

In Parliament House of Commons Session (2013-2014)

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 DAVID AND MARY ANNE STEWART OF CROWN COTTAGE, LITTLE MISSENDEN, AMERSHAM, BUCKINGHAMSHIRE

Shewith as follows:-

1 a Bill(herein after referred to as "the bill") has been introduced and is now pending in your honourable House instituted "A Bill to make provision for a railway between Euston in London and a junction with the West Coast Mail 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 Davet, 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, 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 misapply 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 framework 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, provision relating to statutory undertakers and The Crown, 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 clause 2 of the Bill.

7 Your petitioners rights, and interests and property are injurious lay affected by the Bill, to which your Petitioner objects for reasons amongst others herein after appearing.

9 Your petitioners reside at the above property which is situated in the Misbourne valley. The river is a chalk stream and as such is a rare habitat with its own micro Eco system. The waters are clean and unpolluted as shown by the fish which breed in the river.

10 The Petitioners are aware that the Select Committee of your Honourable House is unable to consider cases which object in principle of the Bill, your petitioners nevertheless wish to object the principle of the Bill. Your petitioners do not perceive that the business case for the project has sufficiently been proved. The case for the project is made by the industry sectors which stand to gain most by the project and therefore have a conflict of interest. Your petitioner supports the alternative proposal supported by 51M . A weakness of the project is the lack of the link to Heathrow airport.

11 The proposed route is unacceptable in the Chilterns AONB.

Although your petitioners are aware that the Select Committee of your honourable House is unable to consider cases which object to the principle of the Bill, your petitioners wish to express its objection to the route chosen for HS2. Your petitioners are seriously concerned over the damage to the Chilterns AONB and the fact that HS2 Ltd, in proposing this route appear to have ignored the statutory duty of protection of an AONB as set out in Section 85 of the CROW Act. Your petitioner requests that the route of HS2 be realigned in order that it should avoid the Chilterns AONB.

The area of the Chilterns is indeed special - it provides for an environment where partly due to the Green Belt policy it has been largely protected from damaging development. Therefore ancient woodland , rivers and wildlife have all been largely untouched by development. With one sweep of the pen a decision seems to have been made which will render a beautiful area changed forever.

Your petitioners respectfully requests that your honourable House should pay special attention to the proposals in the Bill so far as they affect the AONB in order to determine whether due regard has been paid to this highly sensitive area and whether the proposed railway is appropriate in light of its adverse impact on the area and its residents and businesses.

Your petitioners support the Chiltern District Council's proposals for a revision of the horizontal alignment and an extended bored tunnel throughout the AONB, which in your Petitioner's opinion would alleviate the detrimental impact that the proposed railway will otherwise have on the AONB.

*If a revised route (horizontal realignment) for HS2 is deemed unacceptable, then your petitioner requests that that the present proposed route through the Chilterns AONB be amended so that the present so called 'Chilterns tunnel' be extended to a point North of Wendover, as detailed in the CRAG-T2 mitigation proposal, which was deemed environmentally beneficial in the Environmental Statement. This mitigation would not avoid all the damage to the Chilterns AONB (for example: ventilations shafts would still be required), however it would massively reduce the damage to the heart of the AONB at Mantles Wood and much of the mitigation to minimise the impacts, such as those exemplified below, of both the construction and operation of HS2 would not be required.*

Should neither the route be amended nor an extended Chilterns tunnel be acceptable then your petitioners are particularly concerned about the of the construction and long term irreversible damage to the environment.

12 Your petitioners are concerned about the impacts of the loss of ancient woodland, vegetation, specific habitat in the Misbourne Valley on the wildlife that use this site/barn owls/bats, birds etc. The loss of any wildlife habitat affects your petitioners, who regularly walk in and around the

countryside in which they live near to home and in the wider area of the Chilterns AONB to appreciate the countryside and variety of wildlife in this area.

13 In particular we are concerned with the lack of information in the environmental statement - all of which is causing a great concern to the residents of Little Missenden and the residents of the other areas which will be directly affected.

Your petitioners wish to express concern regarding the poor provision of information supplied by the promoter, both prior to the deposit of the Bill, and since the Bill has been deposited. HS2 Ltd has continually failed to {provide necessary paperwork prior to meetings as requested, and information presented has often been inadequate and conflicting. Plan and Profile maps and GIS layers were requested by Buckinghamshire Councils and others early on in consultation, as it was felt that these were necessary tools to inform their response. HS2 Ltd responded that the GIS layers were likely to be available mid/late December. It was not until the 24th January that these were made available, ironically, on the day that consultation was due to end. Plan and profile maps remain unavailable, and furthermore, supplementary information such as the Code of Construction Practise has remained in draft form}. The ongoing lack of information has made it particularly difficult to understand the full impacts of HS2, and therefore commenting on the project has been particularly difficult. It also raises the question as to why this information is being withheld when it has been produced. Your petitioners expect to be able to consult on the final version of the CoCP and any other relevant documents that are produced, prior to construction taking place. We also request that in future, all information is made available in a timely manner.

A number of specific grievance and concerns were set out in response to the Draft Environmental statement - to which not response or even acknowledgement has been forthcoming .

We respectfully request that in order to mitigate the effects of the construction and subsequent operation of the line that the following measures should be agreed to be undertaken during the construction/operation phase of the railway.

#### **Local Level – Little Missenden**

We the petitioners understand that the findings and recommendations from the Environmental Impact Assessment, including impacts on wildlife, ancient woodland, and the potential for subsidence of listed buildings have not been addressed in the bill thus far.

The petitioners propose that these issues must be addressed and a specific plan for mitigation must be agreed prior to construction.

Your petitioner believes that there is potential for damage to property and land.

Your petitioners propose that all houses and buildings which will be at risk in any way from construction, disturbance, pollution, vibration or tunnelling must have a government funded survey carried out before work starts and after completion. I believe that there will be a risk from vibration to the buildings within the village. This will ensure that disputes arising can be fairly dealt with.

Your petitioners believe that there will be impact of construction on the Chilterns aquifer and the river Misbourne, local water tables, flood plains and the risk of flooding and pollution due to water run offs.

Your petitioners believe that this must be assessed and the necessary ameliorative measures be put in place, prior to construction.

Your petitioners believe that the use of balancing ponds in the Chilterns AONB Your petitioner lives in the AONB, and balancing ponds would alter the character of this area.

Your petitioner believes that there should be adequate plans for the prevention of pollution should balancing ponds.

Your petitioner believes that there aren't plans in place to reduce the noise and visual impact of the tunnel entrance at Mantle's farm, which will adversely affect the village population.

Your petitioners propose that there MUST be plans put in place prior to construction.

Your petitioners believe that there is currently not a specific plan in place for the reinstatement of Mantles and Hedgemoor Woods (ancient woodlands) with semi-mature deciduous native species MUST be agreed prior to construction.

Your petitioners suggest that plans must be drawn up for their reinstatement prior to the commencement of construction. Your petitioners suggest that the during the plans for construction phase and post-construction phase mitigation MUST be approved and agreed in writing, prior to commencement of works.

Your petitioners believe that prior to discussing mitigation of the effects of the proposed route, changes to the proposed route should be made. We believe that not enough care is being taken to preserve the beauty and tranquility of the countryside and mitigate the effects on the environment which will occur due to construction and the operation of such a high speed railway.

Your petitioners suggest that there are further more detailed plans developed and available for discussion and comment.

Your petitioners believe that under current proposals that there are plans to divert additional traffic through the village of Little Missenden.

The petitioners suggest that there should be no construction vehicles allowed into, or traverse through, Little Missenden during the construction phase. Notices should be placed at all entrances to the village, including at the south end of Penfold Lane in Holmer Green, to this effect and the compliance with this restriction, monitored.

In addition your petitioners request HGV movements should be restricted to the period 09:30 – 15:30 throughout the AONB, and prohibiting HGV Movements along school routes for 30 minutes before and after the start and end of the school day (during term time).

The petitioners propose that there are insufficient detailed plans for the lay down areas and transport and disposal of spoil.

The petitioners propose that no construction laydown area should be allowed within the wider Little Missenden village area.

In addition the plans the plans do not include details for transportation and disposal of spoil.

The most direct access to the identified site was through Little Missenden conservation area which was totally unacceptable. The petitioners propose that plans are developed and available for discussion and comment and these should include the following .

No spoil should be transported away from the tunnelling area at Mantles Wood, in other words, ONLY the spoil required to develop embankments and bunds adjacent to the tunnel entrance at Mantles Wood should be excavated at the Little Missenden end of the tunnel.

Instead of removing waste/spoil/earth should be back along the trace of the tunnel, other spoil should be removed at the Denham end of the tunnel and not removed by road. The spoil should be transported away from the construction area using the Chiltern Railway lines, thereby significantly reducing road congestion, accident risk, noise pollution, environmental harm, dust/waste pollution and reducing damage to the AONB.

The proposed vent shaft and Auto transformer Station at Little Missenden

Your petitioners believe that there will be severe noise, light and dust pollution at Piper's Wood Cottages and at Park View Cottages during the construction phase and subsequent operation of the Little Missenden Vent Shaft and Transformer.

Your petitioners believe that Tall Screening will be an inadequate mitigation.

Your petitioners believe that the requirement for the Vent shaft and transformer at this location should be reconsidered and should it really be a requirement, then it should be built no higher than ground level and the design altered accordingly to fit in sympathetically in this sensitive environment. In the draft ES it appeared that consideration had been given to the visual environment however these do not appear to have been included in the final ES.

The petitioners are sure that In the current documents reference is made to the Vent shaft also acting as an escape route in emergencies. However the Map Books supplied at the time of the draft ES (ref:CT-05-030 and CT-06-030) there is no provision for such a use.

The petitioners propose that these should be made available in both the draft ES and the final document, reference is made to an 'Auto-transformer Station' but no indication whether this will be served by overhead power lines or similar.

The petitioners are aware that in the Map Books supplied with the draft ES, A 'Verifiable Photomontage (re LV-12-25), of the Little Missenden Vent Shaft is provided, but there is no indication of either road access to the vent shaft that would accommodate emergency vehicles, or the intrusion of the Auto-transformer Station.

The Remedy - to provide complete and accurate details of the Vent Shaft and the Auto-transformer Station proposals , complete with a statement of the intended actual use and operation. Also to provide a complete and accurate Photomontage of the finished proposed installation.

### **Congestion on A413**

The petitioners are concerned that the A413 road is (18 miles long with only 1 1/2 miles of dual carriageway between Amersham and Little Missenden) is already congested at peak travel times. In all probability the local and through traffic will have increased over the coming years. The addition of the construction traffic using this road a 'haul route' will increase the congestion to a point where

access to local services , train stations etc will become extremely difficult. By designating single track roads and lanes which join the A413 currently designated as 'unsuitable for HGVs' as haul routes danger will be ever present to all road users.

There have been several fatalities and serious accidents in last few years on this stretch of the A413 and so safety of the residents of Little Missenden during the construction phase should be a primary concern.

The petitioners propose that the construction of new access roads to the trace and construction sites directly from the A413, should be prohibited, since the impact on traffic flow on the A413 from turning, slowing and accelerating heavy goods vehicles will render the A413 effectively gridlocked at it's narrowest point between Hyde Lane and Piper's Wood.

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Your petitioners wish to draw the attention of the Select Committee's attention to the inaccuracy of the traffic flow estimates in the Environmental Statement were totally wrong - as many more lorry movements entered the junctions than exited them. This has been challenged by Bucks CC.

Your petitioners respectfully suggest that accurate traffic planning documents be prepared and submitted .

Your petitioners object to the working hours set out in the draft Code of Construction Practice. Your petitioner lives adjacent to a construction site and construction route and therefore will be directly affected by construction works and traffic for years.

- The contractors must work under the "Considerate Contractors Scheme" whereby the hours of work and other environmental limitations are specified.
- Work adjacent to the residential properties must be limited to Monday to Friday, 0800hrs to 1600hrs.
- Speed restrictions for construction traffic must be set and adhered to.
- Traffic routes should be published at least three months before the work starts.
- Heavy Goods vehicle movements along the A413 during the construction phase should be restricted to the hours of 10.00 – 15.30.

- The emergency services are already at the limit of their response time in this area and will be unable to provide timely support to family and property due to road congestion during the construction period, and would remind the committee that the A413 and A404 carry ambulances to the local A&E department at Stoke Mandeville, as well as all HS2 traffic to and from the AONB.

HS2 Ltd should be required to provide an air ambulance with crew on standby during working hours, to ensure that medical emergencies receive a prompt response.

The petitioners are concerned that in addition to the substantial loss of ancient woodland in Mantles Wood, the cranes and other large construction equipment at the tunnel portal construction site and more importantly the overhead line equipment will have a substantial impact on the view and visual amenity from Little Missenden. With the raising of the line by 3m in the adjacent cutting, the catenary towers will be visually objectionable and and at night there will be the light pollution effect

of light flashes every few minutes as the train passes. Indeed there is little light pollution across the Buckinghamshire roads as the street lighting is only used in key areas.

The petitioners suggest that there should be HS2 Mitigation Minimum Requirements for Little Missenden

Light, noise and dust pollution must be addressed and minimised by appropriate screening and other established methods. Little Missenden is a tranquil village in the Chilterns AONB, it has no artificial lighting i.e. no street lights and at present no light pollution, minimal noise, only local traffic and negligible dust pollution.

The petitioners are aware that the proposals do not include unimpeded access to the A413 from the village BOTH westerly (to Great Missenden) and easterly (to Amersham) MUST be maintained at all times to allow villagers access to hospitals, doctors, shops and transport facilities and in turn to allow visitors to access two schools, two pubs and to the residents of the village. Your petitioners need to access train stations to travel to airplanes.

Your petitioners suggest that measures MUST be put in place to eliminate the risk of 'rat running' through the village when delays build-up on the A413. This is a feature of the present situation on the A413 when there are delays or accidents. Any additional traffic and impedence of it's flow will exacerbate this difficulty. Consideration should be given to closing off the West and Central access to the Village and construction of a roundabout at the junction of the East End of the Village and the A413, in order to maintain effective access to and from the village.

Your petitioners suggest there needs to be modification of the green route. The most direct access to the identified site was through Little Missenden conservation area which was totally unacceptable. Using the A 404 would alleviate the A 413 traffic problem could have been made and needed to advocate to reduce the traffic problems on the A413.

Your petitioners further suggest that during construction, if electricity pylons are to be moved, then they should not be replaced but the wires placed underground to make some measure of restitution of the landscape of the AONB for the damage caused by the scheme.

Your positions feel that not enough consideration has been given to the disruption to farming and the local businesses which we all currently enjoy and the impact on tourism MUST be minimised during the whole construction phase.

Your petitioners are concerned that there will be large amounts of dust and mud in our local vicinity. We therefore suggest that effective road cleaning and dust prevention and reduction measures must be in place and enforced by a third party.

Your petitioners are concerned at the levels of construction noise

Your petitioners therefore suggest that this should be limited to acceptable EU limits and monitoring stations and put in place and administered by a third party.

They further suggest that there should be an identifiable organisation where there should be a 'one shop' where any complaints arising from the construction issues as raised could be addressed.

Your petitioners are concerned that there are no appropriate waste management procedures and secure storage of toxic chemicals outlined.

Your petitioner suggests that full plans and contingencies must be undertaken and implemented.

Your petitioners are of the opinion that there currently insufficient assurances given in the act for the monitoring the quality of ANY imported spoil in the AONB. The movement of large amounts of excavated spoil from one location to bunds elsewhere create the risk of moving contamination into a previously clean area; leading to the change in a local ecosystem.

Your petitioners are unaware of detailed plans and safeguards in place.

Your petitioners are unable to determine that sufficient planning and monitoring has taken place for the preservation of the local flora as part of which the protection of trees and hedges. These may also be adversely affected by pollution. Who owns the problem who is accountable to whom?

Your petitioners feel that an undertaking must be made to fence off the trees and hedges to prevent damage such as construction vehicles compacting soil the trunk or crown and roots.

Your petitioners believe that plans must be in place to protect special trees with preservation orders.

Your petitioners feel that the special trees must identify and protect must be planned for these specimens physically and legally.

Your petitioners believe that there is currently no additional funding for any additional policing which will be required.

Your petitioners suggest that this cost must not be borne by the local police budgets without the allocation of sufficient funding must be from the central funding body.

Your petitioners suggest that there is no provision for a mechanism for claiming for damage which maybe caused by construction work to property and land in the village and and areas surrounding the construction and construction routes .

Your petitioners suggest that a process should be in place for a simple no fault system of claiming for damages caused and their restitution which should be required to cover structural , damage to buildings and trees and vehicle damage. This should not be insurance based and must offer speedy resolution.

Your petitioners believe that there are currently not formalised plans in place for liaising with the affected communities.

Your petitioners suggest that in each of the major construction sites a dedicated community liaison officer with powers to mitigate issues with the contractors should be in place and formal monthly meetings should be held with local residents to review progress, complaints and safety issues.

#### **Post-Construction / Construction and Operational Phase**

Your petitioners suggest that currently there aren't any formal plans and processes in place to ensure that any and ALL previously agreed mitigation measures to reduce the long term impacts (visual, environmental, noise) of the construction phase have been put into place.

Your petitioners suggest that these must be put in place as soon as possible as each part of the construction is planned , executed and completed. They should also be available for suggestions and scrutiny.

The petitioners have many specific concerns with this regard. Currently an aspect which appear to have been overlooked are he visual impact of the tunnel exit at Mantles Wood (an ancient woodland).

The petitioners suggest that plans be developed which minimise this by the sympathetic construction of embankments and bunds and their replanting with semi-mature native hardwood deciduous trees.

The petitioners are particularly concerned with damage to the ancient woodlands by noise, pollution in particular Mantle's and Hedgemoor woods.

The petitioners suggest that in mitigation the woods must be re-planted with semi-mature native hardwood deciduous trees and this must be in a plan for execution and monitored.

We the petitioners are great lovers of our local countryside and users of the footpaths many of which are ancient trackways and exist everywhere in this conservation area all of which may affected by the construction of the HS2. We are therefore concerned by the disruption of footpaths and public rights of way which are present in the area and their ultimate protection.

The petitioners suggest that the footpaths and rights of way must be re-instated. The preferred method would be via a 'rolling' process of re-instatement during the construction phase but definitely as soon as possible after construction is completed.

The petitioners are concerned that there aren't planned mitigation measures in place to protect the heritage and safeguard natural environment in which we live and enjoy. The consequence of this project will be to change forever the countryside in this AONB.

The petitioners suggest that there MUST be a final agreement that all mitigation measures have been carried out as planned, prior to the construction being 'signed-off' by the local residents.

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