



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 THE EAST OF ENGLAND REGIONAL ASSEMBLY:

SHEWETH as follows:—

- 1 A Bill (hereinafter referred to as “the Bill”) has been introduced into 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 called the “Promoter”).

Relevant clauses of the Bill

- 3 Clauses 1 to 20 of the Bill together with Schedules 1 to 9 make provision for the construction and maintenance of the proposed works including the main works set out in Schedule 1. Provision is included to confer powers for various building and engineering operations, for compulsory acquisition and the temporary use of and entry upon land, for the grant of planning permission and other consents, for the

disapplication or modification of heritage and other controls and to govern interference with trees and the regulation of noise.

4 Clauses 21 to 44 of the Bill together with Schedule 10 make provision for the application with modifications and the disapplication in part of the existing railways regulatory regime which is contained in and in arrangements made under the Railways Act 1993 and associated legislation.

5 Clauses 45 to 59 of the Bill together with Schedules 11 to 14 contain miscellaneous and general provisions. These include provision for the making of transfer schemes, the designation of nominated undertakers, the devolution of functions and as respects other actions to be taken by the Secretary of State. Provision is also made in particular for the disapplication or modification of various additional miscellaneous controls.

Your Petitioner

6 Your Petitioner is the East of England Regional Assembly. The Assembly is a designated voluntary regional chamber covering the Counties of Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Norfolk and Suffolk. The 2004 Planning and Compulsory Purchase Act requires the Assembly to produce a Regional Spatial Strategy and, as part of this, a Regional Transport Strategy. The Regional Spatial Strategy provides long-term (initially to 2021) policies and proposals for the development of the region including improved inter-regional, national and international linkages. This strategy is affected by provisions of the Bill.

Your Petitioner's concerns

7 Your Petitioner supports the principle of providing extra rail capacity to relieve the heavily congested rail and underground network within London, which underlie the Crossrail proposals. Your Petitioner thus generally supports proposals which improve connections from stations to the east of London and stations to the west of London via Liverpool Street station and the proposed central London tunnel. However, your Petitioner is concerned that, because the current proposals do not extend beyond Shenfield, this will not achieve the full potential of the Crossrail scheme and will not fully meet the needs of the East of England region.

- 8 Your Petitioner is concerned that generally the Crossrail proposals are not well integrated with the national and regional rail network, for both freight and passenger services, particularly because Crossrail appears to have primacy over existing services. In your Petitioner's view, the proposed Crossrail scheme has limited benefits because it creates no new capacity on the existing rail network between Shenfield and Liverpool Street. It also does not penetrate into either of the national growth areas of the Thames Gateway South Essex or the M11 Corridor (London to Stansted), which are planned to expand substantially.
- 9 In your Petitioner's view, Crossrail also offers little benefit in terms of accommodating the additional Airport capacity from expansion at Stansted which has been proposed by the Promoter. This will require substantial additional rail capacity to provide sustainable surface access without overloading of the road network. As presently proposed, Crossrail does not provide that substantial additional rail capacity. Your Petitioner humbly submits that the Bill should be amended to rectify this, and your Petitioner seeks the Promoter's assurances that he will put in place measures to facilitate Crossrail services to Stansted airport.
- 10 In your petitioner's view, greater benefits would accrue to the people and economy of your Petitioner's Region if Crossrail services extended beyond Shenfield to better serve the whole region, especially those areas identified by the Promoter's government as growth areas. Additional works powers would be necessary to accommodate this extra capacity, and your petitioner humbly submits that the Promoter should be required to petition for additional provisions to the Bill, so that the Great Eastern Main Line may be operated as a four-track railway, with a grade-separated junction at Forest Gate and additional loops built to the east of Shenfield. Additional works would be necessary so that Crossrail services could commence at Southend Victoria and Stansted Airport. Alternatively, the Promoter should give an Undertaking before the works authorised by the Bill are commenced that an application will be made for a Transport and Works Act Order in accordance with clause 51 to authorise such additional works;
- 11 Your Petitioner is aware that subsequent to the Bill's Second Reading, your Honourable House Instructed your Committee in applying the practice of the House "to treat the principle of the Bill as including the termini of the railway

transport system for which the Bill provides". Your Petitioner is also aware that its proposals under paragraph 10 above request that you consider alternative termini. However, your Petitioner humbly submits that in considering this Petition, your Committee should have regard to the statements made by the Promoter and the Minister during Second Reading immediately prior to that Instruction being given. In particular, the Minister stated, when asked specifically whether your Committee could consider an alternative terminus (in that instance Reading, rather than Maidenhead) that—

"if the Select Committee thinks that it cannot consider any matters that it judges to have merit, the Government are prepared to consider the terms of the instruction so that the House will have every opportunity properly to discuss the Bill. The Select Committee can do that." (H.C. debs, 19 July 2005, col. 1210)

- 12 Your Petitioner humbly submits that it was the House's understanding in making the Instruction that your Committee would be able to consider the matter of alternative termini and to report them to the House. If your honourable Committee does not consider that the terms of the current Instruction entitle you to consider such matters, your Petitioner humbly requests that you ask the Promoter to propose amending the terms of the Instruction so that this matter, which is of crucial importance to your Petitioner, be considered fully.

Railway matters

- 13 Clauses 21 to 44 establish the place of "Crossrail passenger services" at an advantageous position compared with all other railway services. Your Petitioner wishes to understand more fully the way in which these services will interrelate with the services provide by the train operating companies serving your Petitioner's Region. Your Petitioner's understanding would be greatly enhanced if the Promoter provided details of the proposed service patterns of Crossrail.
- 14 Your Petitioner is generally concerned by the approach taken in clauses 21 to 44, which appear to it to be unnecessary and inappropriate. The Bill effectively proposes that Crossrail should be regulated separately from all other railway services, including the existing services in your Petitioner's Region. In particular,

your Petitioner is concerned that the Promoter's powers in clause 21 -26 might be exercised in such a way that it will adversely affect existing regional and inter-regional rail services. In your Petitioner's view, this could severely reduce the frequency of existing train services coming into Liverpool Street – causing problems for Great Eastern main line services, with passenger and freight trains from Norwich, Ipswich, Colchester and Chelmsford and other non-Crossrail destinations being restricted onto one pair of tracks

15 Clauses 25 to 33 impose further duties on the ORR that put Crossrail operators at an advantage over other providers of railway services along the Crossrail route, and on connecting lines. Those who will be at a disadvantage include those who presently provide freight and passenger railway services throughout your Petitioner's Region. Your Petitioner humbly submits that Crossrail should be integrated with the rest of the national rail network, not developed in isolation, and consequently, clauses 21 to 44 should be deleted.

16 Your Petitioner is particularly concerned about the impact of Crossrail upon rail freight services, through reduced train paths or priority being given to Crossrail services. Freight trains make considerable use of the Great Eastern main line, both to serve the needs of London and to take goods across London to destinations beyond. In particular, there are substantial movements of container and other goods traffic by train along the Great Eastern main line to and from the east coast ports. The Promoter recently announced that he was minded to approve the application to construct a major new port at Shellhaven in your Petitioner's Region, and there are further proposals for major port developments at Harwich and Felixstowe, also in your petitioner's Region. In your Petitioner's view, the Promoter should give an Undertaking, before the works authorised by the Bill are commenced, that an application will be made to authorise the planned enhancement to the Felixstowe to Nuneaton railway, which would release capacity from the Great Eastern Main Line, so providing capacity for Crossrail.

17 Your petitioner is concerned that loss of freight capacity to Crossrail would divert freight onto the congested road network with adverse economic and environmental consequences. In your Petitioner's view, even if there is upgrading of an alternative rail route from Felixstowe to Nuneaton for freight from the East

Coast ports, this route may not be able to take all of the additional freight traffic if the Crossrail proposals unduly restrict rail freight operations on the Great Eastern Main Line. In taking any diverted freight traffic, this alternative route would soon be operating at capacity, limiting rail freight growth on this corridor. As a consequence additional traffic generated by expansion of East Coast port facilities will be forced onto already congested roads, principally the A14 Trunk road.

18 Any changes that make it more difficult to transport passengers or freight by rail will lead to increased road traffic in the Region, contrary to the principles of the draft Regional Transport Strategy. Your Petitioner therefore seeks an undertaking from the Promoter that—

- (a) he will consult your Petitioner before exercising any of the powers under clauses 25 to 33 in any way that might affect the provision of railway services or road traffic levels in the Region; and
- (b) he will keep your Petitioner fully informed throughout the development of the Crossrail scheme, and consult your Petitioner on any further matters affecting strategic transport provision in the region.

Conclusion

19 Your Petitioner submits that Crossrail represents a great opportunity to improve train services in a congested part of the national network, but it also represents a great threat to the existing passenger and freight services, because the Bill potentially gives primacy to Crossrail services over all other passenger and freight services. In your Petitioner's view, the Crossrail Bill is deficient because it creates no new capacity on the existing parts of the rail network between Shenfield and Liverpool Street); it does not support the growth areas of the Thames Gateway South Essex or the M11 Corridor (London to Stansted); and provides no new rail capacity for the East Coast ports or for Stansted airport. Your Petitioner submits that the Bill fails to adequately safeguard and protect the interests of your Petitioner and its Region 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 themselves, Counsel or Agents and with witnesses in support of the allegations of this Petition against so much of the Bill as affects the interests of your Petitioner and in support of other such 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 PETITIONER WILL EVER PRAY, &c.

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P E T I T I O N

of

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8th September 2005