

Petition

From

**The Initiative Committee
of the residential quarters:
'Chehlevtsi', 'Velchevtsi',
'Diado Dianko',
'Hristo Smirnenski'
GABROVO
28.10.2008**

**To
The Committee on Petitions
Of the European Parliament**

**Subject: Planning and implementation of the west
encircling road of Gabrovo project.**

**The project has gone through a procedure which did not
include its public discussion and thus, no opportunities to
conform the project to the public opinion were given. The
right of the citizens to take part in discussions of public
interest projects is granted by the Bulgarian law as well as
by the international regulations of the new European
Strategy for Innovations and Local Good Management.**

**We, the people living in the residential quarters of
'Chehlevtsi', 'Velchevtsi', 'Diado Dianko' and 'Hristo
Smirnenski',**

OBJECT TO

**The passing of the west encircling road directly through
the above-listed quarters and next to Sinkevitsa health**

zone. The traffic on the planned road will negatively affect not only our living environment and our health but also the future development of the quarters as part of the town structure.

WE STATE that according to Article 121 and Article 127 of the Bulgarian Law of Territory Structure, the required procedure has not been executed and as a result the following laws have been violated:

- 1. Article 55 of the Bulgarian Constitution;**
- 2. European Human Rights Chart;**
- 3. The Orhus Convention;**
- 4. The Environment Preservation Law – Art. 20, Art. 21, Art. 23 and Art.26 Paragraphs 1 and 2;**
- 5. The Anti-discrimination Law – Art. 6, Art.9, Art.10 and Art.11.**

The presently re-planned old trace of the road despite the partial alterations made to its route (which we can guess by the markers and drillings carried out in the last few weeks as well as by the interviews of some authorities representatives in the local paper) does not correspond to the following requirements set by the Road Infrastructure Law – Road Planning Regulations: Art.7, pr3, pr.4, pr.7, Art.8, pr.5, pr.6, Art.21

WE INSIST that alternative projects, which do not cause conflict of interests and do not contradict the above-mentioned laws, be brought out for discussion. We suggest two example alternatives:

- East encircling road;**
- A project idea by the famous architect Adolf Mussman**

Dear Sirs and Madams,

We are asking for your support in order to reach the best project planning and implementation solution of the so necessary encircling road of Gabrovo and we hope to have you as our reliable partners.

Yours faithfully,

Representatives of the Initiative Committee:

- 1. Nikolay Tsvetanov Nikolov**
- 2.. Gergana Ivanova Panteva**
- 3. Doncho Penchev Totev**
- 4. Docho Borisov Dochev**
- 5 Ivan Nedialkov Denchev**
- 6. Georgi Ganchev Ganchev**
- 7. Boril Georgiev Georgiev**
- 8. Minka Lefterova Georgieva**
- 9. Elena Pencheva Toteva**

The following authorities, organisations and politicians have been informed so far:

The Committee on Petitions of the 40th Bulgarian Parliament, Road Infrastructure National Agency, Water and Environment Regional Inspection – Veliko Tarnovo, Municipal Council – Gabrovo, Mr. Tomislav Donchev – Mayor of Gabrovo, Members of the European Parliament, etc.

To the present Petition, we attach:

- 1. Part of the Public subscription list (the subscribing is still on) of the people living in the above listed quarters. It started on 9th October, 2008 – copies of 17 pages.**

NOTE: this is the second subscribing campaign on the problem – around 1990 another one was organised and about 2500 people signed in. The authorities were

informed then as well but the problem was not finally settled.

2. The project idea for west encircling road of architect Adolf Mussman

3. A cadastre plan of 'Velchevtsi' and 'Chehlevtsi' residential quarters as of 15th October, 2008, with the existing buildings and the route of the trace of the west encircling road, added by us.

4. Parts of the Laws, quoted in this document, in English

Bulgarian Law of Territory Structure

Article 121, pr.1: All projects of structure schemes are liable to public discussion before being put forward to the expert councils of territory structure. The Legal entity commissioning the project announce the place, the date and the time of the public discussion in one national and at least one local daily newspaper. A record of proceedings is taken during the discussion and later it is attached to the documentation for the expert council. In the cities with regional divisions, such a discussion is held in all divisions.

Article 127: Common structure plans are liable to public discussion according to Article 121, pr1 before being put forward to the territory structure expert councils.

Road Infrastructure Law Road Planning Regulations

Article 3: The Regulations is applied to the planning of new road and to the restructuring of old roads.

Article 7: Roads must correspond to the following requirements:

Paragraph 3: Preservation of the environment;

Paragraph 4: Preservation of farming land;

Paragraph 7: Conforming the route to the landscape

Article 8: For building new roads an environment influence assessment is required, according to Article 81, pr. 1, item 2 of the Environment Preservation Law.

Roads must grant the following environmental requirements:

Paragraph 2: Roads must use non-productive land as much as possible;

Paragraph 5: Roads must pass around residential zones;

Paragraph 6: Encircling roads should go leeward of the common winds, at a suitable distance from the residential areas.

END