

Angela Foster

030/23

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**From:** J HOWELL < >  
**Sent:** 31 August 2018 14:56  
**To:** TRANSPORTANDWORKSACT  
**Attachments:** The White Lodge 2.docx

Dear Secretary of State

I enclose our objection to your proposals. Please acknowledge receipt

Elizabeth and David Howell

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035/23

Little Horwood, Bucks  
29th August 2018

To The Secretary of State for Transport

Network Rail East West Rail TWA Order- both temporary and permanent acquisition of our land

Notice numbers EWR-0171 ;EWR0172

As owners of the above property within 50 metres of the railway line, we object to aspects of the proposals in this application which are the latest version of the planned implementation of the East West Rail Scheme as contained in the above Order for the reasons set out below. As so much remains unclear, we reserve the right to add to our objections in the light of clarification and further changes.

Unlike earlier versions of the Scheme, the proposed Order attempts to obtain authority to acquire our land for a planned new service, which is now unlawful in its current form. The Scheme now breaches Articles 2 and 14 of the European Convention on Human Rights which were brought into English law by the Human Rights Act of 1998.

Unlike in the North of England, where steps have been taken to reduce diesel pollution in any new Rail Service, in this latest proposed version of the East West Scheme, franchise holders are free to run trains which are at least 4 times more damaging to health than the most diesel polluted City Street. While steps are being taken to reduce pollution from motor traffic which is less dangerous to the public health, this Scheme now enables increased use of diesel trains which are of far greater risk.

It is unlawful to place members of the public, including school children, whose school is near the track and all others likely to be affected, in greater danger to their health from diesel pollution than they are now. This is a breach of Article 2 which renders illegal, action by any Public body which significantly impinges adversely on Public health.

It is also unlawful discrimination to place one section of the public ie people affected by the new service, for example in Oxfordshire, Bedfordshire, and Buckinghamshire at a health disadvantage compared to those in the North of England such as Lancashire and Yorkshire. This is a breach of Article 14 predicated on the breach of Article 2 of the same Convention.

As well as being less damaging to the air which people affected will breathe, earlier versions of the Scheme had far greater protections, such as acoustic barriers, from other adverse affects like noise pollution. Far more screening

measures were proposed to the benefit of those living within sight of the new works and service. As each new version of the Scheme became more damaging to the health and use of land of those affected, the measures taken to mitigate those adverse affects were reduced.

Of course, the reason why the Scheme has seen all of these adverse changes mainly the change from planned electric rolling stock through to reduced environmental protection is to save short term costs. But this short term approach is fundamentally misconceived. While there may be some saving now, there will be substantially increased costs in the future. Any future up grade to electrification will be more expensive than it would be now. The costs to our health service in the future from treating those people developing pollution – related diseases such as various forms of cancer from the use of diesel as against electric trains will far outweigh the savings made now by the planned use of diesel and the reduction in mitigating measures.

The latest version of the Scheme has serious flaws. We cannot understand why in its latest version more of our land is to be acquired than in earlier versions while others have had their land restored and suddenly a further extra piece of ours is to be obtained with no logical justification; why it is necessary to maroon us in our house for any length of time, unable to access the main road; why any of our land needs to be taken when other land could be used instead. It is also less than clear how our land is to be accessed by those carrying out the works. Accordingly, the proposed Order is built upon insufficient or any logical foundation.

Furthermore we object to its' lack of clarity.

We are expected to endure building works on our land, the nature, extent and length –( what security will be provided to us once access to our property will be available to all ?) - are insufficiently specified and to which accordingly we cannot and do not provide a blank cheque.

In conclusion we must make it plain that we do not object to the concept of an East West Rail Service. We do object to aspects of the current plan as contained in this proposed Order which in our view are ill -thought out ,unnecessarily damaging to those affected and unlawful.

Replies to this formal objection should be sent by Email to:

EMJ Howell

DM HOWELL