



20th October 2022

### **Report from the Campaign to Save Leather Lane**

We would like to submit this update from the Campaign to Save Leather Lane (the "Campaign") in advance of the Chesham and Villages Community Board Meeting on 27th October.

The campaign was created by local residents in February/March 2021 when residents at Leather Lane, the Lee, first became aware of the threat to the entire row of 99 veteran oak trees that line the ancient Holloway of Leather Lane.

Combined efforts from Carol-Anne O'Callaghan and her family, along with Lindsey Spinks from Lawyers for Nature and local councillors managed to stop the felling of these trees on 17th March 2021.

HS2's subcontractor EKFB stopped work after 3 trees came down at the haul road. Residents Jim Ashton and Carol-Anne then took the opportunity to set up Anabat readers which recorded very high levels of bat activity - over 7 species of bats that use Leather lane as a commuting corridor including the endangered barbastelle bat.

The reason the trees were under threat is because HS2 had designed the over road (to take the Lane over the track) on the Southern side where all the rich Ecology lies. At the HS2 Bill's committee stage local campaigners insisted that the over road should be built to the North, which is a field with far less ecology and therefore far less impact. This was, however, turned down on spurious grounds. At this time no surveys had been carried out and was therefore not available.

In May last year, the campaign started to engage with local councillors, groups and EKFB to push for an over road to the north in order to save the rich ecology and wildlife corridor to the south. As part of this work, the Campaign has carried out ongoing bat surveys, engaged with experts, including a local engineer from

JNP in Chesham in order to produce a design to the North and expert ecologists to support their ecological and legal arguments.

The fact is that HS2 did not carry out adequate surveys prior to the passing of the HS2 act - we believe that this information was required at the time the bill was presented to Parliament and that adequate surveys should have been presented in order for HS2 and the Government to make an informed decision regarding designs and, most importantly, to keep their legal commitments as required by the Mitigation Hierarchy and other key requirements which were incorporated in to the Environmental Statement.

The Campaign has effectively carried out the work of HS2 and other groups in conducting surveys and providing vital push back and accountability to ensure that HS2 adhere to the law and minimise damage in the Chilterns AONB.

We have done this with a lot of good will, mainly from our team and also from the public who have contributed to our Crowdfunder to enable us to pay for our costly design engineer, ecologists and legal/campaign advice.

However, we are now out of resources and at a critical time of the campaign where we feel that we still have a chance to: a. Save Leather Lane and re-route the over road to the North and b. Save Ilona the lone oak as a result of our recent campaign.

**The Campaign has:**

1. Stopped HS2 felling the entire line of Oaks - 87 remain;
2. Presented strong ecological and legal arguments to preserve the remaining 87 Oaks of Leather Lane and held HS2/EKFB to account;
3. Provided a workable engineering design for the North side at huge cost to the Campaign and Campaigners;
4. Ensured that EKFB now carry out bat surveys throughout the summer of 2022 as required by law following expert guidance;
5. Ensured EKFB review their design for the South side in light of our Ecology case and as a result they have reduced the number of remaining trees they would fell;
6. Held HS2 to their Design Principles submitted at committee stage to preserve the Holloway and intervened with BCC to ensure the lane remains a single track lane with passing places not a 60mph two lane road;
7. Engaged with EKFB and their engineers who agree that the Campaign's design IS a workable solution.
8. Our civil engineer presented our design (known as Option 7) and there was detailed discussion of engineering points, comparing Option 7 with EKFB's option, which concluded that our Option 7:
  - Saves more trees (in fact it saves all the remaining 87 veteran oak trees);

- Crosses the line at right angles, so is cheaper to execute;
- Will require adjustments to a transformer location and landscaping; and
- Meets all the required engineering parameters.
- Both designs are outside of LoD, so the same issue applies to both designs;
- MPATS accessibility consideration applies to both designs;
- Out Option (Option 7) appears to be cheaper and would save more trees and protect the remaining wildlife and bat corridor.

***This last point is most important:*** it allows Bucks Council to refuse an application to build the bridge currently proposed by EKFB as the development “could reasonably be carried out elsewhere”. Therefore BCC have a legal basis upon which they should reject any Sch 17 application for a North side design which fells any more trees.

9. Ensured that EKFB adhere to the Construction Exclusion Zone in order to protect the remaining trees on Leather Lane. Action has been taken and needs monitoring.
10. We have consulted with the UK’s top bat experts who provided reports that were submitted to EKFB when they were due to fell trees for the Track Trace last summer. As a result, we managed to pause felling at the Track Trace to ensure that Mitigation for the fragmentation of the wildlife corridor was considered and put in place. This was carried out in consultation with Bucks County Council and requires ongoing monitoring and pressure on EKFB to fulfil their commitments made at the meeting on 18th May 2022.
11. We continue to engage and defend Ilona the Lone Oak and question flimsy claims from EKFB/HS2 re bunds and the need to fell her [see our previously circulated letter and we will shortly be issuing a second letter with support].
12. We have now led 3 successful bat walks allowing local people young and old to come and see and hear for themselves the bats of Leather Lane, including the endangered Barbastelle bat, which we have recorded on the Lane using bat detectors.
13. We are applying for charitable status as a Charitable Incorporated Organisation.

**Current Situation:**

We have continued to palace Anabat readers on Leather Lane throughout the summer and have sent survey results to our Ecologists for analysis.

We are pressing for EKFB to share their survey results and intend to have a meeting to follow up from our meeting in May to determine the activity of bats on Leather Lane.

We are putting pressure on HS2 to stop felling Ilona the lone oak at the top of Leather Lane. We are engaging with the GMPC and local groups on this matter. We have sent a letter with support from local groups and initiated a public campaign where some 200 people (mostly locals) wrote directly to Mark Thurston. As a result, HS2 are now reconsidering their flimsy landscape designs.

We are holding an event on 29th October for Ilona with local and national groups and press to which you are invited.

We intend to share the framework of our success with other groups in order to protect Ecology, Heritage and Biodiversity at a time of Climate Change and great threat to our future.

We believe that collaboration is key.

Yours Sincerely

Lindsey Spinks (LLB)Hons

On Behalf of the Campaign to Save Leather Lane