

HOUSE OF COMMONS  
SESSION 2005-06

CROSSRAIL

PETITION

Against the Bill – Praying to be heard by counsel, &c.

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TO THE HONOURABLE THE COMMONS OF THE UNITED KINGDOM OF GREAT  
BRITAIN AND NORTHERN IRELAND IN PARLIAMENT ASSEMBLED.

THE HUMBLE PETITION OF BETHNAL GREEN and  
VICTORIA PARK HOUSING ASSOCIATION

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 the scheduled works are defined in the Bill as the works specified in Schedule 1 to the Bill which are works authorised to be constructed by the nominated undertaker (defined in the Bill and hereinafter referred to as "the nominated undertaker").

### **Introductory**

4. Your petitioners are the freehold owners of certain land and the occupiers of certain land which lies within the limits of deviation and of land which may be acquired under the Bill. They also are owners and occupiers of land which lies just outside the limits of deviation, but which will be seriously affected by the activities envisaged in the Bill. The land is in the London Borough of Tower Hamlets. The plots of land of which your petitioners are the owners are the plots numbered 1032, 1310, and 1319 (in the said Borough) in the Book of Reference submitted with the Bill. The land which lies just outside the limits of deviation is situated immediately to the south of plot 869, and to the west of plot 870. The Bill would authorise the compulsory acquisition of your petitioners' land to which they object. Furthermore your petitioners' interests will be injuriously affected by the proposals in the Bill, and they object to the proposals in the Bill insofar as they affect your petitioners' interests, for the reasons, amongst others, hereinafter appearing.
5. Your petitioners are a housing association which has, in various forms, been in existence since 1926. They own and manage some 1,800 properties, 98% of which lie within the London Borough of Tower Hamlets. They have been involved in slum clearances, as well as the clearance of tower blocks, and the regeneration of sites in the Bethnal Green, Stepney and Victoria Park areas. They have been at the forefront of developing social housing, including the setting up of subsidiaries to purchase houses for sale on a part-sale, part-rent basis for those who are

unable to afford to get onto the housing market. Your petitioners also provide specialist care units, and sheltered housing for the elderly.

6. Your petitioners do not object to the principle of the Crossrail Bill and do not seek to challenge the expediency of the construction of the railway itself. Nevertheless, your petitioners allege that they and their property rights and interests would be injuriously and prejudicially affected by the provisions of the Bill if passed into law in their present form.

### **WEAVER HOUSE**

7. Your petitioners own Weaver House on Pedley Street, which is the property lying immediately to the south of plot 869, and to the west of plot 870 in the London Borough of Tower Hamlets. Weaver House, which was built in the 1930s, is a block of 16 maisonettes on four floors held by your petitioners on a long lease of 99 years commencing on 19<sup>th</sup> July 1982 from the London Borough of Tower Hamlets. The maisonettes are all occupied and comprise a mixture of families and single tenants, of which there are 9 secure tenancies and 6 assured tenancies.
8. Weaver House is set so that the north face of the building is on one side of Pedley Street, looking out over a disused and part-derelict viaduct and the Great Eastern Main Line railway on the other side of Pedley Street. Trains run to and from Liverpool Street station along this line. At the back of Weaver House facing south, there is a narrow garden, with the cutting for the East London Line run by London Underground Limited immediately beyond the back fence of the garden. Your petitioners' property is therefore sandwiched between two busy railway lines. Despite that, the area is remarkably quiet, as is borne out by the background noise measurements taken from Weaver House by the promoters and which are set out in the Environmental Statement. Immediately to the south of the East London Line is the Spitalfields City Farm and to the south west of Weaver House is Allen Gardens, a protected open space.

### Construction works

9. The promoters propose to build a temporary tunnel and temporary shaft from the construction site at the Hanbury Street work site under Spital Street to link up with a large work site at Pedley Street. This temporary tunnel is to be used to take materials, including heavy machinery, into the Whitechapel site to construct the twin-bore tunnels for Crossrail, to build the ventilation shaft at Hanbury Street, and to construct a new station providing an interchange from Crossrail to the District and East London lines at Whitechapel. The temporary tunnel is also to be used to evacuate spoil from the Whitechapel and Hanbury Street sites to the Pedley Street site.
10. At the Pedley Street site, the promoters propose to construct a shaft and a ramp which will link the tunnel to a new conveyer line which they will also build. The promoters will use the site of the old disused railway viaduct adjacent to the Great Eastern Main Line railway on its southern side. They plan to demolish the viaduct, and to build the conveyer line in its place. The conveyer line will be used to take the spoil from the Pedley Street site out to the Mile End Conveyer worksite, there to be loaded onto trains and disbursed.
11. Your petitioners are concerned to note the duration of the Pedley Street works, which, according to the Environmental Statement submitted with the Bill, are anticipated to take over place over a 40-month period. The demolition, site clearance and the re-construction of the GEML ramp is expected to take approximately 5 months. Excavation of the temporary shaft at Pedley Street and the temporary tunnel constructed from Pedley Street to Hanbury Street will take approximately one year and five months to complete. The erection of the excavated material handling equipment and the installation of the conveyor to Mile End (Devonshire Street) sidings will take six months and will run concurrently with the period in which the tunnel from Pedley Street to Hanbury Street is being constructed. It is anticipated that extraction and transport of excavated material will take some 17 months, after which the site will be used for storage of materials during the fit-out of the lines and station. The temporary shaft and tunnel will be backfilled and the site reinstated, which will take a further two months.

12. Your petitioners are very concerned that the demolition of the viaduct, the construction of the conveyer line, and the transport of spoil from the tunnel direction in front of your petitioners' property will cause a major increase in the levels of rail and road traffic, noise and dust. Your petitioners note that the promoters anticipate that the Pedley Street conveyer worksite has high potential for creating dust. The promoters suggest in the Environmental Statement that the 16 dwellings in Weaver House will be so badly affected by noise that the tenants will qualify for both temporary re-housing and noise insulation. They calculate that tenants at Weaver House will need to be re-housed for a period of 5-8 months. Your petitioners will have to make arrangements, should Weaver House prove uninhabitable for this period, to close the building and secure the site, including ensuring that there is full-time security for the site. They run the risk of leaving the property unoccupied and exposed next to a building site and a railway line for a considerable period of time. Your petitioners will therefore face considerable outgoings in providing such security for the site, as well as the loss of income from the tenancies for a long period of time. Your petitioners humbly submit that the Bill should not proceed in its current form without the promoters paying at their own expense the costs of securing your petitioners' property, including the costs of installation, and removal of all security measures at the beginning and end of the works. These costs should also include the full costs of hiring security guards if needed. In addition, the Bill should make provision for full compensation to be paid to your petitioners for all losses arising from the movement of tenants from the property. These losses are likely to include losses which could arise indirectly as a result of Weaver House having to be vacated either partly or fully. For example, the property could become a frequent target for persons committing criminal damage such as graffiti or breaking windows. Those problems could lead, in the case where only partial rehousing takes place under the noise insulation regulations, to the remaining tenants wishing to be rehoused. Your petitioners believe that under those circumstances, the nominated undertaker should pay for the costs of such rehousing. Furthermore, your petitioners question whether their tenants will wish to return to the property at all while works are ongoing at the Pedley Street site.

13. Outside the 5-8 month period, your petitioners' tenants would face great discomfort and inconvenience, even if noise insulation were to be provided. Although the majority of the properties have double glazing, to provide some form of heat insulation, it is of limited protection against noise, and would of course only be of use when the windows are kept shut. Your petitioners humbly submit that during excessive heat, your petitioners' tenants would be forced to choose between opening windows, thus increasing noise and dust pollution, or keeping them closed, thus increasing discomfort due to the heat. Your petitioners therefore request that the nominated undertaker should provide at their own expense a full noise survey prior to commencement of the works, and noise insulation of the properties to your petitioners' satisfaction.

#### **East London Line Extension**

14. Your petitioners are gravely concerned to note that the promoters anticipate the Pedley Street works to coincide with the proposed extension of the East London line to Shoreditch. The promoters suggest that this overlap period will last for approximately 2 and a half years, between 2007 and 2010. In the Environmental Statement, the promoters anticipate that the Pedley Street site will operate 24 hours per day, and there will therefore be even greater pollution from noise, dust and traffic in other worksites along the line. The promoters suggest that your petitioners and their tenants face increased levels of disturbance, pollution, noise and disruption above and beyond those which they have anticipated for the Pedley Street works alone. Your petitioners submit that the period of 5-8 months proposed by the promoters for the re-housing of their tenants may prove to be inadequate, given the increased disruption anticipated from the works being carried out simultaneously at Pedley Street and on the East London line extension. They submit that the period in which their tenants are to be re-housed should be extended to cover this period of concurrent works at Pedley Street and on the East London line extension.
15. Your petitioners request that the promoters should be required to ensure that your petitioners are kept fully informed of the nature and extent of the proposed works, particularly during the period which coincides with the extension of the East London Line, and that the promoters should not

proceed with the proposed works unless your petitioners have agreed all measures to be taken by the promoters, the nominated undertaker, and those carrying out the East London line extension to reduce the disruption to a minimum.

16. Even after the 5-8 month period during which the promoters anticipate tenants from your petitioners' property will need to be re-housed, your petitioners are not guaranteed that the property would be safe or fit for tenants to return, particularly given the proposed construction of the East London Line extension which are also due to take place while the Pedley Street works are being carried out. Your petitioners therefore submit that the situation may be so bad that the building should be evacuated for the whole of the construction period. Your petitioners may therefore ask your honourable House to amend the Bill to enable the compulsory acquisition temporarily of Weaver House for the duration of the works until the land to the north of Weaver House has been reinstated at the end of the works.

#### Traffic

17. Your petitioners are concerned to note that all material deliveries to the Pedley Street worksite are expected to arrive by road. Furthermore, during the construction of the temporary shaft and temporary tunnel, excavated material will be taken away by road from Pedley Street. Your petitioners note that approximately 30 lorries per day are expected to operate to and from the worksite at Pedley Street during the peak construction period, which the promoters estimate will last over a period of nine months. Your petitioners note that this period exceeds the 5-8 month period in which the promoters propose that their tenants are to be re-housed, and your petitioners respectfully submit that the promoters will also need to come forward with amendments to the Bill and the deposited plans to resolve this anomaly. At other times, approximately 12 lorries per day will access the Pedley Street worksite. Your petitioners are alarmed at the volume of traffic which this entails, particularly for reasons of safety of those families with children living in Weaver House, of which there are currently three. At present, there is very little road traffic around Weaver House. As noted above in paragraph 8, Spitalfields City Farm is situated to the south of Weaver House, which attracts some

20,000 visitors each year, and there are other open spaces in the immediate vicinity, which are used by many families. There is also a school nearby. The proposed Pedley Street works will lead to a substantial increase in road traffic, danger to your petitioners' tenants, and pollution. Your petitioners submit that access for construction traffic to Pedley Street should be severely limited and the number of lorry entries should be controlled by agreement between your petitioners, the highway authority and the promoters so as to avoid disturbance and danger to your petitioners' tenants.

### **Hours of working**

18. Your petitioners are also concerned to ensure that the hours during which tunnelling and spoil removal from tunnelling takes place are programmed and minimised so as to prevent undue noise and vibration to residents. Your petitioners are also particularly concerned about the effects of reradiated noise at those worksites where spoil is to be removed and your petitioners wish to ensure that the nominated undertaker complies with the strictest standards as regards minimising such noise and vibration.
  
19. Your petitioners note that the promoters propose to work between the hours of 7.00am and 7.00pm Monday to Friday, and 9.00am to 2.00pm on Saturday. Your petitioners understand that the London Borough of Tower Hamlets, within which your petitioners' property is situated, have adopted as standard certain hours for construction works within their Borough so as to comply with the Control of Pollution Act 1974. These hours are set at 8.00am to 6.00pm on Mondays to Fridays, 9.00am to 1.00pm on Saturday, with no work to be carried out at all on Sundays, or public holidays. Your petitioners note that the hours of work proposed by the promoters are longer than these hours, particularly in relation to the proposed 24-hour operation at the Pedley Street site. Your petitioners request that the nominated undertaker be required to adhere to the standard hours as set by the London Borough of Tower Hamlets, and as agreed with your petitioners. In particular, any driven piling should be limited to between the hours of 10.00am and 4.00pm, Monday to Friday. Where it is unavoidable that construction activities take place outside these standard hours, your petitioners request that the nominated

undertaker should be required to agree all such work in advance with your petitioners, so that the nominated undertaker can make arrangements with your petitioners to mitigate the impact of all such works.

20. Your petitioners also note that the promoters are arranging for deliveries of material to be made to the worksites outside their suggested periods of time for construction work, which could result in deliveries being made to worksites up to 10.00pm on weekdays. Such movement of loads up to 10.00pm at night would, however, be an increase well above normal construction hours, and could result in lorries moving heavy loads well into the evening, causing danger to the residents living in your petitioners' property, particularly in poor weather or during wintertime, as well as noise and inconvenience. Your petitioners therefore request that the delivery times should be limited to the normal hours of construction work of 8.00am to 6.00pm adopted by the London Borough of Tower Hamlets and as agreed with your petitioners. Should it be necessary for deliveries to take place outside the normal hours of construction work, your petitioners request that all such deliveries should be agreed in advance with your petitioners, so that as much notice as possible can be given to residents by the nominated undertaker, and the nominated undertaker can make arrangements with your petitioners to mitigate the impact of any such deliveries. The promoters should also put in place sufficient provisions to ensure the safety of the residents at all times.

### Access

21. Your petitioners are concerned at the prospect of disruption to the access to their building. Your petitioners request that the promoters be required to ensure that pedestrian and vehicular access to their building, particularly towards the west along Pedley Street and Fleet Street Hill, as well as pedestrian access across the footbridge over the railway linking Fleet Street Hill and Cheshire Street, should be maintained at all times during the works, and, should this become difficult, your petitioners request that the promoters should provide adequate alternative means of allowing your petitioners and their residents similar access to their property.

### Contamination

22. Your petitioners are extremely concerned to note that the promoters of the Bill anticipate that the Pedley Street site is potentially contaminated. Your petitioners submit that the promoters should carry out fully detailed tests prior to commencement of the works, at frequent intervals during all demolition and construction works, as well as during the use of the conveyer, and at the end of the works to monitor the levels of any contamination. They should also undertake, at their own expense, to clean and if necessary to decontaminate your petitioners' property thoroughly prior to returning it to your petitioners once the tunnel and shaft have been backfilled and the land reinstated.

### OTHER PROPERTIES

23. The land at plots numbered 1032, 1310 and 1319 which the promoters wish to acquire are the subsoil beneath the house, garden and premises of 16 Maroon Street, 4 Fairfield Road, and 1-6 Drapers Alms Houses. In the case of Maroon Street, the promoters also wish to acquire the subsoil beneath the adjoining highway on Maroon Street. The subsoil and undersurface of the land which they wish to acquire is that which lies more than 9 metres beneath the level of the surface of the land. Your petitioners humbly request that the promoters should ensure that the construction works will cause no subsidence or other damage to the above properties, including to their foundations, and that the promoters should undertake tests of your petitioners' properties and their foundations at their own cost prior to, during, at the end of the construction works, and for a period after the construction works have been completed, to ensure that no damage has occurred. Your petitioners request an undertaking from the promoters of the Bill to pay full compensation to your petitioners in the event that any damage is caused to their properties arising from, or attributable to, the construction works, and if required by your petitioners, to remedy any damage immediately.

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

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 and proper for their protection and benefit.

AND YOUR PETITIONERS will ever pray,  
&c.

Agents for Bethnal Green and  
Victoria Park Housing  
Association

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PETITION

of

BETHNAL GREEN and VICTORIA PARK  
HOUSING ASSOCIATION

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AGAINST,

BY COUNSEL, &c.