noise passing either over or through gaps on Mornington Terrace.
64. Noise modelling should also incorporate an assessment of the impact of increased numbers of construction vehicles on all designated construction routes using the LOAEL assessment for Construction noise so that residences can be provided with suitable mitigation (if they have to keep windows closed to make the noise environment acceptable) based on actual monitored baseline data to record the existing noise levels, and not modelled baseline data.

65. We ask that in addition to external noise monitoring, HS2 monitor noise levels both inside properties that have had secondary glazing installed, and others adjacent that have not, to ensure that noise levels do not exceed responsible standards.

Noise Insulation Package

66. Many buildings in the Cutting area are also exposed to significant heat build up on sunny days, with large south or west facing facades. Occupiers of buildings currently purge heat from buildings by opening the windows on hot days, although even then on hot days some rooms can become significantly over-heated. After secondary glazing is installed, this ventilation becomes impossible. HS2 have proposed small mechanical ventilators are used to create airflow to replace this ventilation, but the units proposed will be inadequate to the task in many cases. Air conditioning will be required in some houses to maintain a habitable temperature range.
67. Further problems arise from the installation of secondary glazing include condensation and moisture build up, and increased levels of carbon dioxide / indoor pollution. Recent research shows that indoor pollution is a factor in ill-health and early death that is currently not adequately understood.
68. We are aware of the assurance given to Camden to survey a representative sample of properties to consider these issues, and we believe this is a step in the right direction. We believe the 'representative sample' approach will be inadequate in practice and lead to significant and unacceptable variability in the quality of noise protection or ventilation measures provided, and to unacceptable 'knock-on' issues from insulation packages making homes uninhabitable in practice.
69. We note that appearing before the Select Committee of the House of Commons HS2 agreed it would be 'eminently sensible' for HS2 Ltd to engage directly with residents such as those on Mornington Terrace to discuss the details of noise insulation and the practical difficulties arising. Residents were cautioned by HS2 that they should not engage in foot-dragging or be un-constructive. In practice, residents have been willing and eager to engage for several years and it is HS2 staff that has been unwilling to engage. HS2 are pursuing a 'one size fits all' approach without listening to the community and engaging on the practical issues.
70. We ask that all homes are individually assessed for noise insulation packages. We ask that assessments should be performed by an independent body or company, who has expertise in assessing both glazing and ventilation, and the resulting impacts on a property (for example the Buildings Research Establishment), and working within Listed Buildings regime where necessary. The scope of the assessment should include what insulation is needed to bring noise levels (including night time L_{Amax} noise) within acceptable parameters; assessing heat build up on hot summer days/nights and how this will be maintained with appropriate thresholds (max 24C at night); assessing how properties can have adequate ventilation to manage moisture build up; assessing how properties can have adequate ventilation to manage CO₂ build up; assessing how properties can adequately meet any other appropriate habitability considerations. We note that HS2's current proposals are for an individual 'measure up' of the fitting of noise insulation, but do not review the package as a whole for a particular property.
71. There are significant issues posed by the construction, layout and heritage features of particular properties. For example properties with box shutters cannot accommodate the standard secondary glazing internally as proposed by HS2.

72. We believe that retro-fitting appropriate noise insulation and ventilation to period properties is going to be difficult in many cases and has been under-estimated by HS2 Ltd. In some cases it may not be possible to provide a reasonable solution in a period property that ensures the property is reasonably habitable. HS2 have repeatedly failed to engage seriously in discussion on this point, and therefore the opportunity to design appropriate schemes and undertake them prior to construction work commencing have been lost.
73. We ask that this detailed assessment and any necessary building works are carried out prior to any construction work commencing. We ask that HS2 Ltd be prohibited from commencing construction until this has occurred.
74. We ask that if a noise mitigation proposal cannot be found that meets the reasonable needs of residents then HS2 Ltd will offer rehousing or suitable alternative mitigation.
75. We ask that an independent adjudicator be appointed who can consider cases where agreement cannot be reached. The adjudicator needs to be adequately resourced and experienced in assessing the multiple needs of particular homes.
76. We ask that the independent adjudicator should have the remit to review any cases where noise insulation does not work, or causes unacceptable 'knock-on' issues. In such circumstances, we ask that the adjudicator have the power to direct HS2 to conduct remedial work, or to direct HS2 to provide appropriate mitigation such as rehousing. This power to direct HS2 is required in our view given the poor approach of HS2 staff and the experience of residents impacted by other projects such as Crossrail where some complaints took a considerable period of time to resolve.
77. We ask that all noise insulation packages be designed and installed to suit the requirements of each individual property and its inhabitants. This could include alternatives to secondary glazing, such as fitting sash windows with laminated acoustic glass and brush seals, if they are appropriate for the building and if their performance is acceptable to residents.
78. We ask that, owing to the long timescales of the project, residents are eligible for both noise mitigation packages and temporary rehousing at different times during the ten years of construction. For example, if a resident is faced with a 10 year period of significant noise for which they would be offered an insulation package, with a particular peak for 30 month where they would qualify for re-housing, it should be open to the resident to take advantage of the re-housing policy for 30 months, and to take advantage of the noise insulation installation for the remaining period. As currently drafted, the policy would force a resident to choose between the two options.
79. We are obliged to make clear that HS2 have been very poor at engaging with Camden Cutting Group and others on this issue. HS2 have been resistant to meeting to discuss these issues and are only prepared to discuss them with London Borough of Camden, regarding LBC as the 'valid representative' of the community.
80. Even when HS2 are prepared to 'engage' representatives of the community this is generally a one way exercise. To quote a senior HS2 engagement manager when recently asked to define engagement: "we will meet you when we have something to tell you". The senior manager was unaware of the recent report made by PACAC that was highly critical of HS2's approach to engagement and broken culture, which, we suggest, indicates why so little progress has been made in fixing it.

81. We ask that on all these points HS2 be required to engage directly, regularly and substantively with the local community.

Noise thresholds for temporary rehousing

82. We ask that the limits for rehousing are lower in each category listed in Table 1 of the ES Vol 5 Draft Code of Construction Practice CT-003-000 and Information Paper E23. We ask that the limits for temporary rehousing are:
- 75 dB during the day 0800-1800 on weekdays (instead of 85 dB)
 - 70 dB during the day 0700-2200 Sunday (instead of 75 dB)
 - 65 dB at night 2200-0700 (same as proposed by HS2)
 - 70 dB at other times (instead of 75-80 dB)
83. For reference: HS2 propose that the daytime limit for rehousing is 85 dB; this is like a very busy road with heavy lorries one metre from your house. The Health and Safety Executive requires ear defenders to be worn in a place of work which has this level of noise. This is 1m from the facade. Any resident then leaving their property and walking along the street would be exposed to levels in excess of 85dB.
84. Similarly, we ask that LAmax is used as a threshold measure for determining whether re-housing is the appropriate mitigation, just as we ask that LAmax is an appropriate threshold measure for noise insulation.
85. We ask that temporary rehousing is within the locality, of an equal standard to resident's current housing, is agreed with individual households, that residents are given the choice to make their own arrangements, and that HS2 are to pay all costs associated with rehousing and with the vacant property.

Vibration

86. We ask that HS2 adopt the vibration standards proposed in the Draft Camden Local Plan 2015 Appendix 2 which give a lower limit at night time.
87. The CoCP offers no commitment to survey or protect all properties in the Camden Cutting from vibration.
88. Most of the properties adjacent to the Cutting do not have proper foundations and are of uncertain robustness. We ask that all properties within 50m of the existing retaining walls that enclose all sides of the Camden Cutting between Parkway and Granby Terrace Bridge are given structural surveys before construction commences to assess their vulnerability for damage from the proposed works and that they are actively monitored during the construction works.
89. We understand that the disturbed clay adjacent to railway cuttings can disintegrate over a long period of time and ask that geotechnical monitoring of the ground adjacent to the Cutting is undertaken and that core drilled samples are taken prior to works starting for evaluation.
90. We ask that HS2 coordinate pre-construction defect surveys and maintain a dialogue with the relevant property owners throughout the duration of the works.
91. There is a need for speed controls on HGVs and other traffic on construction routes, but there is also a need to reduce vibration that could be exacerbated by speed humps and table junctions (eg. Mornington Street/Arlington Road junction and all of the

interventions proposed for Delancey Street relating to the new cycle lanes). We ask that HS2 bring forward an appropriate solution that meets both these requirements and for this solution to be in place before use by any construction traffic.

92. We ask that when vibration is predicted to be above SOAEL thresholds at night and is unmitigated that residents will not be expected to remain in their homes and will be re-housed.

Noise Mitigation Techniques and Screening

93. We ask that given that the works are in a densely populated environment and go on over many years that HS2 commit to using very quiet plant and construction techniques and that HS2 go beyond 'Best Practicable Means' in order to minimise impact on residents. Here, 'practicable' means techniques that do not cause extra inconvenience, time or cost to HS2 and this will not be sufficient.
94. We ask that local acoustic screens are built as close as possible to the works within the Cutting (which is up to about 100m wide) in order to limit breakout of noise at source. These screens will need to be specially designed and will influence how the work is undertaken and we ask that they are made an essential part of the construction requirements and budget.
95. The SES & AP3 ES states that perimeter screening 2.4m high will generally be used at the perimeter of construction sites and 3.6m high in some cases. The design or performance of this screening is not specified. Screens were erected by Railtrack on Mornington Terrace in 1998/99 during track renewal work but had only a marginal benefit on sound reduction.
96. We ask that acoustic screening is designed by acousticians and built specifically for the Camden Cutting. In order that the streets do not feel as if they are in a construction site we ask that the screens are either glazed or planted green walls.
97. We ask that no percussive piling takes place in the Cutting, in particular in the removal and re-construction of Mornington Street bridge as there are other techniques available, albeit at potentially higher cost, that will allow this removal at an acceptable noise level.
98. We ask that the CoCP is modified to include a commitment to brief the work force about local issues including noise, as has been done in the Thames Tideway Tunnel CoCP. Without this commitment it is possible that community relations are a 'box ticking exercise' that never influences what actually happens on site.
99. We ask that all residents on impacted streets be issued with protective ear defenders to protect their hearing when walking to and from their homes.

Working Hours

100. As described in the ES Vol 5 Draft Code of Construction Practice CT-003-000 5.2.6 to 5.2.10, most of the construction activities taking place in the Camden Cutting will be allowed 24 hours a day, 7 days a week. The work will be noisy, disruptive and go on over 10 years. This is unacceptable in a densely populated neighbourhood.
101. We ask that these exceptions to the Core Working hours are removed from the CoCP and that all exceptions are justified on a case by case basis with LBC following Section 61 procedures.

102. We ask that all work is done during Core Hours except when required for technical, not cost or programme, reasons.
103. We ask that HS2 justify as part of the LEMP process, on a case by case basis, all work outside of the normal working hours. Where a justification cannot be made to the satisfaction of all parties engaged in the LEMP process, the work must take place during normal working hours.
104. We ask that more rail services are diverted to other stations than currently planned by HS2 during the construction of HS2 in order to allow more construction during normal working hours in the approach to Euston. This would also better allow use of rail for transport of spoil and construction materials, and more room for acoustic screening immediately adjacent to the works.
105. We note that the government response to the House of Commons Select Committee report suggested that working hours and respite periods could be negotiated via the LEMPs and Community Liaison plans with community input. In practice we believe that once the Bill is approved and contracts signed there will be no ability for working hours to be amended. We therefore seek an assurance that working hours will be reduced with full respite periods of three days at least once a month, and at least one non-working day / night per week.
106. We ask that night time work be suspended during school exam periods and that consideration be given to the needs of young children in setting working hours.
107. This package of 'asks' listed in paragraphs 48 to 106 above in relation to the management and mitigation of construction noise are vitally important to our community. We recognise that in some areas these go beyond the measures provided for other construction projects, but our contention is that the remedy should be appropriate to the problem. The construction work we face, particularly at night, is unprecedented in the UK in a densely populated residential area, and the current proposals from HS2 fall far short from creating habitable homes in the Cutting area. It is vital that an appropriate package is now instituted that manages the impact before construction work begins.

Construction noise review

108. We note that the government accepted in its response to the House of Commons Select Committee report that there should be a review of compliance and noise thresholds within 6 months of start of the main construction works.
109. We ask for an assurance that this review will include direct engagement and input with the local community.
110. We ask that this review be conducted by a body or entity independent from HS2. For example the review should be commissioned by and report to the Construction Commissioner or the Independent Adjudicator.
111. We ask that this review is repeated as necessary at intervals determined appropriate by the Construction Commissioner.
112. We ask that assessment locations are chosen that reflect both the worst case scenarios (maximum exposure) and other locations where residents have been disturbed (e.g. as reported by the HS2 complaints procedure).

Study on the effects of construction noise

113. We note that paragraph 333 of the final report from the House of Commons Select Committee states that:

“The Promoter has commissioned a study on the effects of construction noise which will report by mid-2016 and will recommend standards. It will be important to follow through on its observations. Depending on the outcome of the study it may be appropriate to revisit aspects of the trigger times and levels.”

114. We have subsequently asked HS2 staff to provide further details on this study: its scope, methodology, authors etc, but we have not been provided any details so far. (We note in passing that this is yet another example of poor engagement with the community by HS2.) Clearly this study was intended to provide comfort to the House of Commons that these issues are being seriously considered, however with no details provided subsequently we are led to the conclusion that this ‘study’ is a smokescreen and is not of serious intent.

115. We ask that full details of the scope, methodology and authors of the study be provided by HS2.

116. We ask that the authors of the study be required to conduct some engagement with the community to understand points of concern, and to provide information on their work.

117. We reserve our position on the findings of this study, and may need to address the Select Committee if the findings are of concern.

Independent Advisory Service

118. We also note that HS2 provided an assurance to LBC that on engagement with residents expected to be impacted by excess noise. Assurance 1938 from the register states that:

“The Promoter will actively engage with HS2 LANC on the provision of advice to the public in relation to eligibility and application of the construction noise and vibration mitigation package. Such considerations will include but not be limited to an independent advisory service. The Promoter will progress the engagement and will report back to the House of Commons Select Committee on progress, and in any event will aim to conclude considerations by the time the Bill reaches the House of Lords.”

119. We note that the bill has now reached the House of Lords, but that there appears to be no progress on any items including an independent advisory service. Discussions between HS2 and LBC may be on-going, but in the meantime impacted residents are being formally advised by HS2 Ltd of their options (letter sent to impacted residents 8/4/16). The need is now, but the provision of advice is absent.

120. We note that this is an example of the type of issue we would expect an Independent Adjudicator to be able to hold HS2 to account on, in a timely manner.

121. There is a great need for such a service. The work that HS2 Ltd is going to conduct is of such scale, duration and complexity that residents need to understand their options and be suitably advised. Performed well, such a service will reduce the stress that individuals and families feel placed in such a situation.

122. We are aware of the HS2 'information centre' in Euston. This centre is inadequate to perform this task in any way. Critically it is not independent of HS2 therefore cannot perform a trusted advisory role for impacted residents.
123. Any such service needs to be well funded given the numbers of properties involved. Staff need to have suitable a suitable understanding of the technical issues be able advise appropriately on noise insulation, ventilation etc.
124. We ask that HS2 be directed to put in place an independent advisory service.
125. We reserve our position on this issue on the understanding that HS2 may still be discussing this issue with LBC, however we may need to address the Select Committee when the outcome of these discussions is known.

Air Pollution

126. Air pollution (NO₂, PM₁₀ and PM_{2.5}), predominantly generated by traffic, already has a significant impact on the lives of Camden residents, particularly those who live near main arterial roads such as Hampstead Road / Camden High Street (the A400), Delancey Street (A503) and Parkway (A4201).
127. Despite the fact that some local roads are noted in the ES as having raised pollution levels during or following construction (e.g. Arlington Road and Delancey Street), no mitigation has been proposed. The cumulative impacts of raised levels have not been taken into account and the fact that levels of Nitrogen Dioxide already exceed European guidelines by a large amount has not been factored in.
128. We note that the Cutting area falls outside of the Central Activity Zone, within which all Non-Road Mobile Machinery (NRMM) will be powered by latest class IV best practice standard engines. The Cutting area is classed as part of 'Rest of Greater London', where IIIb-class machinery may be used. The Cutting area should be treated as if it were part of the Central Activity Zone for these purposes as the duration and impact of the works is similar to those in Euston.
129. We ask that all vehicles and plant are Euro VI compliant for emissions no matter where they are used for the entire project. Using Euro VI lorries only in the Low Emission Zone is not sufficient.
130. We ask that non-diesel vehicles are used for all work where possible and the percentage in use to be reported every 6 months
131. We ask that HS2 provide community feedback on air quality in the form of 'traffic light' red / amber / green signs in public locations. Such feedback should be updated weekly. More detailed data for agreed locations in residential streets should also be provided regularly, particularly on construction routes and also locations that are downwind of the major works
132. We ask for a formal review and audit of the approach the Promoter and any contractors are taking to reducing Air Quality at least every year through the building programme. The purpose of such a review will be to ensure that as technology evolves, or sufficient quantities of low emissions vehicles are available, these are incorporated into the construction approach. Contractor's contracts should reflect this requirement that more stringent limits will be set during the course of the project at agreed review points (as has happened on other large infrastructure projects recently).

133. We note that the EU directive on Air Quality requires that where a development causes a breach of relevant emissions levels in a location it should not proceed. Also that the development should not proceed if it makes worse an existing breach and therefore delays compliance with existing values. We believe the construction work proposed, including the on-site construction vehicles, trains to convey materials and road vehicles make it implausible that HS2 will meet this criterion.
134. We ask that HS2 make a clear commitment that they will abide by the Directive and ensure not undertake construction that would breach emissions standards.
135. We ask that HS2 commission an independent study demonstrating whether the project will meet the requirements of the Air Quality Directive.
136. We ask for NOx and PM10 filters to be installed on all ventilation fans provided to those houses both with and without noise insulation packages.

Compensation in urban areas

137. We understand from consultation meetings with HS2 that our neighbourhood has been excluded from the compensation proposals offered to rural areas on the basis that we are accustomed to train noise and that the Draft Code of Construction Practice (CoCP) will protect us from the effects of construction. The first of these arguments is irrelevant: we are not petitioning about the effects of HS2 when it is in operation; it is the ten to eighteen year construction period that is our concern. The second argument is false: we are not protected by the Draft Code of Construction Practice as most of the construction activities in the Camden Cutting are specifically exempted from the prescribed working hours, few mitigation proposals are guaranteed by the CoCP and there remain significant adverse residual impacts identified within the SES2 & AP3 ES even after mitigation is provided. The environmental statement highlights the adverse impacts after mitigation.
138. We have also been told that compensation is not required in urban areas because intervening buildings will shield residents from the noise of the works. A visit to Mornington Terrace and Park Village East will show that there are no intervening buildings and that residents will be exposed to the full impact of one of the largest construction sites in Europe. Many other properties not immediately adjacent to the Cutting are also unscreened through gaps between buildings on the Cutting, or because they line streets which run perpendicular to the Cutting.
139. The Government's April 2014 'Decision Document' did not respond to the issues that the Camden Cutting Group raised in its substantial responses to the Compensation Consultation and the Environmental Statement Consultation. The compensation measures offer nothing to those in the Camden Cutting neighbourhood whose homes and community will be seriously affected.
140. The Compensation proposals do not respect the statement made in the House of Commons on 20 December 2010 by Philip Hammond, Secretary of State for Transport: "I have indicated that we will seek to go further than has happened with previous such infrastructure schemes in the UK, because it is right and proper that individuals who suffer serious financial loss in the national interest should be compensated."
141. The promoter has suggested in response to asks at the House of Commons Select Committee that compensation is not necessary because the policy in previous infrastructure projects is to "mitigate not compensate". However the construction

impacts in the Euston area and its approach through the cutting are not fully mitigated and indeed in many instances the mitigation quoted by the Promoter will not be put in place in the desire to keep the existing rail services running. Consequently your Petitioner asserts the Promoter's position is flawed and compensation for the construction impacts is appropriate.

142. Rural areas are offered a variety of compensation schemes that urban residents are excluded from: Voluntary Purchase Offer, Alternative Cash Offer and Home Owner Payment. We ask that equivalent schemes should be available in urban areas to provide flexibility for the various different types of resident in the Cutting area, owner occupiers, property owners and council tenants.
143. We ask that an Independent Compensation Commission is established to draw up a fair compensation scheme and administer it. The Commission should take evidence from residents and address the needs of both property owners, reluctant landlords, long term tenants (including council tenants). It should consider the needs of those who want to stay in their homes, but be appropriately compensated, and also the needs of those who need to move during the period of construction works but who should receive a fair unblighted value for their property.
144. We believe a fair principle of such a scheme is that it should be designed to meet the specific needs of residents of the Euston and Camden Cutting area. The limits of such a scheme could be drawn to focus on significantly impacted groups, in particular the scheme should include compensation where there are 'predicted unmitigated significant adverse residual in-combination effects'.
145. In 1999 Railtrack made cash payments to residents of the Camden Cutting of between £150 and £300 (depending on location and property) as compensation for one weekend of work on the tracks. The work in question was only on rail systems and did not involve any of the much more disruptive heavy civil engineering that will be required for HS2. Similar compensation could form part of the compensation measures and we ask that it be considered.
146. We ask that the concept of 'Personal Compensation Budgets' as proposed by local authorities including Camden in their 'Fair HS2 Compensation Charter' be considered. This would allow people to make their own arrangements for dealing with times of significant disturbance in addition to any measures proposed by HS2.
147. We ask that an urban Property Bond scheme be considered, in particular for the Euston and Camden areas given the 'exceptional' nature of the impacts that have been identified. Criteria for residents to be included in such a scheme could be based on the impact residents will be exposed to, not simple distance from the works (as applies in rural areas).
148. Such a scheme would protect the interests of a property owner who over the construction period of 10 years may reasonably want to move house as they start a family and need to move from a smaller, central property to a property more suited to their changing family life. This is a common occurrence in the Cutting area, and such residents are already faced with accepting significantly reduced values for their property if they wish to move.

Compensation: Need To Sell Scheme

149. The only compensation currently available to all but a few Camden Cutting residents is the Need to Sell Scheme (NTSS). The rules for the NTSS are unfairly restrictive.

150. The NTSS is inadequate and unreasonable because:

- (a) Applicants need to prove a 'compelling reason to sell' that is acceptable to a panel; you can't just move for your own reasons like everyone else. Even if HS2 has made your life unbearable and potentially your property uninhabitable and definitely unsaleable at unblighted value you will not get compensation unless you can provide personal circumstances that satisfy a tribunal that you have a 'compelling' reason to sell.
- (b) Although the latest version of this scheme has changed the word 'hardship' to 'need to sell' there is no change in substance to the working of the scheme. Statistics produced by the Resident's Commissioner in September 2015 show eight of 58 applications refused only because a 'Compelling Reason to Sell' has not been proven and a further eight refused partly because of this.
- (c) In rural areas people living within 120 metres of HS2 automatically qualify for various forms of compensation with no need to prove 'a compelling reason to sell' yet in Camden people living 10 metres from incredibly disruptive works must do so.
- (d) A reason for wishing to sell might well be that the applicant does not want to live in the middle of one of the largest construction sites in Europe for ten years but this is not recognised by the scheme (a point noted by the House of Commons Select Committee).
- (e) The long time scale of HS2 demands flexibility: people might well, through a normal web of human circumstance, want to move house during the next 10 years but not qualify under the scheme and suffer considerable loss to their assets and to their enjoyment of a home. People must be free to move home over the next 10 years and not be trapped, unable to get on with their lives as they normally would.
- (f) If you have received an offer 14.99% less than 'a realistic unblighted asking price' (Decision Document 2014) you are not eligible to even apply for the NTSS and will suffer a 14.99% financial loss because of HS2.
- (g) The 'no prior knowledge' stipulations in the NTSS do not reflect the extended time scales and new impacts in AP3 that were not known to property purchasers between 2010 and 2015.
- (h) Non-resident landlords are unfairly excluded from the scheme: disruption caused by construction works could severely undermine the rental value of properties and make lettings impossible. No compensation is offered by the NTSS scheme.
- (i) Even if landlords were covered by the NTSS scheme they would need to sell their property to take advantage of it. Landlords should have an option to retain their property but be able to ask HS2 to cover costs such as mortgages, bills, fees where rental has fallen and will not cover them.

151. We note that many of these inadequacies were recognised by the Select Committee of the House of Commons who requested the Department for Transport (DfT) to look again at the structure of the scheme. We note that response from DfT was negligible

and made no serious adjustments to the operation of the scheme. The deficiencies therefore remain unresolved.

152. We ask that the Need To Sell scheme is modified to:

- (a) Remove the requirement to show compelling reason to sell
- (b) Drop the 15% rule
- (c) Relax 'no prior knowledge' rules
- (d) Include landlords in the scheme

Compensation: Express Purchase

153. We envisage there will be situations where the Construction Commissioner directs HS2 to undertake action. Experience from other projects, such as Crossrail shows that the promoter can often fail to engage reasonably with the process, with the Commissioner relatively toothless to enforce an outcome that resolves the situation.

154. We ask that the Construction Commissioner be given the power to approve homes for the Express Purchase scheme if complaints remain unresolved after a reasonable period (for example 3 months). This will have the benefit of providing an effective remedy in at least some situations (although not all residents would want to take advantage and move, most just want the problem fixed). It also provides an incentive to the Promoter to ensure reasonable proactive follow through on any issues.

155. We also ask that any owner predicted to experience greater than three years of residual significant adverse impact (i.e. after mitigation) should be eligible for Express Purchase.

Loss of enjoyment of property

156. The promoter argues that those in urban areas are used to construction noise. However such disturbance is a rare occurrence and when it occurs it is minimised by legislation that the promoter in this case is seeking to remove. When disturbance does occur it is for months, not years, and not of the intensity proposed. Therefore your petitioner requests that any resident suffering significant impacts for a period in excess of six months be eligible to a compensation to be calculated in relation to a fair unblighted occupancy value (based on rental values) for each month of impact.

Compensation - conclusions

157. Not only will adequate compensation provide appropriate relief to residents facing years of hardship from the construction impacts, it will also act as an incentive to the Promoter to adequately mitigate the impacts. If the impacts were to be fully mitigated then no compensation would be necessary. And if the construction impacts are not fully mitigated then under the promoter's own argument of 'mitigate vs compensate' then compensation is not unreasonable.

Rail not Road

158. HS2 construction traffic will be a major source of pollution, noise, vibration and potential accidents and will have the largest impact on the wider area.

159. A construction railhead(s) in or near Euston could significantly reduce construction traffic and have major environmental benefits in Camden and beyond, and we are

supportive of the study underway to assess how this can be done with the maximum percentages of materials to be moved in this way.

160. As with other construction work, we ask that transport by rail is done so as not create unacceptable noise and that all properties affected must be offered the noise insulation and/or ventilation package. We note with regret that the study agreed to by HS2 was programmed to be complete by mid 2016 and that this has denied us the opportunity to include any details in our petition.
161. In particular, we ask that where there are options for constructing a 'rail not road' scheme, that the scheme details reflect how disruption to residents will be minimised, and does not prioritise the operational needs of HS2 or Network Rail.
162. In the event that a rail scheme is implemented for conveying spoil and materials, the impacts of this should be fully assessed and Environmental Statement updated. These impacts must then be fully mitigated, for example a railhead north of the portal may require more houses in Gloucester Avenue to receive noise insulation.
163. If the outcome of the study is unsatisfactory we reserve our position and may wish to address the Select Committee on the subject.

Construction Traffic

164. Construction lorry routes are proposed by HS2 on residential streets in the Camden Cutting area. This will cause air pollution and noise and vibration to adjacent properties and increased danger to pedestrians and cyclists. It has been reported in the press that three cyclists have been killed to date by CrossRail lorries and we do not want similar fatalities from the construction of HS2. HS2 staff refer to their safety plans, however we suggest similar measures were put in place by CrossRail and the only 100% way to prevent deaths is keep the HGVs out of residential areas and off cycle routes.
165. We ask that HS2 trains all lorry drivers in safe driving techniques and that the Fleet Operator Recognition Scheme (FORS) and Construction Logistics and Cyclist Safety Scheme (CLOCS) is implemented in full.
166. We ask that there is no transport of materials or waste outside of core hours on the roads.
167. We ask that physical barriers, or road signs with camera enforcement, are used to ensure that other traffic is not able to use residential streets as rat-runs to avoid congestion from construction traffic / utilities works / diversions on main roads.
168. We ask that road humps and table junctions on construction routes be removed to prevent unacceptable noise and vibration from HGVs to residential properties which are often only a few metres away from the road edge (with speed enforcement by other means).
169. We ask that HS2 provide sufficient funds to LBC for local traffic management and for traffic management schemes to be developed with the community.
170. We ask that HS2 does traffic modelling to the satisfaction of LBC and TfL using VISSIM modelling to give a fine-grained understanding of traffic at all junctions including minor roads (not just SRN / TfL roads at major junctions).

171. We ask that residential streets are not used as construction routes but that where HGVs have no alternative but to use residential streets to access specific sites we ask that their numbers be strictly limited to a pre-agreed level and that no additional vehicles be allowed to use that route. (This is necessary to ensure that once residential roads have reached 'significant adverse' community effects, or air pollution then it is not permissible for contractors to further increase the problem and benefit from the fact that there is no higher category higher than "significant adverse" that additional vehicles will push the route into).
172. The trigger limit of 25 HGVs per street per day prior to formal notification is not acceptable and should be removed to prevent journeys being spread further across the area in an effort to bend the rules.
173. We ask that the size of construction vehicles used on local residential streets is limited appropriately where vehicles are required for Utility works or there is no alternative route.
174. We ask that HS2 have an enforceable mechanism to ensure that construction vehicles stay on their agreed and designated routes.
175. We ask that HS2 makes proposals to maintain safe cycle routes throughout construction and specifically that North-South designated Route 6A on Arlington Road (to be signposted later this year as a 'Quietway' as an official part of the London Cycle Grid) is kept free from HGVs and LGVs to protect cyclists seeking to avoid Camden High Street with its additional loading of construction vehicles and to permit safe cycling.
176. We ask that HS2 makes proposals to maintain safe pedestrian crossings throughout construction and construct new ones where there are significant increases in traffic due to HS2 construction.
177. We ask that HGVs going to the concrete batching plant at Kings X do not drive east-west across Camden Town but use the Euston Road.
178. We ask that an assessment and mitigation of accident black-spots is done by HS2 on construction routes including the Delancey Street / Arlington Road junction.
179. We ask that HS2 report three months before preparatory construction work begins on the measures they have taken to implement their commitments and that regular monthly Traffic Management Plan review meetings are held with residents (and not just the Local Authority) so that real-time experience of traffic issues can be taken on board.

Permanent Traffic

180. We ask that the road system is designed to minimise traffic increases on all residential roads due to HS2. Currently this is not the case. Coordinated planning with TfL, LBC and the community is needed.
181. We ask that the new Euston Station taxi rank is moved to the south of the station away from the little open space that will exist after the HS2 station is built, and further away from residential areas. Taxi provision should not result in taxis having to use Harrington Square and the perimeter of the Ampthill Estate as a route between drop-off and pick up to ensure that residents health is protected.

Satellite Construction Compounds

182. There will be five construction compounds on or adjacent to residential roads in the cutting area north of Granby Terrace Bridge. All five are in close proximity to residential homes. The largest, Carriage Shed and Park Village East Compound, will include handling spoil removed from the Cutting in digging out the west side of the Cutting and station as well as processing the material from the demolitions. Until the study on spoil is completed the exact use of this compound is uncertain and your Petitioner reserves the right to raise further issues when that study is available.
183. Many of the residential roads to the east of the Cutting have been designated construction routes. Use of these areas extends either side of the working hours described in the ES, further increasing disruption to residents. This must be restricted to Core Working hours as a minimum and not using shoulder periods for bringing vehicles into position outside hours.
184. We ask that the size of these local compounds is minimised wherever possible and made smaller than proposed by HS2. The main compound at the Temperance Hospital site is only a 10 minute walk away, and deliveries of plant and materials should only be allowed via the main construction compound or at Euston Station, not via the satellite compounds.
185. We are particularly concerned that a proper analysis of the proposed use of these compounds has not been carried out and proper alternatives considered with opportunities to merge compounds and restrict those at street level. Some of the issues in this area appear to relate to a failure by HS2 Ltd and Railtrack to reach agreement allowing the impact on residents to be minimised. For example the ES lists the Mornington Street OverBridge compound as operating until 2020 and mainly during the day despite the bridge work being at night and reconstruction during 2021-22. Other queries remain unanswered despite the residents of Mornington Terrace raising this before the House of Commons Select Committee. It is still unclear why this compound is required for the intervening period between demolition and reconstruction of Mornington Street Bridge and ask that it be removed entirely. We reserve the right to appear again before the Committee when full additional information that has been asked for becomes available.
186. We ask that resident parking spaces that are lost due to Construction Compounds and other HS2 works are replaced in the same or adjacent streets by converting pay and display spaces or yellow line areas to resident parking and that no spaces are removed until alternative spaces are clearly identified and implemented.

Design of the Cutting

187. The design of the approach to Euston and of the Station should address the needs of the local community and not just those of HS2. The unique qualities of the Camden Cutting neighbourhood must be preserved. Specific elements of this infrastructure are dealt with in paragraphs 188 to 213 below.
188. The “to be appointed” Euston Design Panel should be appointed forthwith to ensure that its advice and input is taken on board early and must include members with accredited Conservation qualifications, members of Camden Design Review Panel (as soon as that body is appointed) and an appointee of the local community with architectural expertise.

Hampstead Road Bridge

189. HS2 proposed in AP3 to raise Hampstead Road Bridge by 4.8 metres and double its length to 220 metres. The effect on the urban environment is severe.
190. Eye level views between Camden and central London along Hampstead Road will be blocked and the unfriendly nature of the proposed design, along with its great length, will create an isolated and inhuman streetscape. It will cut off Camden visually from central London, discourage pedestrian use and create an inhospitable and unsafe environment in the centre of London.
191. The Hybrid bill planned to demolish and rebuild Hampstead Road as a truss bridge over a period of 6 years, phased to enable a single lane of traffic in either direction. The AP3 scheme will take 8 years, and now provide a deck and beam bridge that is 4.8m above current road level, 220m long, with a ramp off the south side to access the new service basement of Euston Station from 2033.
192. This design was driven by the basement service access to the station – requiring a ramp off the side of the bridge, and therefore not allowing trusses above the road level, As a result a deeper structural zone for the bridge is required underneath the road deck, pushing the road level higher up.
193. More frequent columns beneath the bridge would reduce the depth of the structure and thus height of the road.
194. We understand that the clearance under the bridge is designed to a European standard for high speed running that may not be necessary here and ask that this parameter be reconsidered.
195. Raising the road deck causes a number of issues - the height is both a visual severance and a danger to pedestrian and cyclist users; - the length means the road will be higher than the joining roads and the surrounding pavements, and it will therefore not 'fit' into the surrounding neighbourhood causing harm to the setting of the listed terrace on Mornington Crescent; - the service ramp can only be accessed for southbound traffic, meaning HGV delivery lorries will have to circle residential Harrington Square (often at unsociable hours) to reach the southbound traffic lanes; - the road junctions and crossings shown will be dangerous and circuitous for both pedestrian and cyclist users.
196. We ask for the bridge to be lower and shorter causing less construction and operation issues as described above. The community would prefer a lower road level with less disruption to the surrounding setting of roads and pavements, even if this meant a truss bridge design – there are many examples of elegant bow string truss type structures from recent urban projects (not like the utilitarian box truss bridge in the photo-visual shown in the Hybrid Bill and ES documents).
197. We are aware of the assurance given to Transport of London to conduct a study to review the design of the bridge. We welcome this as an opportunity for HS2 to develop a more appropriate design that takes account of the needs of the community and the surrounding context, and we ask for the points above to be taken into account during this study process resulting in a high quality design proposal that is sensitive to its context.

198. We cannot take a final position on the design of the bridge until such time as the study is completed, so we reserve our position on this subject and may need to address the Select Committee on this point once the report is published. Whilst the study may not look at actual design proposals it is very important that the HS2 Euston Station Design Panel (or HS2 Design Panel if the ESDP is not yet appointed) is part of this study, and the options sifting from the earliest possible point and see this as an urgent matter to be rectified. The Design Panels have highly respected engineers, bridge designers and architects who will be able to give valuable creative input from the outset.

Temporary Mornington Street Bridge

199. The proposed temporary Mornington Street Bridge has long approach ramps that will make it difficult for cyclists, people with push chairs and the elderly to use. We ask that it is designed to make it more user friendly with shorter and wider access ramps and a wider deck across the cutting to allow for people and cyclists to pass each other easily. There should be steps in the opposite direction to the ramp on each side so that the bridge can be approached from both South and North on both sides, and to give equality of access to those who find ramps difficult to navigate.
200. The current proposals leave unclear whether the current mature plane trees on the pavement on Mornington Terrace will be cut down when the temporary bridge is installed. We ask for a commitment that the bridge will be designed in such a way that these full grown, mature trees that are an essential part of the visual identity of the Terrace are all retained.

Replacement Granby Terrace Bridge

201. The proposed bridge design (arch and truss combination) is inappropriate in a residential location, proximate to listed properties. The proposed design is also of restricted width.
202. We ask that the design of the bridge is revised to reflect its surroundings and to create an appropriate structure for the location with a single unified design along its length. Again the Design Panel should be involved early on, at feasibility stage.
203. We ask that the existing bridge be rebuilt to the same width and the same parking space availability, so as to maintain parking capacity in the area as well as avoid creating a narrow 'canyon' for pedestrians and cyclists to traverse.

Park Village East Retaining Wall

204. HS2 propose to demolish and rebuild the 12 metre high, 3 metre thick brick retaining wall along Park Village East that forms the western side of the Camden Cutting. The scale and elegance of this wall contribute positively to the character of the neighbourhood. Demolition of this wall and construction of its replacement will cause severe noise and disruption.
205. If the design of the scheme requires this demolition we ask that the impact of this significant infrastructure build is fully mitigated: for instance more day-time possessions of the adjacent railway line would reduce the night time impact to better balance the needs of the railway to be built and the needs of the community to sleep. We also ask that the replacement wall is considered carefully as a contextual design as it forms the foreground to the important II* listed houses on Park Village East when viewed from Mornington Terrace.

Design of the Approach to Euston

206. The proposed track layout in the Camden Cutting requires the demolition of the Hampstead Road Bridge, the Granby Terrace Bridge, the Mornington Street Bridge, the Park Village East Retaining Wall and the Central Retaining Wall at Parkway. It also requires the construction of a rail dive-under in a large excavated cut and cover concrete structure with new deep retaining walls. Line X for conventional trains will be demolished and reconstructed at a later date.
207. The design of this infrastructure responds to the needs of HS2 but has little regard to the needs of the local community or the urban fabric of London. HS2 is being built in a densely populated neighbourhood and we ask that the designs take account of this. The Hampstead Road Bridge study must have early input from the Euston Station Design panel (or HS2 Design Panel if the Euston Station Design Panel is not appointed), and the options assessed must allow for a design of the highest quality in this sensitive location (as it forms the setting to the Listed buildings on Mornington Crescent). The brief for this design must have community input because, to date, HS2 have repeatedly ignored/miscontrued community views on this element (as reported at several ECRG meetings).
208. Consideration needs to be given to the setting of the Conservation Areas and Listed buildings (Grade II and II*) on both sides of the Cutting. The Bill removes protection from some of our local heritage assets and we ask that the Local Authority retains this control. LBC have been given some limited assurances on this point, but only relating to 'important assets', which excludes residential homes.
209. We ask that HS2 design infrastructure in the Cutting (e.g. retaining walls, replacement bridges, vent shaft and headhouse) to enhance the urban environment and minimise the impact on the residents of Camden. Design Panel input should be provided early on.
210. The Bill proposes a reinstatement of Line X for classic trains in what appears to be the same geometry as the existing Line X which produces 'wheel squeal'. We ask that the new Line X is designed to eliminate this.

Landscape

211. The landscape of the Cutting is significantly enhanced by the mature plane trees along most of Mornington Terrace, and the plantation that runs the length of Park Village East. We are concerned that in some cases these may be removed during the construction phase when alternative 'workarounds' could be used. We are also concerned that when they are removed HS2 believe that 1-for-1 replacement is adequate. A mature plane tree in the streetscape of Mornington Terrace cannot adequately be replaced by a sapling after construction is complete.
212. We ask that planting on Park Village East adjacent to the Cutting is maintained or replaced with equivalent planting in a suitable depth of soil so as not to require irrigation and with suitable trees and shrubs to encourage bird life.
213. We ask that the all existing mature trees and the retaining wall along Mornington Terrace adjacent to the Cutting are maintained throughout the construction period, including those near the new temporary Mornington Street bridge.

Code of Construction Practice

214. HS2 have committed that the CoCP will be 'best practice'. We welcome this principle, but reviewing the draft CoCP published in March 2016 we are concerned that the CoCP does not actually reflect best practice. We ask that the CoCP is further developed to ensure that it is best practice. We reserve our rights on this issue as further drafts are published and may wish to address the Committee on this issue at a later date.
215. Further your Petitioner is extremely concerned that his local authority appears unable to get agreement from the Promoter on provision of detailed, timely and regular results from the monitoring of construction impacts. The petitioner is appalled that such vital information for residents protection should be withheld and can think of no conceivable reason why an organisation should validly seek to withhold such information from the community or the Local Authority given its statutory role in managing Environmental Health. Your Petitioner therefore requests your Lordships to fully investigate this matter as to why agreement has not been reached. This should be done even if the Promoter subsequently reaches agreement with London Borough of Camden since it demonstrates a wider problem that is critical to protecting the health of local residents impacted by construction. Further, your Petitioner requests that such information is made public to ensure those impacted are fully informed.
216. We are also aware that Transport for London are working with the London Borough of Camden to create a Construction Logistics Plan. We agree with the position of LBC that this plan must be incorporated into the CoCP and we ask the Committee to ensure this occurs.

Engagement of Local Community in the Local Environment Management Plans

217. The impacts shown in AP3 and SES2 will be managed by the ES and CoCP which set out the proposed approach for how Local Environment Management Plans will be agreed. These are the rules by which construction of the work will be governed. It is proposed that the contractors for the project, as well as local council, will be involved in agreeing these plans. We believe that representatives of the local community should also be involved. We note that while Local Authorities are central to this process they are not synonymous with the local community. As the London Borough of Camden themselves have expressed it: "it is the promoter's responsibility to engage with the community to ensure their concerns are heard and responded to directly, rather than using [LBC] as the intermediary".
218. We ask that three representatives from Camden community groups including the Camden Cutting Group be on the body that develops LEMPs.
219. We ask that CFA1 has its own LEMP that addresses the unique issues of the area.
220. We ask that community representatives have input to local environmental issues during construction and also formal input into Contractor's Environment Management Plans (CEMPs).

Engagement and Management of Local issues by HS2

221. We draw the attention to the recent report of the House of Commons Public Administration and Constitutional Affairs Committee (PACAC) which was highly critical of HS2's willingness to engage, and made the following comments:

"The continuing existence of a culture of defensive communication and

misinformation within a public body, responsible for the delivery of such a large and highly controversial project, is not acceptable. ... Unless those responsible for delivering HS2 understand that first and foremost they serve the public, and take action to reflect this, then they will continue to be vulnerable to the criticism that they have disregard for members of the public who are impacted by this large-scale infrastructure project." (Source: Summary of report)

"The depth and extent of criticism expressed in the vast majority of the evidence that we received highlights the need for a fundamental shift in how HS2 Ltd communicates and engages with the public. We have seen no evidence to suggest that this step change has taken place." (Source: para 33)

"Whilst we do not seek a return to the Phase One community forums, we are concerned that HS2 Ltd has failed to identify what we believe to be the root cause of the forums' failings: namely that the process was treated as a one way 'box-ticking' exercise by HS2 Ltd, with no genuine two-way engagement. Whilst we are broadly supportive of any engagement activity which offers the public a genuine opportunity to discuss and contribute to the process, unless there is a change in approach from 'transmit' to 'receive' on HS2 Ltd's part, then these new proposals will also fail. In particular we urge HS2 Ltd to address its "defensive" style of communication and to embrace openness and transparency." (Source: para 38)

"We cannot over-state the importance for HS2 Ltd of developing a strong customer focus on the needs of those whose homes and communities are seriously affected by what remains a highly controversial project." (Source: para 45)

222. Camden Cutting Group submitted evidence to the PACAC and we were pleased to have the Committee listen to our concerns and reflect them in their report.
223. In particular we endorse the comment that HS2 regard 'engagement' as a one way transmission process, and not an opportunity to listen and shape their proposals to take account of community needs.
224. We also note the strategy of HS2 to regard engagement with London Borough of Camden as engaging with the community. We believe that LBC have a vital role to play, but HS2 has a responsibility to engage with the community directly.
225. Regrettably our recent experience since the 'Camden' hearings at the Select Committee of the House of Commons has been no better. We read with interest the Draft Community Engagement Framework published by the Promoter in January 2016. However the reality in the first four months has been poor with HS2 staff clearly unaware of the expectations set out in that document. This further concerns residents that HS2 as staff can't follow the process in this document, what reliability is that any other elements of the CoCP or information papers will be followed?
226. We ask that HS2 be directed in the strongest possible terms to undertake meaningful and substantive engagement on issues of concern to the local community, and to be fully and properly transparent with all members of the community about everything it is planning to do.
227. We ask that HS2 commit to briefing the construction work force with information obtained from liaising with the community regarding matters such as noise generation

and access issues. This has been proposed in the CoCP for the Thames Tideway Tunnel project.

228. We ask that the HS2 local office to deal with all community issues for Euston and the Camden Cutting (CFA1) area be staffed by knowledgeable staff with appropriate expertise and experience. We are deeply concerned by our dealings to date with the employees in this office who do not appear to have a reasonable understanding of the scheme, its local impacts or key issues in how these are managed.
229. We ask that an independent person be appointed to chair engagement meetings between HS2 and community groups and representatives. HS2 have been very poor at maintaining a schedule of meetings, in providing reasonable information, and in following up on open action items and information requests. Engagement forums such as the Euston Community Relations Group (ECRG) should be chaired by an independent person able to call HS2 to account. This person could be selected by, and be accountable to the Residents Commissioner.
230. We ask that all on-going studies be conducted promptly, with all workings and assumptions made public. We reserve the right to appear before the Committee where reports have not yet been published. Where relevant the studies must include input from the HS2 Design Panel (e.g. Hampstead Road Bridge).

Clause 48

231. Clause 48 of the Bill allows ministers to compulsorily purchase land if they think HS2 creates “an opportunity for regeneration or development” on it. This clause states that if the Government “considers that the construction or operation of phase one of High Speed 2 gives rise to the opportunity for regeneration or development of any land” it may acquire the land compulsorily. This clause, which has no spatial or time limits, represents a new general power that seems to be unprecedented in the history of infrastructure projects. We are concerned that this power will be used to the benefit of large scale development and to the detriment of local communities and ask that the powers are removed from the Bill. HS2 should be for improving transport not for providing money making opportunities for large scale developers at the cost of the existing community. Development should be regulated by Local Authorities using the Planning system; there is no case for HS2 being above the laws that apply elsewhere in the country.

Enforcement

232. We are concerned that the proposed CoCP has no statutory basis since it is not actually part of the Bill and do not know how HS2 Ltd will be held accountable for the actions measured against the CoCP. The status of the policies referred to within the CoCP (for example the policy on re-housing) is also unclear. We ask that the Code of Construction Practice together with the relevant policies should be incorporated into the Bill in such a way as to ensure their compliance can be legally enforced by members of the public impacted by the non-compliance.
233. We ask that the Bill includes provisions enabling enforcement against the Secretary of State in the event of HS2 Ltd / the nominated undertaker / the Promoter failing to fulfil their obligations regarding environmental standards.
234. We are concerned that environmental standards in the ES, CoCP and other project documents may be breached in the interests of cost or programme requirements.

235. Any monitoring required under the Code of Construction Practice should involve the relevant local authority as well as independent experts with effective oversight and redress arrangements in the event of non-compliance with the Code of Construction Practice. We are concerned that there is no independent method of monitoring compliance by HS2 and their contractors in relation to noise, vibration, dust and other issues.
236. We ask that HS2 adequately fund additional Environmental Health Officers at LBC to monitor these issues, ensure compliance and deliver enforcement.
237. We ask that an Independent Adjudicator be appointed with the power to ensure any commitments entered into by HS2 are met in practice, including assurances, undertakings, and policies in HS2 information papers. These assurances should include those relating to the working culture of HS2 and the engagement with local communities and to investigate any instances of complaints that cannot be resolved by the resident's and construction commissioners.
238. We ask that the Independent Adjudicator must be separate from HS2, and not report to the Chair of HS2.
239. We ask that the Independent Adjudicator have the mandate and resources to proactively monitor whether HS2 are meeting their commitments, and not purely act reactively as part of the escalation process when complaints occur.
240. We believe this is especially important given the range of well documented examples of the Promoter's failure to have regard to residents' well being (as evidenced by the PACAC report in March 2016). The length of time that the concerns around the pervasive culture of disdain for residents have existed without corrective action means that residents have no trust that the Promoter is capable of acting reasonably towards impacted residents, that a reactive Complaints Commissioner is insufficient, and that an Independent Adjudicator is therefore essential to manage enforcement.
241. We ask that an Independent Adjudicator be given the mandate to direct HS2 to undertake actions to meet its commitments.
242. We ask that the Select Committee hear evidence from the Crossrail Complaints Commissioner on whether the complaints process is working and how it can be improved upon for HS2.

243. The Prayer

The petitioners therefore ask the House of Lords that they, or someone representing them in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers this Bill.

AND the Petitioner remains, etc.

Signed

Matt Hollier
Co-chair Camden Cutting Group

David Auger
Co-chair Camden Cutting Group

Luisa Auletta
Co-chair Camden Cutting Group and Roll B Agent

17th April 2016
6 Mornington Terrace, London, NW1 7RR