

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013–14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

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 Chalfont St. Peter Parish Council

SHEWETH as follows:-

- 1 A Bill (hereinafter referred to as “the Bill”) has been introduced and is now pending in your honourable House entitled “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 3 of the Bill, along with Schedules 1 to 4, authorise and detail the works to be done in relation to the construction and the operation of the railway (also referred to as “HS2”) mentioned in paragraph 1 above, including the associated stopping up and construction of highways. The railway works themselves are detailed in Schedule 1 and referred to as “the Scheduled Works”.
- 4 Clauses 4 to 18 of the Bill, along with Schedules 5 to 15, deal with compulsory acquisition of land, the extinction and exclusion of rights over land and the temporary possession and use of land. Clauses 19 to 36, along with Schedules 16 to 26, provide for deemed planning permission and deregulation across various fields.
- 5 Clauses 37 to 44 of the Bill, along with Schedules 27 to 29, deal with the regulation of the railway and allow for the nomination of an undertaker to exercise the powers in the Bill (“the Nominated Undertaker”). Clauses 45 and 46, along with Schedules 30 and 31, make provision for statutory undertakers.
- 6 Clause 47 provides a power to compulsorily acquire land for regeneration or relocation.
- 7 Clause 48 of the Bill provides a power for reinstatement works, whilst other clauses within the Bill make provision for the Crown, for further high speed railway works and for the application of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (S.I. 2011/1824) (or any regulations replacing them).

Your Petitioner

- 8 Your petitioner is Chalfont St. Peter Parish Council, representing the people of Chalfont St. Peter.
- 9 Chalfont St. Peter is located within Chiltern District in the County of Buckinghamshire. The Parish has a population of 13,000. Chalfont St. Peter is an ancient village, mentioned in the Domesday Book.
- 10 The River Misbourne passes through the centre of the village, running north-south to the River Colne. The main arterial road is the A413 which also passes through the centre of the village and links the Parish with London to the south and Aylesbury to the north. The Chilterns Area of Outstanding Natural Beauty (“the AONB”) is nearby and greatly appreciated by your Petitioner’s parishioners.
- 11 Your Petitioner’s parishioners and area will be directly, specially and injuriously affected by the provisions of the Bill, to which your Petitioner accordingly objects for the reasons, amongst others, hereinafter appearing.

Summary of your Petitioner’s concerns and objections to the Bill, and your Petitioner’s requested mitigation

- 12 The Bill as presently formulated proposes a vent shaft at Chalfont St. Peter just off Chesham Lane (“the Chalfont St. Peter Vent Shaft”), empowered by Clause 1 and Schedule 1 to the Bill as Work No. 2/1 and by Clause 4 and Schedule 5 to the Bill (at Bill p.190) along with other clauses and schedules, further detailed in the Deposited Plans and Sections and the Promoter’s Environmental Statement (“the ES”),¹ which will have its own construction compound. The Bill as presently formulated will also position the main Chiltern Tunnel construction compound (“the Tunnel Compound”) just south of Chalfont Lane (see ES Vol.2 CFA7 Mapbook plan CT-05-022), where it will be in place for eight years.²
- 13 Your Petitioner’s parishioners and your Petitioner’s area face a range of adverse impacts from HS2. These will begin with the drawn-out construction works and will continue with permanent impacts from the railway once constructed. These may be summarised as follows:
 - (1) Chalfont St. Peter Vent Shaft – construction traffic;
 - (2) Chalfont St. Peter Vent Shaft – visual intrusion once constructed;
 - (3) Chalfont St. Peter Vent Shaft – inappropriate location;
 - (4) Tunnel Compound;
 - (5) Other Traffic Issues;
 - (6) Draft Code of Construction Practice;
 - (7) River Misbourne;
 - (8) The AONB.

¹ See also Deposited Plans and Sections, Vol.2.1, sheet 2-14 and Vol.5.1, sheet 5-04. See also ES Vol.2 CFA8 p.13, para. 2.2.7.

² See ES Vol.2 CFA7, p. 34, para.2.3.55.

- 14 Your Petitioner humbly requests your honourable House cause the Bill to be amended, and/or require undertakings of the Promoter, HS2 Ltd, to mitigate these impacts. The following paragraphs of this Petition provide further detail regarding the more significant impacts and the mitigation that your Petitioner respectfully requests be added to the Bill and/or required of the Promoter.

Chalfont St. Peter Vent Shaft - construction traffic

- 15 The proposed Chiltern Tunnel runs through Chalfont Common, the northernmost part of the village, where the Chalfont St. Peter Vent Shaft is proposed to be constructed in Chesham Lane.
- 16 This area includes roads which are liable, according to the ES, to be used by construction traffic during the construction of the railway, namely: Chesham Lane, Denham Lane and Joiners Lane. Your Petitioner is concerned about the effects that construction traffic will have on these country lanes. Your Petitioner has advised HS2 Ltd in its responses to both the draft ES and the ES, and also in Community Forum meetings, that this route will have major implications for your Petitioner's parishioners.
- 17 Using these country lanes, construction traffic will pass the entrance to the Epilepsy Centre on Chesham Lane. The Epilepsy Centre is a national charity with vulnerable residents who can suffer seizures when walking.
- 18 Similarly, Robertswood School in Denham Lane is an infant/junior school as well as a nursery. This lane is heavily congested mornings, mid-day and afternoons and the impact of construction traffic will cause gridlock at peak hours as well as safety issues for the young children attending the nursery/school, as well as for vulnerable people.
- 19 The junction of Rickmansworth Lane, Chesham Lane and Denham Lane is already an accident black spot.
- 20 There is very minimal public transport to and from Chesham Lane and none from the Chiltern Tunnel main compound. Construction lorries in this vicinity will have a severe impact in terms of safety and will also damage the condition of these country lanes. Many of these lanes were never designed or constructed for the high level of HGV vehicle movements which will inevitably result in the need for their reconstruction.

Mitigation sought

- 21 Your Petitioner requests your honourable House amend the Bill and/or require undertakings from the Promoter to provide for construction of a temporary new road at the rear of the Chalfont St. Peter Vent Shaft for all construction traffic to access and exit the site from the A413. This area is already marked on the Deposited Plans and the maps with the ES as an area which may be required by HS2.³ This will mitigate the effect of construction traffic on Chesham Lane, Denham Lane and Joiners Lane.

Chalfont St. Peter Vent Shaft - visual intrusion once constructed

- 22 The site of the Chalfont St. Peter Vent Shaft is a field in a country lane. Your Petitioner believes that the landscaping around the vent shaft presently proposed by the Promoter is inadequate. The ES states that by year 15 and beyond to year 60 "planting around the perimeter of the vent shaft site will have matured, providing effective screening of much

³ See Deposited Plans, Vol.2.1, map sheet 2-14, and ES Vol2, CFA8, Mapbook plan CT-05-24.

of the vent shaft from this location”, which the ES says “will reduce effects to not significant”.⁴ This time-frame is far too long leading to extended visual intrusion pending maturity. The headhouse for the vent shaft will be above ground and this, in addition to the 550 sq. metres of hardstanding, will be a permanent scar on this rural location.

Mitigation sought

- 23 Your Petitioner requests your honourable House amend the Bill and/or require undertakings from the Promoter to provide additional planting so that the entire vent shaft compound is not visible from the road or from Ashwells Farm and Ashwells Barn, and to ensure that the headhouse be completely below ground level with a green roof, which will also serve to mitigate noise and light pollution associated with maintenance work during the early hours of the morning when the trains are not running.
- 24 Your Petitioner further requests your honourable House amend the Bill and/or require undertakings from the Promoter to require that:
- (1) the removal of the ancient hedgerow to construct the access road should be kept to the absolute minimum;
 - (2) excavated material will remain on this site no longer than two years pending its “re-use as engineering fill material or in the environmental mitigation earthworks” (ES VOL 2 CFA8 2.3.50)
 - (3) the electricity supply to the vent shaft be supplied by underground cables.
- 25 In addition, at present other mitigation measures relating to the impact of the Chalfont St. Peter Vent Shaft are general mitigation measures detailed in the draft Code of Construction Practice (“the CoCP”), such as those relating to dust, air pollution, odour, exhaust emissions, cleaning of haul routes, and using enclosures to contain dust emitted from construction activities. The CoCP is still in draft and must be consulted on and finalised prior to construction of the railway. Your Petitioner finds many of its suggestions overly vague; for instance, it is not clear what “reasonable lighting” at vent shaft compounds means. Your Petitioner requests that your honourable House require undertakings of the Promoter to ensure that measures appropriate to the rural setting of the vent shaft be used. Your Petitioner further asks that your honourable House require an undertaking from the Promoter that no work will be carried out on the Chalfont St Peter Vent Shaft outside the core working hours. Your Petitioner further addresses the CoCP below :

Construction activities should be subject to strict noise emission limits.

A free-phone community hotline should be provided for residents to report issues.

The Local Authority should be funded to enforce monitoring and policing of the noise emission limits and activities.

Chalfont St. Peter Vent Shaft - inappropriate location

- 26 Your Petitioner respectfully suggests that it is obvious the presently proposed Chalfont St. Peter Vent Shaft is planned for a location for which it is manifestly unsuitable.

⁴ ES Vol2. CFA8, p.117, para.9.5.29.

- 27 Your Petitioner is aware of the work carried out by Peter Brett Associates on behalf of Chiltern District Council that has led to that Council proposing an extended Chiltern Tunnel referred to as the "Green Route". Your Petitioner is also aware that there may be a change to the EU Technical Specifications for Interoperability ("the EU TSI").
- 28 An extended Chiltern Tunnel or a change to the EU TSI may provide the opportunity for this vent shaft to be moved to a more appropriate location.

Mitigation sought

- 29 Your Petitioner requests your honourable House require the Promoter to consider other, more suitable, locations for the Chalfont St. Peter Vent Shaft..

Tunnel Compound

- 30 The construction compound at the Chiltern Tunnel portal in the Colne Valley area will adversely impact on the residents of Chalfont St. Peter. The A412/North Orbital is accessed by your Petitioner's parishioners through either West Hyde Lane/Chalfont Lane or Rickmansworth Lane/Horn Hill Road to Watford, Rickmansworth and the M25. Chalfont Lane offers a direct route to both Harefield and Mt.Vernon hospitals.
- 31 The Bill as presently formulated would close Chalfont Lane and build a temporary road across the fields to join Horn Hill Road ("the Temporary Road"). Horn Hill Road is a narrow road with passing places and the junction with the Temporary Road will be extremely dangerous. This diversion could also lead to traffic using Roberts Lane, a narrow residential lane, instead.

Mitigation sought

- 32 Your Petitioner requests your honourable House amend the Bill and/or require undertakings from the Promoter that the Temporary Road not be built and that all traffic should use Rickmansworth Lane/Horn Hill Road to access the A412.
- 33 Your Petitioner also requests your honourable House amend the Bill and/or require undertakings from the Promoter that:
- (1) close the junction of Roberts Lane/West Hyde Lane to protect its residents from any vehicles using it as a cut through; and
 - (2) ensure that no construction lorries use these lanes (which are too narrow, with the result that use by construction lorries will inevitably lead to increased traffic and danger).

Other Traffic Issues

- 34 Your Petitioner would respectfully point out that the A413 between Chalfont St. Peter and Amersham is heavily congested at peak times and that Gorelands Lane/Chesham Lane is often used to by-pass this congestion. Your Petitioner is concerned that construction traffic on the network may cause gridlock here.

Mitigation sought

- 35 Your Petitioner requests your honourable House amend the Bill and/or require undertakings from the Promoter that construction traffic not use the A413 between Chalfont St. Peter and Amersham during peak times (to avoid additional congestion and a gridlock on this arterial road).

Draft Code of Construction Practice

- 36 Your Petitioner is concerned that proposals for mitigation made in the ES rely to a large degree on a draft Code of Construction Practice (“the CoCP”).
- 37 The CoCP necessarily has not been agreed as a working standard, and no measures are in place to ensure that it is enforceable and monitored, and that someone or someones is or are accountable for any breaches that may occur. The term “reasonably practicable” has been used frequently throughout the draft CoCP but it is not clear what is “reasonably practicable”.

Mitigation sought

- 38 Your Petitioner requests your honourable House amend the Bill and/or require undertakings from the Promoter that ensure that the CoCP should be enshrined in the Bill, along with provisions that make it legally enforceable and further provision to ensure that local authorities are funded to monitor compliance with the CoCP

Detailed plans, working hours, schedules of deliveries should be agreed by the Nominated Undertaker in advance of work on the vent shaft.

River Misbourne

- 39 The River Misbourne runs through the centre of your Petitioner’s village and is an important feature.
- 40 Your Petitioner is concerned by the effect that the construction of the railway will have on the river. The river is a rare chalk stream which has a wider national value than the “regional value” attributed to it by HS2 Ltd in the ES.⁵ Your Petitioner is concerned that tunnelling works further upstream will have an impact on the already erratic flow of the river
- 41 Your Petitioner believes that insufficient survey work has been carried out to ensure that the full range of potential impacts to the River Misbourne have been identified, and also to ensure that provisions has been made for the full range of appropriate mitigation to ensure that there is no impact to the river.
- 42 For those impacts which have been identified, appropriate mitigating measures to be put in place to ensure that there is no impact on the river.

Mitigation Sought

- 43 Your Petitioner requests your honourable House amend the Bill and/or require undertakings from the Promoter that ensure further research/assessment/investigation is carried out prior to construction to enable mitigating measures to be identified and put into place to ensure that there is no impact to the River Misbourne.
- 44 Your Petitioner further requests your honourable House amend the Bill and/or require undertakings from the Promoter that ensure none of the works involving tunnelling upstream are carried out without the consent of the Environment Agency.

Area of Outstanding Natural Beauty

⁵ See ES Vol2. CFA8 p.77, para.7.3.12.

- 46 Your Petitioner is concerned that the Bill as presently formulated pays scant regard to the importance of the AONB, which is a nationally designated area that ranks alongside National Parks. The railway and associated works will cause loss of natural habitat, wildlife, ancient woodland, farmland, hedgerows, trees and footpaths, and the impact to this historic landscape will be significant. This generation should be custodians of the AONB for our children and grandchildren, not its destroyers.

Mitigation Sought

- 47 Your Petitioner requests your honourable House amend the Bill and/or require undertakings from the Promoter to ensure that impacts to the AONB are kept to the absolute minimum, and that your honourable House closely scrutinise the proposals in the Bill, and the Promoter's elaboration of the proposals elsewhere, as far as they affect the AONB, in order to ensure that due regard has been paid to the preservation of this special area.
- 48 Your Petitioner supports proposals for an extended fully bored tunnel throughout the AONB, such as Chiltern District Council's proposed "Green Route", which would alleviate the detrimental impact that the presently proposed railway would have on the AONB.

Other matters

- 49 Your Petitioner notes that throughout the ES there is much use of ill-defined terminology, such as "appropriate measures", "reasonable endeavours", "not significant". This lack of definition, along with the size and unwieldy nature of the ES alone, exacerbated by the size of the Bill and the Deposited Plans and Sections, has made it particularly difficult to understand the full impacts of HS2 on your Petitioner's village and the disruption to the lives of your Petitioner's parishioners. Your Petitioner seeks assurance that adequate compensation will be in place if the actual impacts are not as predicted and at the very least to provide a Community Fund to offset these impacts.
- 50 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner's parishioners, their rights, interests and property, and your Petitioner's area, and for which no adequate provision is made to protect them.

Reservation in the event of additional provisions/points missed within Bill/Deposited Plans/Sections, ES etc

- 51 The points made above are in relation to the Bill as published for 2nd Reading and are without prejudice to your Petitioner's right to petition further and separately in relation to any additional provisions introduced to that Bill in future.
- 52 Further, your Petitioner has had great difficulty understanding the Bill, including its Schedules, alongside the Deposited Plans and Sections and the ES. Your Petitioner is concerned that it may have missed a material point on which it would wish to address the Select Committee appointed by your honourable House. The points made above are without prejudice to any such further points.

Conclusion

- 53 For the foregoing and connected reasons, your Petitioner respectfully submits that unless the Bill is amended as proposed above it should not be allowed to pass into law.
- 54 Your Petitioner supports the petitions for an extension to the fully bored Chiltern Tunnel that extends throughout the AONB.

YOUR PETITIONER therefore humbly prays 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 Petitioner, its parishioners and area 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 Petitioner will ever pray, &c.

Signatories:

L.M.Smith (Mrs)

Chairman, Chalfont St. Peter Parish Council

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL
(LONDON-WEST MIDLANDS)
BILL

PETITION OF Chalfont St Peter Parish Council

Against the Bill – On Merits – By Counsel, &c.

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