

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2005-06

CROSSRAIL BILL

PETITION

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 STOCKLEY PARK CONSORTIUM LTD

SHEWETH as follows: -

- 1 A Bill (hereinafter referred to as "the Bill") has been introduced and is now pending in your honourable House intituled "A Bill to make provision for a railway transport system running from Maidenhead, in the County of Berkshire, and Heathrow Airport, in the London Borough of Hillingdon, through central London to Shenfield, in the County of Essex, and Abbey Wood, in the London Borough of Greenwich; and for connected purposes".
- 2 The Bill is promoted by the Secretary of State for Transport (hereinafter referred to as the "Promoter").
- 3 The Bill's objectives in relation to the construction and operation of the railway transport system are set out in clauses 1 to 20. They include provisions for the construction and maintenance of scheduled works, the compulsory acquisition of land, planning permission, heritage issues, the power to deal with trees and noise. Clauses 21 to 44 of the Bill establishes the powers and duties of the Office of Rail Regulation in regulating the railway transport system, and clauses 45 to 59 of the Bill encompasses the miscellaneous and general provisions.

- 4 Your Petitioner is the Stockley Park Consortium Ltd, a commercial property development company, based at Stockley Park, a multi-tenanted quality business park, owned by your Petitioner, in West London.
- 5 Your Petitioner supports the proposed Bill and welcomes the decision to construct Crossrail. There are, however, matters, which cause great concern to your Petitioner, arising from proposals in the Bill. Your Petitioner is hopeful that these concerns can be met by agreement with the Promoter.
- 6 Clause 6 (1) of the Bill authorises the Secretary of State to compulsorily acquire as much of the land shown on deposited plans within the scheduled works limits of deviation, which are necessary for the Crossrail works.
- 7 Clause 6 (2) of the Bill indicates that the land identified in columns 1 and 2 of Schedule 6 can be acquired or used for the purposes set out in column 3 of the table.
- 8 The land and rights proposed to be compulsorily acquired by the Bill are listed in Schedule 6 to the Bill. These include means of access, use as a worksite and for utility diversions. The Petitioners' land falls within the London Borough of Hillingdon and forms part of the land to be acquired under the Bill's compulsory acquisition powers.
- 9 Your Petitioner has no objections to the compulsory acquisition of its land. However, your Petitioner is concerned that a parcel of land in its ownership, which has not been included in the acquisition will be land locked. Your Petitioner respectfully submits that the Promoter should also be required to purchase the affected land, to allay their concerns.
- 10 Schedule 1 to the Bill sets out a description of the works, which the nominated undertaker is authorised to carry out by Clause 1 of the Bill. Work No. 3/14 provides for the removal of the Old Stockley Road Bridge and the construction of a bridge to carry a footpath and cycleway. The works are to be started at a point 23 metres south of the Iron Bridge Road South junction with Old Stockley Road, and ending at a point 59 metres north of the Old Stockley Road junction with Stockley Road.
- 11 Schedule 3 to the Bill makes provision in relation to highways that are connected with the works authorised by the Bill. The nominated undertaker is authorised to stop up highways or specified parts, listed in the table set out in Schedule 3.

- 12 The table at Schedule 3 Part 2 to the Bill sets out the highway or part thereof to be stopped up and the new highway to be substituted for it. This provides for the stopping up of the highway between points P1 and P2 on the deposited plan and a footpath and cycleway to be created in its place.
- 13 Your Petitioner is concerned by the Promoter's intention to permanently close the bridge on Old Stockley Road to vehicular traffic.
- 14 The Promoter's intention to re-open the Old Stockley Road Bridge to pedestrians and cyclists only would have a direct permanent affect on the Petitioner's access to their land. The bridge provides a secondary access route for vehicles accessing the Petitioner's Estate on Iron Bridge Road North. Your Petitioner wishes to secure that the bridge on Old Stockley Road remains open to vehicular traffic when it re-opens and seeks assurances that the nominated undertaker will re-instate the bridge for use by vehicular traffic.
- 15 Clause 46 of the Bill provides that the Promoter may, by order, specify a person (to be the "nominated undertaker") to perform specified provisions of the Act. Your Petitioner is concerned that this provision should not be used to enable the Promoter to avoid any obligations relating to your Petitioner's concerns that he is or becomes contractually bound to perform. Your Petitioner submits that clause 46 be amended so that any order made under clause 46(1) must provide for contractual commitments entered into by the Promoter in respect of the functions to be carried out by the nominated undertaker to bind the nominated undertaker.
- 16 Clause 53 of the Bill enables the Promoter, by order, to devolve certain functions under the Bill to the Greater London Assembly, Transport for London, or both. The functions that may be devolved include the compulsory acquisition of land under clauses 6(1), 7(1) and 7(2). Your Petitioners are concerned that the Promoter should not be able to avoid compliance with any contractual commitments entered into. Your Petitioner submits that clause 53 be amended in the same manner as clause 46, as described in paragraph 15 above.
- 17 Your Petitioner submits that the Bill fails to adequately safeguard and protect the interests of your Petitioner and should not be allowed to pass into law without these issues being addressed.

YOUR PETITIONER THEREFORE HUMBLY PRAYS your Honourable House that the Bill may not be allowed to pass into law as it now stands and that they may be heard by their Counsel, Agents 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 Petitioners and in support of such other clauses and provisions as may be necessary or expedient for their protection, or that such other relief may be given to your Petitioner in the premises as your Honourable House shall deem meet.

AND YOUR PETITIONERS WILL EVER PRAY, &c.

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