

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS)

PETITION

Against the Bill - On Merits -Praying to be heard By Counsel. &c.

TO THE HONOURABLE THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND IN PARLIAMENT ASSEMBLED.

THE HUMBLE PETITION OF ELIZABETH WINTGENS GALLERY
SHEWETH as follows:

1. A Bill (hereinafter called “the Bill”) has been introduced into and is now pending in your honourable House intituled “A Bill to Make provision for a railway between Euston in London and a junction with the West Coast Main Line at Handsacre in Staffordshire, with a spur from Old Oak Common in the London Borough of Hammersmith and Fulham to a junction with the Channel Tunnel Rail Link at York Way in the London Borough of Islington and a spur from Water Orton in Warwickshire to Curzon Street in Birmingham; and for connected purposes”.
2. The Bill is presented by Mr Secretary McLoughlin, supported by The Prime Minister, The Deputy Prime Minister, Mr Chancellor of the Exchequer, Secretary Theresa May, Secretary Vince Cable, Secretary Iain Duncan Smith, Secretary Eric Pickles, Secretary Owen Paterson, Secretary Edward Davey, and Mr Robert Goodwill.
3. Clauses 1 to 36 set out the Bill’s objectives in relation to the construction and operation of the railway mentioned in paragraph 1 above. They include provision for the construction of works, highways and road traffic matters, the compulsory acquisition of land and other provisions relating to the use of land, planning permission, heritage issues, trees and noise. They include clauses which would disapply and modify various enactments relating to special categories of land including burial grounds, consecrated land, commons and open spaces, and other matters, including overhead lines, water, building regulations and party walls, street works and the use of lorries.
4. Clauses 37 to 42 of the Bill deal with the regulatory regime for the railway.
5. Clauses 43 to 65 of the Bill set out a number of miscellaneous and general provisions, including provision for the appointment of a nominated undertaker (“the Nominated Undertaker”) to exercise the powers under the Bill, transfer schemes, provisions relating to statutory undertakers and the Crown, provision about the compulsory acquisition of land for regeneration, reinstatement works and provision about further high speed railway works. Provision is also made about the application of Environmental Impact Assessment Regulations.

6. The works proposed to be authorised by the Bill (“the Authorised Works”) are specified in clauses 1 and 2 of and Schedule 1 to the Bill. They consist of scheduled works, which are described in Schedule 1 to the Bill and other works, which are described in clause 2 of the Bill.
7. Your petitioners are Elizabeth and Michael Wintgens, the owners of Elizabeth Wintgens Gallery, a retail business situated in Great Missenden High Street, Great Missenden, Buckinghamshire. Elizabeth Wintgens gallery has been trading at this address for thirty years and approximately 40 % of their annual turnover comes from visitors to Great Missenden, including ramblers and cyclists who use Great Missenden as the gateway to the many miles of footpaths and bridleways accessible directly from the village.
8. Great Missenden is also home to the internationally famous Roald Dahl museum, which attracts over 60,000 visitors to the village per annum, including approximately 10,000 school children in organised school trips. Your petitioners are concerned that the use of local roads and the presence of large construction vehicles and associated congestion, will deter not only visiting families but also school parties, as school heads will be unwilling to incur delays to lesson timetables, thus affecting visitor numbers to the museum and threatening its financial sustainability.
9. Great Missenden is an historic village, situated in the very heart of the Chilterns Area of Outstanding Natural Beauty (AONB). The village includes the 12th century Missenden Abbey, the 14th century Parish Church of St Peter and St Paul located adjacent to Frith Hill and many grade II* and grade II 16th century properties within the village conservation area.
10. Great Missenden is also very much a living village with a currently thriving business centre and High Street. Elizabeth Wintgens Gallery is just one of more than 50 village retail businesses (almost all independent businesses) that serve customers from a wide local area including the local communities of South Heath, Potter Row, The Lee, Hyde End, Hyde Heath and Little Missenden.
11. The AONB was designated in 1965 for the natural beauty of its landscape, its nature and cultural heritage. The promoters of the Bill are presenting a railway which literally drives a straight line through protected landscape and which would dissect areas of ancient woodland and high quality landscape and leave a permanent feature upon it.
12. Your petitioners believe that the proposed mitigation within the AONB is wholly inadequate and that the railway’s construction will damage the areas tourist reputation, reduce visitor numbers to the village of Great Missenden and therefore adversely affect the viability of their business.
13. Your petitioners consider that the AONB railway route, design and construction contradicts:
 - 13.1 Paragraphs 115 and 116 of the National Planning Policy Framework (NPPF), which requires developers to ensure that “Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.”;and

13.2 fails to discharge the duty imposed on the Secretary of State for Transport pursuant to section 85(1) of Countryside and Rights Of Way Act 2000 to "have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty".

14. Great Missenden is central to the wider AONB economy, including tourism. Your petitioners are concerned at the lack of any attempt by the promoter to consider the negative impact of the scheme on village retail businesses, the AONB tourist industry and on Great Missenden in particular. This is particularly evidenced by the omission of any reference to tourism in the CFA9 section of the Environmental Statement (ES) deposited with the Bill.
15. Independent retail businesses in Great Missenden estimate that on average >50% of their annual turnover comes from visitors to the village including AONB tourists. Your petitioner is concerned that the promoters of the bill have no understanding of why Great Missenden has this concentration of businesses and what impacts the construction of the route and its operation will have on patterns of shopping, access to essential services in the village and on visitor numbers. Evidence from eg. local road improvement projects, demonstrates that the village centre and its businesses are extremely vulnerable to the disruptive impact of construction, route diversions and road closures, but none of this is even considered by the promoters of the Bill in the Environmental Statement (ES) deposited with the Bill.
16. Your petitioners are concerned that the ES fails to recognise the particular importance and sensitivity of Great Missenden in the AONB arising in part from its proximity and ease of accessibility from London and position as an important "gateway" to the AONB and which is recognised by the Chilterns Conservation Board, the statutory body with responsibility for protecting and enhancing the AONB.
17. Your petitioners object to the negative impact on Great Missenden's businesses, arising from the promoters' current local route alignment including tunnel portal at historic Mantles wood, extensive surface works, "sustainable placement" areas for spoil, cuttings and green tunnel.
18. Your petitioners request that the promoters of the bill establish a Great Missenden community fund and that consideration should also be given to a compensation fund for local businesses. There are many precedents from other large-scale infrastructure projects including HS1, wind-farms and fracking, where local communities directly impacted by projects determined to be in the "national interest" have benefited from community funds established by the developer. Your petitioners are concerned that no such discussions or commitments have been made to date by the promoter of the bill.
19. The solution to the concerns and objections detailed in paragraphs 7-16 is an extended fully bored tunnel. Your petitioners fully support the need to extend the "Chilterns" tunnel beyond the current portal at Mantles wood.
20. One of the consequences of the decision by Ministers and the promoters of the Bill to push HS2 through the widest part of the only AONB on the entire route and then to end the "Chilterns tunnel" in the middle of ancient Mantles wood is that the local road

infrastructure including the B485 Great Missenden to Chesham Rd is entirely inappropriate for the demands and timescale of a construction project of this magnitude.

21. The promoters' commitment to ensure that no construction traffic uses Great Missenden roads south of the A413 must be adhered to throughout the construction phase and the promoter must ensure that this decision is monitored and enforced properly. Your petitioners are concerned that no consideration has been given to protect the village from an increase in vehicles seeking alternative local routes to avoid construction traffic.
22. Your petitioners believe that the only practicable solution to the noise, transport, local economy, environmental destruction and other negative impacts of the scheme, including the adverse effect on my business, will be an extended fully bored tunnel. The promoter has acknowledged in the ES that a fully bored AONB tunnel would have the most potential benefit compared to the other tunnel options. This would minimise, but not eliminate altogether the direct impact to the AONB and its residents, as the promoter has accepted.
23. Your petitioners believe that a full and fully bored AONB tunnel would result in very significant local economic, social and environmental advantages including (but not limited to) minimal disruption to local communities and vital local businesses and services, no loss of jobs and no loss of ancient woodland or protected hedgerows, no loss or severance of farmland, no need to close or divert roads and Rights of Way, very significant reduction in noise issues, much reduced impact on wildlife and local biodiversity, limited damage to the tourist economy and amelioration of stress, anxiety and depression among local residents.
24. If the Extended Chiltern Tunnel to the end of the AONB is not granted then your Petitioners propose that the alternative Extended Chiltern Tunnel to Liberty Lane near Leather Lane is built in place of the above ground construction described in the Hybrid Bill and Environmental Statement.
25. Your petitioners respectfully request that your honourable House should take the opportunity of examining the proposals for Great Missenden and the central Chilterns section of the AONB to determine whether the proposals are appropriate in the light of their impact in the area. Your Petitioners also invite your honourable House to consider the case for extending the fully bored tunnel northwards from the portal at Mantles Wood and to consider the local economic, environmental and social benefits that would be delivered for Great Missenden, the surrounding towns and villages and the AONB by so doing.

YOUR PETITIONERS THEREFORE HUMBLY PRAY

your Honourable House that the Bill may not pass into law as it now stands and that they be heard by themselves and witnesses in support of the allegations of this petition, against so much of the Bill as affects the property, rights, and interests of your Petitioners and in support of such other clauses and amendments as may be necessary and proper for their protection and benefit.

AND YOUR PETITIONERS will ever pray, &c.

Signature of Petitioner

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL
(LONDON-WEST MIDLANDS)
BILL

PETITION OF ELIZABETH WINTGENS
GALLERY

AGAINST, By Counsel, &c.

Agent - Councillor Seb Berry
Broad Oak Rignall Rd Great Missenden
Buckinghamshire HP16 9PE