

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

**HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL**

**PETITION**

Against – 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 TINGEWICK POTTERY AT CHETWODE LIMITED

SHEWETH as follows:-

- 1 A Bill (hereinafter referred to as “the Bill”) has been introduced and is now pending in your honourable House intituled “A Bill to make provision for a railway between Euston in London and a junction with the West Coast Main Line at Handsacre in Staffordshire, with a spur from Old Oak Common in the London Borough of Hammersmith and Fulham to a junction with the Channel Tunnel Rail Link at York Way in the London Borough of Islington and a spur from Water Orton in Warwickshire to Curzon Street in Birmingham; and for connected purposes.”
- 2 The Bill is presented by Mr Secretary McLoughlin, 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 petitioner, Tingewick Pottery at Chetwode Ltd is the occupier of Chetwode Grange, Buckingham MK18 4LE ("the Property") with a workshop also located at Manthorne Farm, Chetwode, Buckingham MK18 4LE. Your petitioner's business has been located at these addresses for seven years. Your petitioner's business is the manufacture of ceramic lamps and accessories. There are two directors plus two employees all working for the business, and clients and delivery vehicles come to the properties on a daily basis. Your petitioner's property is accessed via The Green, a public highway which is proposed to be realigned during construction period. Your petitioner's property is also accessed via the access road to Manthorne Farm which is proposed to be replaced by an Overbridge. Your petitioner uses the The Green and the access road to Manthorne Farm daily. Your petitioner is also a regular user of School End which is liable to be used by construction traffic during the period of construction of the works authorised by the Bill. Your petitioner is also a regular user of School End Overbridge which is liable to be closed during construction.
8. Your petitioner's rights, interests and property will be injuriously affected by the provisions of the Bill, and your petitioner accordingly objects thereto for the reasons, amongst others, hereinafter appearing.
9. Your petitioner favours a cut and cover ("Green") tunnel banked and landscaped over the top, starting to the south of the village of Chetwode and continuing through the high ground past Manthorne Farm, Chetwode village and School End to avoid the many injurious effects in the parish of Chetwode. The residents and businesses based in Chetwode enjoy the full support of Aylesbury Vale District Council and Buckinghamshire County Council in petitioning for such a change to the construction of the scheme, and would respectfully point out that a cut and cover tunnel on the alignment proposed by the Promoter would relieve many of the injuries to residents and businesses in Chetwode, the Conservation Area, the Grade I listed Church and the local environment identified in the Environmental Statement. Accordingly, your petitioner seeks an undertaking from the Promoter that the railway, will be placed in a cut and cover tunnel to minimise the local environmental impact, that corresponding changes will be made to all the subsidiary Works, and that the relevant Plans and Sections will be amended accordingly.
10. Your petitioner is concerned by the possibility of land in Chetwode being acquired permanently for a temporary purpose and considers it

inappropriate for the Bill to contain compulsory purchase powers in respect of its land when the nominated undertaker's requirement is for a temporary use only. We propose the Promoter make temporary arrangements to satisfy their conservational requirement, and that thereafter appropriate covenants and management agreements can ensure the continued stewardship, whilst ownership remains with the existing land owner.

11. Your petitioner is concerned about the powers to acquire land and rights in land compulsory set out in clauses 4 of the Bill, and believes that the powers sought go beyond what is required to achieve implementation of HS2. The powers under clause 47 to acquire land for regeneration and other purposes are unprecedented, unnecessary and only serve to create additional blight. Your petitioner seeks an assurance that the Secretary of State will acquire no greater amount of land than is reasonably required for the construction and operation of the works authorised by the Bill. Your petitioner requests that the Bill and the deposited plans be amended to exclude land that is not required, or that the Secretary of State be required to enter into legally binding agreements with land owners saying that land that is not required will not be compulsorily acquired. Your petitioner respectfully requests that clause 47 be removed from the Bill.
12. Your petitioner proposes to your honourable House that the Promoter should be required to undertake that it will seek to agree with your petitioner a suitable specification for security and for the prevention of light pollution from the Chetwode cutting satellite compound and the Chetwode autotransformer station.
13. Your petitioner is concerned about the landscape and visual impacts of the Chetwode autotransformer station and overhead power lines, which introduce new infrastructure into a very rural landscape. Your petitioner seeks an undertaking from the Promoter that there will be no above ground wires or cables to the autotransformer Station, and that the future operator of the autotransformer Station will be required to place underground any future wires or cables to the autotransformer Station. Your petitioner also requests that a sensitive design is used for the autotransformer station building to fit in with the character of the area.
14. Your petitioner is likely to suffer inconvenience from the closure and diversion of roads and from the additional and diverted traffic on the routes that remain open. This will affect public transport, commuters, delivery vehicles, utility vehicles, emergency services with a particular impact on businesses that use the roads as part of their activities. Your petitioner seeks amendments to the Code of Construction Practice that would require the nominated undertaker and its contractors to give a month's advance notification of proposed heavy construction traffic flows, route closures, traffic control measures, and diversions.
15. Your petitioner is concerned that noise barriers are not proposed by the Promoter at all locations along the proposed railway through Chetwode Parish. Although the railway would largely be in a cutting, it is critical that there are effective noise barriers because of the closeness of the proposed

railway to properties including your petitioner's workshop at Manthorne Farm. Your petitioner seeks an undertaking from the Promoter that noise barriers will be provided to ensure that the maximum noise level from the passage of a train will not exceed 60 dBA at a distance of 200 metres from the line, that properties exposed to a high noise level will be provided with sound insulation and air-conditioning to reduce the interior maximum noise level from the passage of a train to no more than 45 dBA.

16. The proposed railway will pose a major severance issue for wildlife, due to the long stretch of cutting, but also due to the security fencing that will be installed along most of the planned route. The Chetwode cut and cover Tunnel proposed by your petitioner would provide some relief to this by allowing the migration of local resident species such as muntjac, roe deer, barn owls and badger.
17. Your petitioner is concerned about the lack of detailed proposals for security fencing of the line, and the potential impacts on the landscape. It is understood that for maximum effectiveness, the noise barriers would be close to the line, and cable troughs and access tracks would result in a typical trace width, across fences, of 22 metres. It is anticipated that, were the noise barriers to provide insufficient security, steel palisade fencing will be fitted on the crest of cuttings. Your petitioner seeks an undertaking from the Promoter that any security fences will be coloured to tone into the environment, such as olive or yellow-green in rural settings, and that the advice and wishes of the parish will be followed.
18. Your petitioner is concerned about the impact of the Bill on broadband in the area. Broadband is vital for your petitioner and this will become more important as construction activities increase vehicles on the road, making road travel more difficult. Your petitioner requests that as compensation for disturbances in the area, high speed broadband is provided for all residents and businesses in Chetwode to improve rural access to the internet. Furthermore, it is imperative that broadband connection is not reduced or limited at any time during construction.
19. Your petitioner proposes to your honourable House that the Promoter should be required to undertake that it will seek to agree with your petitioner adequate provision for continuous electricity and telephone supply to Manthorne Farm and Chetwode Grange while the major utility works are underway.
20. The construction of the Authorised Works will necessitate the demolition of some buildings at Manthorne Farm, potentially affecting your petitioner's workshop. If your petitioner's business is to survive, your petitioner will need to replace their workshop. It is likely that this will require a full planning application. While the cost of dealing with planning can be factored into the compensation payable by the Promoter, the uncertainty over whether an application will be approved and the time delays that can arise if a case goes to appeal can all be very difficult for a business to manage. Your petitioner proposes that the Bill should be amended so as to ensure that the processes for relocating buildings that are lost are capable of being reinstated

more easily.

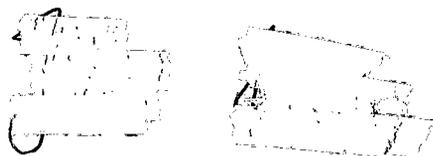
21. Very high noise levels from the operation of HS2 are predicted for the buildings at Manthorne Farm, Chetwode after the mitigation currently proposed by the Promoter. This is a workplace, and people work both indoors and outdoors on the premises. Current proposed mitigation of earthworks and discontinuous noise barriers is not sufficient. The Promoter should undertake further mitigation in the form of a cut and cover tunnel, banked and landscaped over the top.
22. Your petitioner is concerned about the effects that construction traffic will have on the single track country lanes currently proposed as a construction route. These lanes are not suitable for HGVs, there are no passing places and the lanes are popular with dog walkers, cyclists and horse riders. Your petitioner regularly uses these roads and therefore will be directly affected by these issues. Your petitioners suggest that an alternative temporary construction route is created along the trace of HS2 to keep HGVs off these unsuitable lanes. During construction, the nominated undertaker must maintain the quality of the roads in Chetwode parish, and after construction, the roads must be returned to their original size and character (no road widening, curb stones or urbanization of this rural parish), and all damage must be repaired by the nominated undertaker. A hotline should be set up allowing road users to report any damage to the road, and the highway authority should have access to all reports, to ensure these are addressed in a reasonable length of time.
23. Your petitioner is concerned that the temporary closure of School End Overbridge will result in considerable delays and disruption to traffic. Your petitioner proposes that a temporary bridge is provided for local and business traffic during construction.
24. The construction of the Authorised Works will necessitate the permanent diversion of footpath CHW/18. The Promoters have proposed that this footpath is diverted over the Overbridge at The Green, along the access road and then looped back through the busy farmyard at Manthorne Farm where your petitioner has a workshop. This footpath should run along the outside of the farm buildings on the Western edge of the farmyard.
25. Your petitioner is concerned about the landscape and visual impacts of the new Overbridges at The Green and School End, which will be clearly visible from rights of way and residential properties in Chetwode. Your petitioner requests that, in order to minimise the impact of the proposal, the design of the bridges must fit in with the surrounding environment and character of the area, using materials that mirror local buildings and materials. Visual screening must also be put in place and this must be maintained to a high standard.
26. Your petitioners propose to your honourable House that the Promoter should be required to undertake that it will, at a very early stage, seek to agree with your petitioner temporary access provisions for vehicles during the closure of School Lane Overbridge and the closure of access via The Green. During

construction phase, the Promoter proposes using a narrow gated, unmetalled farm track with no passing places. This is unacceptable from a Health and Safety and liability perspective and is impractical. The promoter must undertake to make appropriate access provisions for both construction traffic and vehicular access to properties. Your petitioners propose that construction traffic should use the trace of HS2.

27. Your petitioner has set out in the preceding paragraphs numerous harms that would befall residents, land owners, businesses, visitors, and the environment were the scheme to be constructed as proposed currently by the Promoter. Although these harms might be moderated to a degree by the undertakings sought herein from the Promoter, they would be alleviated further by constructing the entire section as a cut-and-cover tunnel, banked and landscaped over the top to prevent the requirement of lowering the route.
28. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your petitioners and their rights, interests and property and for which no adequate provision is made to protect your petitioners.

YOUR PETITIONERS therefore humbly pray your Honourable House that the Bill may not be allowed to pass into law as it now stands and that they may be heard by their Counsel, Agents and witnesses in support of the allegations of this Petition against so much of the Bill as affects the property, rights and interests of your petitioners and in support of such other clauses and provisions as may be necessary or expedient for their protection, or that such other relief may be given to your petitioner in the premises as your Honourable House shall deem meet.

AND your petitioners will ever pray, &c.



*Belinda Naylor, Director, Tingewick Pottery at Chetwode Limited*

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AGAINST, By Counsel, &c.

Belinda Naylor  
Director

