

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 – 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 GREAT MISSENDEN STOP HS2  
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 Petitioner Andrew David Garnett, is a District Councillor for Prestwood and Heath End and represents in excess of 6500 local residents in his elected capacity. He has participated in three bilateral meetings with the promoters of the Bill to discuss mitigation measures for Great Missenden Parish as a whole.
8. Both your petitioner and the residents of Prestwood and Heath End 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 across Great Missenden Parish for a project of this scale, magnitude and duration, nor does it provide any reassurance to local residents that there will be any form of proper independent monitoring of the Code to ensure that contractors adhere to its terms.
9. Your petitioner requests that the honourable House 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. Prestwood is the largest village within the AONB with a population in excess of 6500 residents. Prestwood is also linked to the neighbouring village of Heath End (part of the Prestwood & Heath End District Council ward) and it supports in excess of 94 businesses employing 1100 people. Almost all of these businesses are independent and are classified as micro business units. They are particularly vulnerable to changes in transport patterns, delays and disruption affecting customers and disruption to daily supply deliveries.
11. Inter connectivity both within and without the area is of significant importance to the people and businesses of Prestwood and there is significant concern that the promoters bill will significantly damage the ability of local residents and businesses to go about their daily business without intolerable levels of disruption and inconvenience for a protracted period of time with negligible safeguards to protect the vital interests of this community. There is a very real fear that this will damage both the near and long term sustainability of our community and of the businesses within it. In particular your petitioner requires that

the Nominated Undertaker guarantees that the single lane A4128 that runs through the villages of Prestwood and Great Missenden, including residential Prestwood High St, will not be used at any time by construction traffic and your petitioners require a similar guarantee for all minor roads in Great Missenden and Prestwood south of the A413.

12. Your petitioner considers 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. Your petitioner held three meetings with the promoter of the Bill to emphasise the direct economic, social and environmental interrelationship between Great Missenden and surrounding villages and communities in the AONB, including Prestwood and Heath End, South Heath, Hyde Heath, Hyde End, Little Missenden and Potter Row, but this evidence is not reflected in the ES.

14. Your petitioner requests that the promoters of the bill establish a Great Missenden Parish community fund and that consideration should also be given to a compensation fund for local businesses. There 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.

15. Your petitioners are concerned that the ES fails to recognise the particular importance and sensitivity of Great Missenden Parish 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.

16. Your petitioner objects 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.

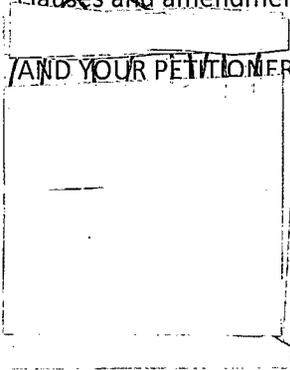
17. Your petitioner fully supports the need to extend the "Chilterns" tunnel beyond the current portal at Mantles wood for the reasons set out in paragraphs 19-22. Your petitioners would however oppose any attempt by the promoter to move the current AONB surface route alignment from the Mantles wood 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.

18. 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.
19. Your petitioner believes 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.
20. Your petitioner is extremely 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 Petitioner is thus deprived of any opportunity effectively to assess and/or to challenge the validity of the Promoter's rejection. Furthermore, your Petitioner fears 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.
21. Your petitioner believes 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.
22. If the Extended Chiltern Tunnel to the end of the AONB is not granted then your Petitioner proposes 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.
23. Your petitioner respectfully requests 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 Petitioner also invites 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. This may best be done by your Honourable House taking the opportunity to visit Great Missenden Parish at an early point in your deliberations

YOUR PETITIONER THEREFORE HUMBLY PRAYS

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 Petitioner and in support of such other clauses and amendments as may be necessary and proper for their protection and benefit.

AND YOUR PETITIONER will ever pray, &c.



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PETITION OF  
Cllr Andrew David Garnett  
AGAINST, By Counsel, &c.

Cllr Andrew Garnett

