

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS)

P E T I T I O N

Against the Bill – 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 GREAT MISSENDEN VILLAGE ASSOCIATION
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 the village association of Great Missenden Buckinghamshire (GMVA). The Association was established in 2009 and its membership area is identical to the Great Missenden Chiltern District Council ward (population 2,500). This extends to Chesham Road and Frith Hill Great Missenden where the compulsory acquisition of land and property will be authorised by the Bill.
8. GMVA members will be directly and injuriously affected by the proposed 7 year local construction period, including construction of the South Heath "green tunnel" (which includes construction, construction site and spoil site within the Great Missenden District Ward), for which the promoters draft Construction Code of Practice, even if enacted in full and at all times throughout the construction period, provides insufficient protection for local residents. The promoters use of the words "as far as reasonably practical" to describe various commitments made in the draft Code of Practice, do not provide the level of reassurance required by affected residents for a project of this scale, magnitude and duration, nor does it provide any reassurance to our members that there will be proper independent monitoring of the Code to ensure that contractors adhere to its terms.
9. Your petitioners request that your honourable House should take the opportunity of examining the draft code of Construction Practice and consider the case for strengthening the Code particularly in relation to night-time and weekend working, to provide effective protection of communities and stakeholders, including independent monitoring and to ensure that there will be effective enforcement.

10. Great Missenden is situated in the very heart of the Chilterns Area of Outstanding Natural Beauty (AONB), and its >50 village retail businesses (almost all independent businesses) and wide range of health, education, local transport and other services reflect the significance of the village to the AONB and to the communities within it. Great Missenden has a population of 2,500, making it by far the largest of the Misbourne valley and ridge top villages directly impacted by the promoters' scheme in this part of the AONB.
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. Your petitioners believe that the proposed mitigation within the AONB is wholly inadequate.
12. Your petitioners consider that the AONB railway route, design and construction contradicts:
 - 6.1 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
 - 6.2 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".
13. 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 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.
14. Your petitioners held two meetings with the promoter of the Bill to emphasise the direct economic, social and environmental interrelationship between Great Missenden and surrounding smaller villages and communities in the AONB, including South Heath, Hyde Heath, Hyde End, Little Missenden and Potter Row, but this evidence is not reflected in the ES. Great Missenden is also linked directly to the much larger community of Prestwood and Heath End (population 8,000), by far the largest community in the Great Missenden Parish Council area, which also includes South Heath.

15. Independent retail businesses in Great Missenden estimate that >50% of their annual turnover comes from visitors to the village including AONB tourists. Your petitioners are 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 past local road improvement projects, demonstrates that the village centre and its businesses are extremely sensitive 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 of the promoters' current local route alignment including tunnel portal at historic Mantles wood, surface works, "sustainable placement" areas for spoil, cuttings and green tunnel construction on Great Missenden village and the surrounding AONB, the solution for which is an extended fully bored tunnel. Your petitioners request that should a petition be successful in achieving reduced noise in certain areas, then the select committee would have to be sure that this does not result in an increased noise in other areas, and if it did so, for example if a noise barrier is increased in height on only one side of the line, to ensure that appropriate noise mitigation is also put in place for all affected areas.
18. Your petitioners fully support the need to extend the "Chilterns" tunnel beyond the current portal at Mantles wood for the reasons set out in paragraphs 19-22. Your petitioners would however oppose any attempt by the promoter to move the current AONB surface route alignment from the Mantles wood tunnel portal (proposed since 2011 and consulted upon in both the draft Environmental Statement consultation and the ES) any closer to the villages of Great Missenden and Prestwood because this would have a massive adverse impact on these village communities and their combined population of >10000.
19. 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 misleadingly named "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. 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.

20. Your petitioners believe that the only practicable solution to the noise, transport, local economy, environmental destruction and other negative impacts of the scheme 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.
21. Your petitioners are concerned that whilst all extended tunnel options have been rejected by the promoter on grounds of "cost," the Promoter declines to disclose any details of its calculations. Your Petitioners' are thus deprived on any opportunity effectively to assess and/or to challenge the validity of the Promoter's rejection. Furthermore, your Petitioners fear that the value of the avoided social, environmental, health, economic and community impacts of replacing the current preferred route with a full AONB tunnel have not been calculated or even acknowledged as a legitimate consideration, as part of this Bill process.
22. Your petitioners believe that a full and fully bored AONB tunnel would result in very significant 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.
23. 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.
24. 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

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BILL

PETITION OF GREAT MISSENDEN VILLAGE
ASSOCIATION

AGAINST, By Counsel, &c.

Cllr Seb Berry