

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2005-06

**CROSSRAIL BILL**

AGAINST – 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 LEGAL & GENERAL  
ASSURANCE SOCIETY LIMITED and LEGAL &  
GENERAL INVESTMENT MANAGEMENT (HOLDINGS)  
LIMITED

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.
- 3 Under clause 1 (Construction and maintenance of scheduled works) of the Bill the nominated undertaker may construct and maintain the works specified in Schedule 1 ("the Scheduled works") to the Bill. The Scheduled works include Works Nos. 1/3A, 1/3B, 1/17, 1/18, 1/21, 1/22, 1/23A and 1/23B. The lines and situations of the works and the limits of land to be acquired are shown on plans and sections referred to in the Bill. An Environmental Statement has also been prepared in respect of the Crossrail project.
- 4 Works Nos. 1/3A and 1/3B are lengths of railway (in tunnel) which will run through various local authority areas including the London Borough of Camden and the City of

London. Those works will include the construction or alteration of various stations including Tottenham Court Road, Farringdon and Liverpool Street.

- 5 Work No. 1/17 is a utilities culvert, in the City of Westminster and the London Borough of Camden, commencing beneath a point in Charing Cross Road 10 metres south-west of the junction of Charing Cross Road with Oxford Street, and terminating beneath a point in that road 25 metres north-west of the junction of Charing Cross Road with Denmark Place.
- 6 Work No. 1/18, is a temporary road in the London Borough of Camden, being a diversion of Charing Cross Road at its northern end, commencing at its junction with Andrew Borde Street and terminating at a point in St Giles High Street 40 metres south of the junction of that street with New Oxford Street.
- 7 Work No. 1/21, is a diversion of a sewer in Aldersgate Street in the City of London commencing by a junction with that sewer beneath a point in Moorgate Station, 80 metres south-east of the junction of Moor Lane with New Union Street and terminating by a junction with a sewer in Fore Street Avenue beneath a point 3 metres south of the junction of Fore Street and Fore Street Avenue. Work No. 1/21 includes shafts for construction and maintenance.
- 8 Work No. 1/22 is a passenger subway, in the City of London and the London Borough of Islington, linking the proposed Crossrail platforms at Liverpool Street with the London Underground Northern Line platforms at Moorgate Station commencing beneath a point in Moorfields 140 metres south-west of its junction with Ropemaker Street, passing under Ropemaker Street and terminating in Moorgate beneath a point 43 metres south-east of that junction.
- 9 Work No. 1/23A is a temporary diversion of the London Bridge Sewer, in the City of London, commencing by a junction with that sewer beneath a point 12 metres south-west of the junction of Moorgate with Finsbury Circus, and terminating by a junction with that sewer beneath a point 25 metres south-west of that road junction.
- 10 Work No. 1/23B is a reinstatement of the London Bridge Sewer, in the City of London, commencing by a junction with that sewer beneath a point 12 metres south-west of the junction of Moorgate with Finsbury Circus, and terminating by a junction with that sewer beneath a point 25 metres south-west of that road junction.
- 11 Under clause 2 (Works; further and supplementary provisions) of, and Schedule 2 to, the Bill the nominated undertaker will be authorised to carry out additional works set

out in that Schedule and will also authorise the carrying out of mitigation and protection works, underpinning or strengthening of buildings, discharge of water, entry on land for preparatory purposes, laying out and improvement of means of access to highways and alteration of highways.

12 Clause 3 (Highways) of, and Schedule 3 to, the Bill will authorise the stopping up and the temporary stopping up, alteration or diversion of various highways or parts of highways.

13 Under clause 5 (Temporary possession and use) of, and Schedule 5 to, the Bill the nominated undertaker may enter upon and take temporary possession of land for the purposes stated in that Schedule.

14 Under clause 6 (Acquisition of land within limits shown on deposited plans) and clause 7 (Acquisition of land not subject to the powers under section 6(1)) the Secretary of State is authorised to acquire compulsorily the land shown on the deposited plans within the limits of deviation for the Scheduled works and also outside those limits. These lands include plot 37 in the London Borough of Camden. This plot is within the limits of deviation and subject to acquisition of subsoil for the running tunnel for Work No. 1/3A.

15 Your Petitioners are Legal & General Assurance Society Limited and Legal & General Investment Management (Holdings) Limited, who are both subsidiaries of Legal & General Group Plc and who have interests respectively in two sites which are adversely affected by the Crossrail proposals, namely:

- the St Giles Court site at 1-13 St Giles High Street in the London Borough of Camden, located at the corner of the junction with Earnshaw Street, immediately to the east of the Centre Point complex, and east of the proposed Tottenham Court Road Crossrail station, and
- the site in the City of London, located at 1 Coleman Street, on the south west corner of the junction with London Wall and opposite Moor House and the Moorgate entrance to the proposed Crossrail Liverpool Street station on the north side of London Wall.

Your first-named Petitioner is owner and developer of the St Giles Court site. Your second-named Petitioner has an interest as lessee at the 1 Coleman Street site.

16 Plot 37 in the London Borough of Camden forms part of the St Giles Court site and is within the limits of deviation for the works. The Bill authorises the compulsory

acquisition of subsoil or undersurface of land lying more than 9 metres beneath the surface of this plot and it is proposed that the running tunnel for Work No. 1/3A would be constructed in this plot or very close by.

- 17 The St Giles Court site occupies an area of approximately 0.8 hectares. It is currently occupied by a large, imposing office building, with a gross floor area of nearly 34,000m<sup>2</sup>, with accommodation for up to 1,400 people.
- 18 Your first-named Petitioner proposes to redevelop the St Giles Court site. In this regard, a planning application was submitted to the London Borough of Camden in January 2005 for a high profile, landmark scheme with a gross floor area of 66,000m<sup>2</sup>. The scheme is designed by the architects Renzo Piano Building Workshop and comprises a sustainable mix of new office, retail, catering, community and private and affordable residential uses which will be set around a new publicly accessible courtyard. A decision to grant is anticipated in the current year upon which the development is expected to be commenced for completion by late 2007.
- 19 The St Giles Court development will be a very prestigious development. It is welcomed by the London Borough of Camden and provides an opportunity to initiate the upgrading of the St Giles Circus area, and to advance the package of streetscape and public realm improvements sought within the London Borough of Camden's adopted Planning Framework for the Tottenham Court Road Station and St Giles High Street Area.
- 20 The development strategy for the site seeks to provide a high quality design and public space environment, to reduce the impact of traffic, to reduce the associated barrier effect of St Giles High Street, and to improve pedestrian priority and access to public transport, thus to support the London Borough of Camden's objectives to diversify the pattern of movements and concentration of activity in Covent Garden, and to enhance pedestrian connections towards the British Museum, and to spread access movements via other Underground stations at Russell Square, High Holborn, Tottenham Court Road and Leicester Square.
- 21 The Coleman Street site, in the City of London, corresponds to that of the former Austral House building which has now been demolished to make way for a new office development to be known as 1 Coleman Street. The new building will provide 16,722m<sup>2</sup> net of high quality office floorspace on nine floors. Your second-named Petitioner has taken a 20 year lease on the 3<sup>rd</sup> to 8<sup>th</sup> floors of the new building (with options over the remaining floors), to provide a new prestigious headquarters in the City of London which would be occupied by Legal & General Group Plc and its

subsidiaries. The building is currently under construction, and your second-named Petitioner expects to take occupation during the 3<sup>rd</sup> quarter of 2007. The main entrance of the building will be on Coleman Street, but the offices will have a substantial 70m façade fronting London Wall.

22 Your Petitioners and their rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.

23 Both your Petitioners' proposed developments have been designed with the Crossrail project in view. In anticipation of the new building at Coleman Street being commissioned and in operation well in advance of the Crossrail project works taking place, and likewise the development at St Giles Court, should it be granted to proceed, your Petitioners contend that the permanent and temporary works forming part of the Crossrail scheme proposed in the areas around the sites would adversely affect the setting, environment and operation of each of your Petitioners' developments. If it should transpire that the existing buildings at the St Giles Court site are still in situ when the Crossrail works take place, your first-named Petitioner contends that the Crossrail works in the area of that site would likewise adversely affect the setting, environment and operation of those buildings.

24 Your Petitioners consider that the clauses of, and schedules to, the Bill referred to above, if enacted in their present form, would be prejudicial and harmful to your Petitioners' interests and property at both the St Giles Court and 1 Coleman Street sites. Your Petitioners, whilst supporting the principle of the Crossrail and its station locations, object to certain of the construction measures, operations and activities proposed in the area of the St Giles Court and Coleman Street sites, involving a combination of road closures, traffic/pedestrian diversions, routing proposals and tunnelling/construction operations which will adversely affect the sites.

#### St Giles Court

25 Your first-named Petitioner has concerns arising from the proposed proximity of the tunnel for Work No. 1/3A to buildings at your first-named Petitioner's St Giles Court site. Your first-named Petitioner is also concerned by the associated works proposed for the Tottenham Court Road Station including Work No. 1/17 – utilities culvert located in the footway/carrageway on the western side of Charing Cross Road and Work No. 1/18 – temporary road by way of diversion of Charing Cross Road at its

northern end, commencing at its junction with Andrew Borde Street and terminating in St Giles High Street. Your first-named Petitioner is also concerned about the powers of clause 2 of, and Schedule 2 to, the Bill relating to underpinning of buildings and highway accesses and the powers of clause 3 of, and Schedule 3 to, the Bill relating to other highway measures.

- 26 Your first-named Petitioner would point out that there are inadequacies in the Environmental Statement with regard to measures in the St Giles Circus area. Despite several early meetings with both London Underground Limited and Crossrail representatives concerning the interaction of station works/Crossrail measures with the St Giles Court proposals, the Environmental Statement fails to take due account of your first-named Petitioner's development proposals or of the London Borough of Camden's aspirations and planning framework for the St Giles Circus and Tottenham Court Road area.

#### Tunnelling Works and Foundations Implications

- 27 In relation to the main tunnel works, your first-named Petitioner has ensured that foundation conditions relating to the proposed development of the St Giles Court site are in compliance with Crossrail requirements as confirmed by letter from the Cross London Rail Links Company. Reciprocal assurance is sought from Crossrail, for corresponding future protection of the foundations to St Giles Court, in relation to the Crossrail tunnels passing beneath and in proximity to the new development.
- 28 Your first-named Petitioner requires to be satisfied regarding protection of development foundations in respect of Crossrail tunnel alignment, that underpinning or strengthening works, both in view of the existing building and/or new development, will be undertaken to the highest specification and to minimise any disruption to the occupants of the buildings.
- 29 In the absence of such assurances to date in relation to the existing St Giles Court and/or proposed redevelopment of the site, your first-named Petitioner objects to the Crossrail works on the grounds of inadequate assessment of foundation conditions. Your first-named Petitioner submits that adequate assessment should be carried out and that protection measures for your first-named Petitioner's buildings should be agreed with your first-named Petitioner.

#### Tottenham Court Road Station Works and Access Arrangements

- 30 In relation to the new Tottenham Court Road station, your first-named Petitioner objects to the related construction operations and sequencing currently proposed, and to the associated traffic/pedestrian circulation, bus routing/facilities and highway measures proposed to facilitate the works, and to form part of the finalised scheme. These will, in their present form, result in significant disruption and delays for the occupants and users of St Giles Court and other local properties. The access and traffic proposals are in conflict with and are seemingly developed in ignorance and/or dismissal of the streetscape and environmental principles established for the St Giles Circus area.
- 31 Your first-named Petitioner is concerned that the associated measures, if not developed more sensitively, will severely compromise the ambience and setting of the proposed new development, and will negate the pattern of improvements planned for Princes Circus, St Giles High Street and Earnshaw Street, which are expected to be in place by the time the Crossrail project is commenced.
- 32 The measures as they stand will be unnecessarily harmful both to the traffic reduction objectives and to the measures proposed to improve the pedestrian environment/permeability of the area. In your first-named Petitioner's submission the highway access strategy supporting the works in this area should be readdressed.
- 33 Your first-named Petitioner objects to the temporary arrangements for pedestrians to be put in place upon closure of the section of Charing Cross Road. During this stage of the works, pedestrians travelling between the underground station and St Giles Court will be expected to walk through the length of the worksite over the closed section of Charing Cross Road. Whilst meeting safety standards, the inconvenience and discomfort to pedestrians in proximity to the activities of an active construction site with its associated noise, dust, uneven surfacing and nearby heavy machinery over a period up to 3 years, is totally unacceptable.
- 34 This, in conjunction with the absorption of Andrew Borde Street into the proposed worksite, will constrain pedestrian and cyclist accessibility, limiting movements to the underground station, and towards Tottenham Court Road and Oxford Street from St Giles High Street, imposing long term restrictions for users of St Giles Court and other neighbouring properties and locations.
- 35 Your first-named Petitioner objects to the excessive routing of construction traffic along St Giles High Street, which will further compromise the setting and ambience of the new development, and will be in conflict with the efforts referred to above to improve the streetscape qualities and environment of the street, and to reduce the

- level and impact of traffic using the corridor. In your first-named Petitioner's submission alternative arrangements should be made.
- 36 Your first-named Petitioner objects to the stopping up of the footway and location of the lorry holding area on St Giles High Street directly in front of the new public space and entrance to the new building. The location of the lorry holding area will be visually intrusive as well as a noise and dust hazard for the occupants of St Giles Court.
- 37 Your first-named Petitioner submits that the lorry holding area will reduce the quality of the public realm and will be both compromising to pedestrian flows and to the pedestrian and frontage paving improvements/tree planting measures being delivered along the street, and which are envisaged to be in place as part of the new development in advance of the commencement of the Crossrail works. The corresponding reference in the Environment Statement to the little used northern footway demonstrates a lack of awareness of the proposed St Giles Court redevelopment and of the objectives for St Giles High Street, which needs to be redressed.
- 38 Your first-named Petitioner questions the need for the lorry holding facility and whether in the interests of the area's environment, provision could be accommodated within the worksite zone. Your first-named Petitioner otherwise seeks an alternative location, whilst also seeking reappraisal of construction traffic routing and lorry holding facilities, in sympathy both with the London Borough of Camden's and your first-named Petitioner's aspirations for St Giles High Street.
- 39 Your first-named Petitioner seeks clarification of bus diversions in the area, and objects to the proliferation of bus stands and stops along St Giles High Street and Earnshaw Street proposed as part of the works. Your first-named Petitioner questions the case for such measures either as part of the Crossrail construction works or as part of future permanent measures. As a static facility, the bus stands will effectively constitute an obstruction and closure of the road, in taking away space otherwise available for the general movement of traffic and pedestrians. The stands will be unsightly and denigrating to the street and frontage environment in the area, as visual scars on the urban landscape. As revealed by the present activities around the Centre Point building, bus stands contribute to the current air of decay and sterility of the area.
- 40 Your first-named Petitioner also objects to the widening of Earnshaw Street in context with the closure of Andrew Borde Street and the routing of construction traffic, to



accommodate the expansion of bus standing facilities. This would encroach across the corresponding highway frontage of St Giles Court and would reduce the footway width to a severely inadequate standard, producing an unacceptable condition in front of the new residential units expected to be in place as part of the new development.

- 41 Your first-named Petitioner also draws attention in this regard to the London Borough of Camden's objectives in seeking the closure of Andrew Borde Street on a permanent basis, which is intended to discourage routing of traffic along St Giles High Street and to limit traffic movement to a single lane along the street, whilst supporting the public realm/pedestrian environment around the Tottenham Court Road Crossrail station. The Crossrail proposals are in total conflict with this objective and should be brought in line with the aspirations for the area.
- 42 Your first-named Petitioner asks that the current proposals for bus facilities and construction traffic routing should not be implemented. Your first-named Petitioner seeks a complete reappraisal of bus facilities alongside the reassessment of construction traffic routing, in context with and without compromise to adopted London Borough of Camden objectives to improve the environment and associated priorities for pedestrians along St Giles High Street and within the area.

#### 1 Coleman Street

- 43 In relation to its interests at 1 Coleman Street in the City of London, your second-named Petitioner is concerned at the proposals in the Bill related to the new Liverpool Street Crossrail station, and the impact of the proposed works in proximity to the development at 1 Coleman Street. Your second-named Petitioner is particularly concerned about the proposed works related to the Moorgate ticket hall and associated station entry, and to activities in, or close to, London Wall including Works Nos. 1/21, 1/22, 1/23A and 1/23B. Your second-named Petitioner is also concerned with the provisions of Clause 2 of, and Schedule 2 to, and Clause 3 of, and Schedule 3 to, the Bill in respect of highway access amendments and other highway measures/procedures, related to traffic/pedestrian movements and associated worksite activities in the vicinity of Moorgate, and along and across London Wall.
- 44 The 1 Coleman Street site is primarily affected by the proposed level of construction traffic activity on the 70m London Wall frontage of the new development, which would be brought about by movements through the combination of worksites and lorry holding areas serving the works at Liverpool Street station. Your second-named Petitioner objects to the arrangements to be imposed and the resulting lorry and

truck activities, which will be detrimental to the ambience and setting of Legal & General Group Plc's new and prestigious headquarters building and which will be a cause of noise, dust, and general nuisance, whilst also visually unsightly, to the occupants of the building over an extended period of time.

45 Your second-named Petitioner is particularly concerned with the proposed routing, circulation and operation of construction traffic to/from:

- The Moorgate worksite, to be located largely on the site of the Amro Bank building, 91-109 Moorgate, which will serve the western ticket hall works;
- The Finsbury Circus worksite, which will serve the construction of the temporary access shaft and main platforms;
- The Liverpool Street worksite which will serve works to the Liverpool Street station eastern ticket hall;
- The Blomfield Street worksite which will also serve works to the Liverpool Street station eastern ticket hall; and
- Fore Street, which will be the focus of the sewer works.

46 Part of the highway on the north side of London Wall is proposed to be stopped up to accommodate the location of a lorry holding area, directly in front of the 1 Coleman Street site. During the construction period, between 32 and 50 lorries per day are projected to access the Moorgate worksite, whilst the holding area will also be used to accommodate the lorries accessing the Blomfield worksite as well those entering the Liverpool Street worksite. Cumulatively, these worksites will see up to 210 lorry movements per day, and consequently, the London Wall holding area is expected to be exceptionally busy throughout the working day, producing an unacceptable relationship to the Coleman Street site.

47 Traffic delays will occur, exacerbated by the lorry routing which will force lorries accessing the lorry holding area to travel west and then double back eastwards on London Wall, conducting a U-turn via the roundabout at the intersection with Aldersgate, and thereby doubling the level of construction traffic along London Wall in front of the 1 Coleman Street site.

48 The situation on London Wall is further compounded by the interaction with the activities related to the Aldersgate worksite which will serve the construction of the rail crossover at Farringdon Station. This construction site will occupy the whole of

the east side carriageway between Beech Street and the entrance to the car park at the London Wall roundabout, creating potential traffic congestion problems on approach to the roundabout, and extending queuing and congestion on London Wall in association with the turn-around lorry activities identified above.

- 49 Your second-named Petitioner endorses the view of the Corporation of London that the closing of the northern carriageway of London Wall, in order to facilitate the location of the lorry holding area, would reduce traffic capacity to an unacceptable level so as to preclude the accommodation of this lorry holding area. The holding area would in any case be visually unsightly to 1 Coleman Street, a fact which is ignored within the Environmental Statement. This seems surprising given that the Environmental Statement identifies a corresponding significant impact to the occupants of Moor House on the other side of the road.
- 50 Your second-named Petitioner therefore strongly objects to the provision and location of the lorry holding area in London Wall, and to the associated traffic/construction arrangements related to the worksites, which your second-named Petitioner contends could be more efficiently organised under alternative arrangements. Your second-named Petitioner asks that alternative arrangements should be made.
- 51 Your second-named Petitioner is concerned about the combined impacts of works at Aldersgate and Moorgate taking place simultaneously, and seeks assurance that the works at Aldersgate and Moorgate will be programmed to take place at different times.
- 52 Your second-named Petitioner contends that an over-proliferation of lorry holding areas is proposed in the area. Your second-named Petitioner questions the need for this given the level of work site provision, and contends that an onus should be imposed on the nominated undertaker to accommodate waiting lorries on site, given the severity of the traffic and environmental concerns. Your second-named Petitioner suggests that there may be potential for more effective use of the Finsbury Circus site, and for connecting access to the Moorgate site, which would preclude the need for routing via the western section of London Wall, whilst avoiding interaction with the Farringdon works at Aldersgate.
- 53 Your second-named Petitioner draws attention to the success of the recent modification of the London Wall/Moorgate junction which has calmed traffic and reduced severance across London Wall. This has produced a greatly enhanced pedestrian crossover and public realm condition, improving accessibility towards Moorgate station from the south side of the road. These benefits would be

substantially compromised by the construction traffic arrangements currently proposed as part of the Crossrail measures, providing further cause to readdress the situation. Your second-named Petitioner asks that present benefits to pedestrians should be maintained and that the level of vehicular movements through the junction should not be significantly increased.

54 Your second-named Petitioner objects to the excessive magnitude of disruption and numerous adverse implications for the entire area by the overall works, with reference to the diversion of bus routes, closures of local roads and footways, rerouting of general traffic, and other measures, all of which will have an adverse impact on users and occupants of 1 Coleman Street and of other properties in the area and activities.

55 Your second-named Petitioner asks that a more sensitive approach is sought, and whilst the necessary reappraisal of worksite and truck access arrangements would provide further mitigation to address these issues, your second-named Petitioner asks that improved mitigation will in any case be implemented to reduce and minimise the otherwise high level of disruption to the area.

56 Your Petitioners therefore ask that that the Bill be amended to ensure that all your Petitioners' concerns as set out herein are addressed to your Petitioners' satisfaction.

57 For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, the clauses of, and schedules, to the Bill referred to above, so far affecting your Petitioners, should not be allowed to pass into law.

58 There are other clauses and provisions of the Bill which, if passed into law as they now stand, will prejudicially affect your Petitioners and their rights, interests and property and for which no adequate provision is made to protect your Petitioners.

YOUR PETITIONERS therefore humbly pray 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

Petitioners in the premises as your Honourable House shall  
deem meet.

AND your Petitioners will ever pray, &c.

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PETITION OF  
LEGAL & GENERAL ASSURANCE SOCIETY LIMITED  
and LEGAL & GENERAL INVESTMENT MANAGEMENT  
(HOLDINGS) LIMITED

AGAINST, By Counsel, &c.