



HOUSE OF COMMONS
SESSION 2005-06

CROSSRAIL

PETITION

Against the Bill – 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 PADDINGTON
RESIDENTS' ACTIVE CONCERN ON
TRANSPORT ("PRACT")

SHEWETH as follows :-

1. A Bill (hereinafter called "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. Clauses 1 to 20 set out the Bill's objectives in relation to the construction and operation of the railway transport system mentioned in paragraph 1 above. They include provision for compulsory acquisition, planning permission, heritage issues, trees and noise. Clauses 21 to 44 of the Bill establish a

regulatory regime for the railway transport system and Clauses 45 to 59 of the Bill deal with miscellaneous and general provisions.

3. The works proposed to be authorised by the Bill are specified in Schedule 1 to the Bill and are works authorised to be constructed by the nominated undertaker (defined in the Bill and hereinafter referred to as "the nominated undertaker").
4. Your petitioners are Paddington Residents' Active Concern on Transport, known as "PRACT", which is a consortium established in 1986 of the following four wide-area residents' associations, all recognised by Westminster City Council for statutory consultation on planning applications and related environmental matters:-

Bayswater Residents' Association

Hyde Park Estate Association

Paddington Waterways and Maida Vale Society

South East Bayswater Residents' Association

The combined areas of the four founder members of PRACT cover all of the old London Borough of Paddington, other than its outlying north-eastern part. Your petitioners therefore represent amenity interests which will be adversely affected to a material extent by the provisions contained in the Bill. Your petitioners' objectives are to protect the local environment from damage caused by all-London or national transport projects and to promote improvements in the public transport or other transport facilities available to Paddington residents. The proposed route of Crossrail, between the point where it passes under the Bayswater Road and the "Paddington New Yard" site (Great Western Road), passes through or under the area of one or more of your petitioners' four founder member associations.

5. The Bill would authorise the construction of a new railway in tunnels under land on which the members of your petitioners' four founder member associations live, construction of its station at Paddington underneath Eastbourne Terrace (a heavily used bus route, used by seven daytime bus

services and three night services), and construction alongside the existing surface railway, close to land where the members live. They would be injuriously affected by construction of the railway; and by its operation, through transmission of noise or ground-borne vibration, and air and light pollution during construction, to which your petitioners object.

Introductory

6. Your petitioners support the principle of the proposed railway, for the improvements which it would bring to local public transport and to London's economy, and they do not object to the proposed route. They welcome the proposal to provide a direct Crossrail service through Paddington to Heathrow Airport, and believe that this service should be frequent and available from the outset. Your petitioners seek assurances that the existing rail service to Heathrow Airport from Paddington, called the "Heathrow Express", would remain after the separate Crossrail service opens. They believe that there should be passive provision for an additional station eventually at Westbourne Park, where the Crossrail line passes under Great Western Road (near to "Paddington New Yard") and would support the eventual extension of Crossrail to other western destinations, so as to limit the need to turn trains back at the "Paddington New Yard" site.
7. On present information your petitioners understand that no provision is made in the Bill or Environmental Statement for direct interchange between the Crossrail and Hammersmith and City Line stations at Paddington, and submit that adequate facilities for such interchange should be included in the Bill.
8. Your petitioners welcome the Environmental Statement and its Supplement but are not satisfied that the information relevant to mitigating the injurious effects of construction and operation is in all respects complete and adequate. They are concerned about the impact of construction and new structures upon residential and other buildings over or adjacent to the line of the tunnels to the South of Paddington Station and upon listed buildings in the Paddington area

and their setting. They understand that the adequacy of some of the baseline assumptions, made in assessing the likelihood of other injurious effects of construction and operation (especially those for ground borne noise and vibration of trains in operation, and both ground and air borne noise, vibration, dust generation, air and light pollution during construction), is open to question. In your petitioners' respectful submission, these need to be tightened so as to mitigate effectively the harm caused to residents and businesses affected by construction and operational impacts. For these reasons, your petitioners respectfully submit that the Bill should not be passed in its present form.

9. Your petitioners suggest that their serious concerns about injurious effects can best be set out in a site-specific way, related to what is said in the Environmental Statement and its Supplement, following the route of Crossrail from East to West. There is however one matter – the impact of Crossrail on long-term vehicular access to Paddington station – which is largely ignored in the Environmental Statement, so it is proposed to set this matter out first. Your petitioners' concerns about other injurious effects are set out later, from paragraph 14 onwards.

Long-term vehicular access to Paddington main-line station

10. The amenity of your petitioners living in the residential areas adjacent to Paddington main-line station will be seriously damaged if the increasing amount of traffic to and from the station is diverted through the areas in which they live. In consequence, during passage through Parliament of the Heathrow Express Railway Bill in 1991, the Promoters of that Bill gave undertakings to work with Westminster City Council and the railway authorities towards development of satisfactory long-term arrangements for vehicular access to the main-line station, which would focus station traffic towards the strategic road network and away from the residential areas adjacent to the station.

11. The proposed design of the Crossrail station underneath Eastbourne Terrace makes impractical the agreed method of implementing a long term vehicular access scheme using the station's Departures Road, which is on the station's western side, because the scheme would have included a taxi exit lane in Eastbourne Terrace, approached by a short tunnel from the Departures Road, to enable taxis to change direction, and proceed towards the strategic road network. So long as there is no assurance that alternative permanent vehicular access will be constructed on the station's eastern side, the Promoters of the Bill should have, but have not, designed an equally effective alternative.
12. Such a design would probably require use of part of the sub-surface underneath Eastbourne Terrace, to enable taxis to change direction and return to the Departures Road facing towards the strategic road network, and so this design must be settled before construction of the Crossrail station starts. The design is needed whether or not a traffic access deck is eventually built, after Crossrail opens, on the main-line station's eastern side, unless this can be completed in the few years remaining before construction of Crossrail starts. This is a possibility mentioned in the Supplement to the Environmental Statement, Box 1, page 4, if construction of Crossrail is delayed by two years, but would still be dependent on other developers having a viable case for a package of works (of which the transport access deck would only be a part).
13. At present your petitioners assume that a temporary taxi facility on the station's eastern side, during construction of the Crossrail station, remains part of the base case for Crossrail. So long as this is so, the need remains for a new design, now, of proper vehicular access to the main-line station in its "Departures Road" after completion of the construction of Crossrail. Moreover, there is always the possibility that, by the mid 2010's, plans for construction on the main-line station's eastern side will have changed so as not to include provision for vehicular access to the station at that site, in which case the "Departures Road" would become the permanent location for vehicular access to the main-line station.

Sites

Construction of the Hyde Park and Park Lane ventilation shafts

14. Schedule 1 of the Bill, Work No. 1/13. Closure of the North Carriage Drive in Hyde Park should be avoided, in your petitioners' respectful submission, as it would add to traffic congestion on the Bayswater Road and at Marble Arch and thereby cause traffic diversion through the residential area to the North of Bayswater Road.

15. Your petitioners submit that lorries carrying material excavated from these sites need tighter control than the Promoters of the Bill propose (as regards both routes and hours of operation), because they will add to traffic congestion at Marble Arch and along the Edgware Road. The Supplementary Environmental Statement fails to take account of the likely increase in traffic using Edgware Road if it becomes a charge-free route through London, as a result of the westwards extension of the Congestion Charge Zone.

16. Your petitioners are concerned about the impact of these works on trees in Hyde Park and along Bayswater Road, and seek confirmation that no mature trees will be felled.

17. Your petitioners seek confirmation that the West Carriage Drive, which is the only route across Hyde Park, will remain open to traffic at all times.

Impact on residents of noise and ground borne vibration from tunnelled railway

18. Schedule 1 of the Bill, Works Nos. 1/3A and 3B. The tunnelled section of the railway passes, successively, underneath the following residential streets to the South of Paddington Station and within PRACT's area:-

Hyde Park Gardens (part)

Sussex Square

Bathurst Mews (part)

Sussex Gardens (part)

Spring Street (whole)

In Spring Street, there is a block of flats on the eastern side and there are flats above shops along the western side.

19. During construction, there will be noise and ground borne vibration from conveyors or a temporary railway carrying spoil out and construction materials in. Your petitioners believe the standards used by the Promoters to assess this are not sufficiently precise and need tightening.

20. During operation, there will be noise and ground borne vibration from trains which, your petitioners maintain, will be perceptible particularly late at night and early in the morning when background noise levels are low. Even if noise levels are not perceptible at the outset, they may become so later, as wear and tear sets in. Your petitioners seek further protection from possible deterioration of the initial acoustic properties, by the installation of "floating" (rubber mounted) track and respectfully submit that there should be a legally binding commitment on the Promoters, the nominated undertaker and subsequent operators of the railway that the initial standards for limiting ground borne noise and vibration will be adhered to throughout the life of the project.

Settlement and other damage to structures

21. Your petitioners are concerned about settlement of structures above the line of the tunnelled railway. The structures include many houses and flats which are listed or which lie within a Conservation Area. Your petitioners believe that all leaseholders, freeholders and occupiers of houses and flats should have the right to obtain, at the Promoters' expense, a condition survey of the structures in which they live, before any tunnelling work starts, and that the full results of the survey should be communicated forthwith to the relevant leaseholders, freeholders and occupiers, again at the Promoters' expense.

22. Thresholds should be agreed between the Promoters and Westminster City Council which, if exceeded, should lead to remedial work being carried out

immediately at the Promoters' expense and, if necessary, to the cessation of construction of the tunnels while such remedial work is being carried out. Your petitioners also believe that there should be continuous monitoring of settlement as the tunnelling work progresses. In your petitioners' respectful submission, the relevant leaseholders, freeholders and occupiers should be able to obtain, at their request but at the Promoters' expense, the results of a further condition survey when there is prima facie evidence of settlement or damage due to the tunnelling works, for a period of up to five years after tunnelling work was completed in the relevant location and without regard to the question whether the settlement exceeded, or did not exceed, the agreed threshold.

23. More generally, the Bill empowers the Promoters to construct the works specified in the Bill but is silent on the proposed mode of construction of the tunnels included in the works. In particular, the Bill does not require that the works are constructed in accordance with the measures that the Promoters have indicated will be taken in the Environmental Statement. Your petitioners accordingly object to the provisions of the Bill on the basis of this omission. Your petitioners further submit that the Promoters should be required by the Bill to utilise the best available tunnelling method for minimising the impact of settlement on houses and flats situated above or nearby the line of the tunnels.

Eastbourne Terrace site: complete decking over 'cut and cover' excavations

24. Schedule 1 of the Bill, Works Nos. 1/3A and 3B. It is normal practice, in your petitioners' submission, that sites where there is construction by 'cut and cover' should be almost entirely decked over, so that the traffic flow above is not disrupted and traffic diversions are not needed. Your petitioners can provide evidence that this was so in the case of construction of the stations for a deep level metro in Bangkok, Thailand, and understand it has been the same during construction of the metros in Hong Kong and Singapore. The proposed closure of Eastbourne Terrace, to all but one lane of traffic in each

direction, will lead to traffic delays, including delays to ambulances on emergency calls heading for St. Mary's Hospital, fire engines on their way to fires from the major fire station on Harrow Road, inconvenience to bus passengers and operators (seven daytime routes being affected), and harm to the residents of adjacent roads through which some traffic is diverted, all of which would be avoided if there was full decking over the site during construction. For the same reasons, your petitioners are also concerned about the possibility of full closure of Eastbourne Terrace for limited periods.

Construction by 'cut and cover' of the underground link passage between the Crossrail and Circle/District Line stations at Paddington

25. Schedule 3 of the Bill, 5 (3). This passage will pass beneath Praed Street, a narrow street used by the same seven daytime bus routes as use Eastbourne Terrace, whose southern pavement, which leads to the entrance to the Circle/District Line Station, is crowded. The Promoters' proposal is to construct it by 'cut and cover', without full decking. This would cause excessive delays to buses and other traffic, and considerable inconvenience to pedestrians using the very busy pavement on the southern side. Your petitioners submit that it would be easy to provide full decking.

Impact of construction at the Eastbourne Terrace site on amenity of residents

26. Schedule 1 of the Bill, Works 1/3A and 3B; Schedule 3, 5 (3). In your petitioners' submission, residents of Spring Street (for instance, those living in the block of flats on the eastern side known as Sussex Court) need full protection by double glazing from the noise, vibration and dust generation to be caused by demolition and eventual rebuilding of 191-5 Praed Street and protection by limitation of the hours of construction work.

27. Residents generally, especially those living in Chilworth Mews and Eastbourne Mews, Cleveland Terrace and the adjacent part of Westbourne Terrace, residents of Brewers Court (Bishops Bridge Road) and of Sheldon

Square in "Paddington Central" (adjacent to the tunnel portal), need full protection by double glazing etc. from the noise, vibration and dust generation of excavation in Eastbourne Terrace, and protection by limitation of the hours of construction work. They also need permanent protection from the noise of the ventilators to be situated near to the northern entrance to the Crossrail station at Paddington (at the corner of Eastbourne Terrace and Cleveland Terrace).

28. Your petitioners submit that residents of the local area will be injuriously affected by the Promoters' proposal that the extensive bus stands now situated in Eastbourne Terrace should be transferred to Westbourne Terrace, which is largely residential, and the consequent diversion of traffic; this could be avoided, in their submission, if there were full decking over Eastbourne Terrace during excavation of the Crossrail station at Paddington (see paragraph 24).
29. Your petitioners seek information about the increased footfall along Cleveland Terrace and Westbourne Terrace, both largely residential streets, due to the provision of an entrance to the Paddington Crossrail station at the corner of Eastbourne Terrace and Cleveland Terrace.
30. Your petitioners are deeply concerned about the impact upon the largely residential Westbourne Terrace of the proposed early removal of sewers and other utilities from Eastbourne Terrace (Schedule 1 of the Bill, Work No. 1/12) and their transfer to Westbourne Terrace, and seek legally binding assurances regarding hours of work and protection from the noise, vibration and dust generation of these works.

Impact on residential amenity of lorries carrying material excavated from the Eastbourne Terrace site

31. Lorries carrying excavated material from this and other sites need tighter control than proposed (routes and hours of operation), as they will add to

congestion on Harrow Road and cause harm to residents when diverted through Chippenham Road and Elgin Avenue. Your petitioners seek confirmation that excavated material from the Eastbourne Terrace site and other nearby sites will be removed through the Crossrail tunnels after only a short (to be defined) preliminary stage of the works.

The decked site at the western end of the ex-station Goods Yard, now known as "Paddington Central"

32. Schedule 1 of the Bill, Works Nos. 1/3A and 1/3B. Your petitioners seek confirmation that noise, air and light pollution from tunnelling operations in this sub-surface site will be completely isolated by the concrete deck above, and that harm to the amenity of residents of Brewers Court, Bishops Bridge Road (opposite the site) and of Sheldon Square, in "Paddington Central", through transmission of noise, ground borne vibration and dust etc., will not occur.

The 'cut and cover' section between the decked site and the portal, behind Royal Oak Station and to its West

33. Schedule 1 of the Bill, Works 1/3A and 3B. Your petitioners expect that there will be substantial noise, air and light pollution from excavation in this area, especially if work has to continue at night, when the Hammersmith and City Line trains, on the adjacent tracks, are not operating. Your petitioners ask for fully effective acoustic screening to protect residents on both sides of the railway tracks from this pollution, bearing in mind that noise from trains at night is at present reduced, as passenger trains are not scheduled to operate in the small hours. Little information on this topic is provided in the Environmental Statement.

The conveyor between the portal and Paddington New Yard

34. Schedule 1 of the Bill, Work No. 1/2. Your petitioners understand that this conveyor will run for 24 hours, 7 days a week. Therefore your petitioners ask for fully effective acoustic screening to protect residents on both sides of the railway tracks from this noise, air and light pollution, bearing in mind that noise from trains at night is at present reduced, as passenger trains do not operate in the small hours. Again, little information on this topic is provided in the Environmental Statement.

Permanent mitigation of noise from the several railways, including the surface section of Crossrail

35. In your petitioners' respectful submission the Bill as it stands fails to acknowledge and address the permanent noise and vibration impacts of the surface section of Crossrail, between Paddington Station and the western edge of Paddington New Yard, upon the adjacent residential area, which already suffers from unacceptable levels of transport noise. Measurements taken for the Crossrail Environmental Statement show that railway noise both during the day and at night already peaks at above 100 dB alongside the railway at Westbourne Park Villas; the project plans to increase the number of trains in and out of Paddington from 36 to 64 per hour, not including the Hammersmith and City Line, and without consideration of freight trains which will be permitted to use the line in as yet unspecified numbers, presumably at night.
36. Your petitioners believe the Bill as it stands fails to meet the requirements of the Environmental Noise Directive (European Union Directive 2002/49/EC) which came into force in 2002. Following a national noise mapping exercise currently being undertaken by DEFRA, national action plans are to be enacted on a prioritised basis in 2008 with a view to preventing/reducing environmental noise in larger conurbations and adjacent to major railways, roads and airports. Other European Union

countries expect these plans to include mitigation of existing railway noise. Your petitioners submit that this has implications for the Crossrail project, especially at the location described above, which should have been, but were not, accounted for in the planning stage.

37. Your petitioners also believe the Bill as it stands fails to comply with the London Ambient Noise Strategy issued in 2004 under the Greater London Authority Act 1999. Key objectives of the strategy are to stimulate improvements in the current and future track quality and in maintenance of the rail network, to promote increased use of noise barriers and introduce quieter trains. Policy 36 urges promoters of major rail schemes to minimise any adverse impacts of noise and vibration, using the best available cost-effective technologies. Part 4B observes that investment in London's railways provides the opportunity to do so. The document identifies the key issues involved in railway noise management as: track type and quality, quieter rolling stock and operation, railway structures and noise barriers, spatial planning and urban design, and building insulation. Your petitioners submit that in respect especially of the latter five issues the current proposals are seriously inadequate in terms of applying the London Ambient Noise Strategy.

38. The United Kingdom is generally acknowledged to be well behind its European partners, especially France, the Netherlands and Germany, in respect of implementation of the European Noise Directive. Railway noise is set to increase around Paddington, while railway noise in Germany is on target to halve by 2020. This is being cost-effectively achieved through a planned programme that combines engineering advances (such as modern 'K'-type brake blocks that halve the noise of freight wagons and floating bearings) with trackside barriers. The Kowloon Canton Railway Corporation was able to build "the world's quietest railway" through densely populated Hong Kong using a new and economically advantageous type of Australian-made floating bearing.

39. In your petitioners' respectful submission, the opportunity should be taken to devise an integrated programme of permanent measures to mitigate both railway noise/vibration and road noise at this location, taking advantage where possible of European Union funding and support for projects and research designed to minimise the effects of transport noise in precisely this kind of setting. Such a programme recognises that acoustic engineering involves highly complex calculations which need to take full account of the patterns and interactions of all relevant sources of noise, including existing and new structures including walls and bridges etc. Failure in this respect can actually worsen the noise problem, as happened with the "Ark" building at Hammersmith, London W6.
40. Your petitioners humbly submit that this approach would make a very substantial contribution to community benefit, as the combined noise and vibration from the railway and the raised A40 Westway detrimentally affect many thousands of local residents. A well-designed system incorporating barriers may well reduce the lateral spread of damaging particulates, and so limit the harm presently caused by the poor local air quality, which is so bad that it fails to meet European Union minimum standards.
41. When the raised A40 Westway was built in the late 1960s, Parliament approved new highway noise regulations in recognition of its then impact, which was of course very much less with the lower traffic volumes of the day. The Victorian wall alongside the railway at Westbourne Park Villas was built with a slight curve to deflect the noise of a much smaller railway system away from adjoining residential properties. The aim of the Crossrail project is to upgrade and expand transport capacity to meet the needs of 21st Century London: your petitioners submit that mitigation of the injurious effects of this expansion upon those living close by should be commensurately upgraded and modernised.

Pedestrian bridge across the main line railway

42. Schedule 3 of the Bill, Table, Part 2. The pedestrian bridge over the railway between Alfred Road and Westbourne Park Passage is a well used link which will also provide access to the new Westminster Academy to be situated just to the North of the railway. It is in a poor condition and will be at least severed if not demolished during construction of Crossrail, in your petitioners' understanding. After construction of Crossrail is complete, the entire bridge should be replaced, and should be designed to deter crime and anti-social behaviour, including disabled access and adequate lighting, as a small contribution to community benefit. Care should be taken in the bridge's design that it does not re-radiate noise.

Paddington New Yard, including Royal Oak worksite

43. Schedule 1 of the Bill, Work No. 1/2. Spoil should be excavated by conveyor and rail from the New Yard site from the very early (to be defined) stages of the work. Demolition and relocation of existing industrial buildings should be carried out so as to avoid damage to the amenity of adjacent residents, and students of the new Westminster Academy, through noise, dust, dirt, air and light pollution. To the extent that lorries have to be used to remove material from these sites or to bring it in, they should be prevented from using residential roads, particularly in unsocial hours. Improvements to the "Prince of Wales" junction (Harrow Road) should be carried out so as to avoid the need for the diversion of lorries though the residential Chippenham Road and Elgin Avenue (see also paragraph 31).

General

44. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interests of your petitioners and other clauses and provisions necessary for their protection and benefit are omitted from the Bill.

YOUR PETITIONERS THEREFORE HUMBLY PRAY

your Honourable House that the Bill may not pass into law as it now stands and that they be heard by themselves, 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 amendments as may be necessary or expedient for their protection and benefit, or that such other relief may be given to your petitioners as your Honourable House shall deem meet.

AND YOUR PETITIONERS will ever pray,
&c.