

CRCL/P/OBJ/211/9

CLOSING SUBMISSION

**Mrs Rebecca Micklem representing the Berks, Bucks & Oxon Wildlife Trust
(BBOWT)**

In respect of:

**Application for the Proposed Chiltern Railways (Bicester to Oxford Improvements)
Order under the Transport and Works Act 1992 (TWA)**

I submitted evidence to the Inquiry on the 5th January 2011 with regard to a number of concerns which are set out in my Supplementary Proof of Evidence (CRCL/P/OBJ/211/4). In summary these concerns related to: vehicular access to our nature reserve at Woodsides Meadow, issues with regard to Sites of Special Scientific Interest (SSSIs) including increases in nitrogen pollution and the proposed track across Wendlebury Meads and Mansmoor Closes SSSI, impacts on Gavray Drive Meadows Local Wildlife Site and impacts on species of principal importance.

I am satisfied that our concerns regarding species of principal importance can be addressed through conditions as submitted by Chiltern Railways on 5th January. My other concerns regarding SSSIs and Gavray Drive Meadows Local Wildlife Site remain.

In terms of access to our Woodsides Meadow nature reserve; we wish to have a legal agreement with Chiltern Railways to secure this access and have been in negotiation with them to try to achieve this. However, we currently have concerns about the arrangements for maintenance for the new route. Chiltern Railways have indicated that they wish to leave the issue of maintenance obligations to be resolved at such time as the access rights are created. We have been advised by our lawyers that it is not unreasonable for us to request inclusion of maintenance rights in our agreement. Such rights would allow us to maintain the accommodation access in good repair and free from obstruction, to enable exercise of the access rights without imposing any obligation or duty in respect of maintenance on BBOWT. Discussions regarding this issue have been ongoing upto this morning; I am waiting to hear back from Chiltern Railways on this issue and hope to be able to come to an agreement with them.

There is a concern on BBOWT's part that the new track, which will be significantly longer than our existing route and on softer ground, may not be maintained in a suitable condition for us to be able to access our site. This is a concern in particular with regard to bringing livestock on to graze the site; if the surface is too soft it will not be appropriate for a livestock trailer and as the route is unfenced it will be unsuitable for herding livestock along it. I have set out the need for us to be able to bring hay cutting machinery and livestock on to site in my Proof of Evidence. Additionally, if responsibility for maintenance is passed to us then we are concerned that this will result in a significantly increased cost to us over the existing arrangement. I would ask the Inspector to give consideration as to whether this important issue (which goes to the heart of the management of this SSSI) can be addressed in the terms of the Order.

I am aware that Chiltern Railways are negotiating agreements with some of our neighbouring landowners which could see the requirement for the track across Wendlebury Meads and Mansmoor Closes SSSI to be removed. However, as far as I am aware, these negotiations have not been concluded. Therefore, our objection remains to this track in relation to its impact on the SSSI as set out in my Supplementary Proof of Evidence.