

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 NORWICH PROPERTY  
TRUST LIMITED (1); NORWICH UNION LIFE &  
PENSIONS LIMITED (2); COMMERCIAL UNION  
LIFE ASSURANCE COMPANY LIMITED (3) and  
CGNU LIFE ASSURANCE LIMITED (4).

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").
4. Your first Petitioners are Norwich Property Trust Limited, your second Petitioners are Norwich Union Life & Pensions Limited, your third Petitioners are Commercial Union Life Assurance Company Limited and your fourth Petitioners are CGNU Life Assurance Limited. All four Petitioners are companies formed under the Companies Act 1985, and form part of the Aviva Group of companies. They are the freehold owners, leasehold owners and occupiers of certain land which lies within the limits of deviation and of land which may be acquired under the Bill, or land that lies close to the land which lies within the limits of deviation and which may be adversely affected by the terms of the Bill. Your Petitioners' lands lie in the City of Westminster, the London Borough of Camden and the City of London.
5. 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 Bill insofar as it affects your Petitioners' interests, for the reasons, amongst others, hereinafter appearing.

**16-20 North Audley Street, London W1**

6. Your second Petitioners own 16-20 North Audley Street, which is situated to the north of plot 286 in the City of Westminster, on the corner of North Audley Street and North Row. The property is used as offices and retail by your second Petitioners' tenants. The property is about to be refurbished at considerable expense to your second Petitioners. Although the property falls outside the limits of deviation and of land to be acquired under the Bill, your second Petitioners are concerned about the

impact upon the property of the excavation of the rail tunnels to the south of the property. Your second Petitioners are concerned that the promoter warns in the Environmental Statement accompanying the Bill that there will be a considerable impact in terms of grouting works in this area, which could cause serious subsidence problems for neighbouring properties. Your second Petitioners are concerned about the potential subsidence which could be caused to their property, and request that the promoter provides assurances that all measures will be taken to prevent subsidence. They further request that the nominated undertaker should carry out full condition surveys prior to the commencement of the works, during, and upon completion of the works, and to monitor whether subsidence affects your second Petitioners' property. Your second Petitioners also request that they should receive full compensation from the promoter of the Bill for any damage the promoter causes to their property in constructing and using the works. Your second Petitioners are also concerned about the impact of noise and vibration caused by the construction of the tunnels and their subsequent use, and seek reassurances from the promoter that such noise and vibration will be kept to a minimum.

**325-329 Oxford Street, London W1**

7. Your fourth Petitioners own property on the corner of Oxford Street and Marylebone Lane, diagonally opposite plot 324 in the City of Westminster shown on the deposited plans. Plot 324 is liable to be compulsorily purchased by the promoter for the construction of Bond Street Station. Your fourth Petitioners' property, 325-329 Oxford Street, is used as offices, and shops by their tenants. The promoter anticipates that construction work on this site will take up to 5 years, and that 35 lorries will access the site over two peak periods of activities at the site respectively of three and two months. Your fourth Petitioners are concerned at the increased levels of dust, traffic, noise, and pollution which will be created by the works at this site. Your fourth Petitioners seek reassurances from the promoter that such disruption will be kept to a minimum.

## **287-291 Oxford Street and 11-12 Hanover Square, London W9**

8. Your third Petitioners own the building comprising 287 – 291 Oxford Street and 11-12 Hanover Square, which is situated immediately to the north of plot 447 in the City of Westminster as shown on the deposited plans. 287-291 Oxford Street is a retail property, with frontage on to Oxford Street, with rear access in Hanover Square. 11-12 Hanover Square is an 8 level office building, accessed from Hanover Square. There is also a car-park in the basement, again accessed from Hanover Square. Your third Petitioners note that 18-19 Hanover Square is to be demolished in order to make way for the eastern ticket hall of Bond Street Station, that a permanent ventilation structure some 35 metres high is to be built in Hanover Square, and that a large section of Hanover Square will be closed temporarily and used as a worksite. Your third Petitioners are concerned about the noise, dust and disruption which these works will cause to their tenants and the effect of the closure of the Square on access to the property, particularly for deliveries to the retail outlet on Oxford Street. The promoter estimates that there will be three major construction periods, lasting one, two and eight months respectively, and that there will be between 60 and 70 lorries accessing Hanover Square during these peak periods. Your third Petitioners are concerned that there has been no attempt by the promoter to consider the impact of such noise and disruption upon those offices and businesses which will be affected by the works in the Square, nor is there information in the Environmental Statement about any disruption caused during non-peak periods. Your third Petitioners request that the promoter should carry out a full assessment of the potential impact that noise, dust, vibration and other disruption will have upon your third Petitioners' property. They also request that the nominated undertaker should be required to provide full protection to their property if the assessment is such that your third Petitioners' property will be adversely affected by the works and the traffic accessing the worksite within Hanover Square. Furthermore, your Petitioners seek guarantees that free and unhindered pedestrian and vehicular access to the building will be ensured by the nominated undertaker at all times.

## 91-101 Oxford Street and 103 Dean Street, London W1

9. The promoter proposes to acquire plots numbered 568, 569, and 574 in the City of Westminster as shown on the plans submitted with the Bill and to demolish the buildings on that land owned by your first Petitioners. The land will form part of the site on which the Tottenham Court Road Station western ticket hall will be built. Your first Petitioners currently lease the buildings to a variety of businesses as shops, a bureau de change and offices.
10. Your first Petitioners object to the compulsory acquisition and proposed demolition of the building. Your first Petitioners are concerned about the blight which will arise because of the threat of acquisition. In particular, your Petitioners are concerned about the prospect of the implementation of the Bill helping delayed, not to mention the loss of revenue following the acquisition and demolition of the buildings.
11. Your first Petitioners accept that Tottenham Court Road Underground Station may be in need of refurbishment on safety grounds, whether or not Crossrail is constructed, and your first Petitioners note that this is the third attempt in 15 years to seek Parliamentary powers to redevelop the underground station. The first occasion was the London Underground (Safety Measures) Act 1991, which authorised a number of essential measures to be taken in the light of the Fennell Report into the King's Cross fire. The powers under that Act were not implemented by London Underground Limited. It is understandable, your first Petitioners submit, that they should be concerned about the potential blight of their property in the light of that failure and in the light of the enormous cost of implementing the proposals under the Bill, the funding proposals for which are in doubt. The Bill makes no provision for compensation for such blight and your first Petitioners submit that the Bill should be amended in that respect.
12. If your first Petitioners' property is to be demolished in order for the station to be built, then your first Petitioners can see no reason why they should not be entitled to retain the freehold ownership of some, if not all of their land. This could be achieved by your first Petitioners granting a long term lease to the promoter for so much of the land as is required for

permanent station buildings at Tottenham Court Road, and a short term lease over the rest of the land for as long as is required for the construction of the station. Alternatively, a "flying freehold" could be retained by your first Petitioners, enabling them to redevelop the site themselves, thus protecting their valuable investment. Your first Petitioners understand that flying freeholds exist above other London Underground stations, so the situation is not unprecedented.

13. In the event that the property is to be compulsorily acquired for demolition and your first Petitioners are not to retain ownership of the freehold as outlined in paragraph 12 above, your first Petitioners request that the promoters should be required under the terms of the Bill to acquire the property at the earliest available opportunity. This would ensure that the impact of any blight upon your first Petitioners would be reduced. Your first Petitioners request that the Bill should be amended to make provision for such early acquisition.

#### **21-31 New Oxford Street, London WC1**

14. Your third Petitioners own property situated immediately to the north of plot 5 in the London Borough of Camden, as shown on the plans submitted with the Bill. This property, 21-31 New Oxford Street, is a disused Royal Mail sorting office and has recently been used for an art gallery as an extension to the British Museum. The promoter intends to take powers under the Bill to stop up temporarily, without the consent of the highway authority, the section of New Oxford Street onto which your third Petitioners' property abuts. The works at this site, including the construction and fit out of Tottenham Court Road Station, will take up to 5 years. The promoter concedes in the Environmental Statement that construction is likely to be complex at this site, with the combination of traffic, bus and pedestrian diversions and delays in the St Giles Circus area arising out of the works resulting in an impact of particular importance. Your third Petitioners are therefore extremely concerned that vehicular and pedestrian access to their property will become difficult, if not impossible. While the property is currently vacant, nevertheless your third Petitioners are concerned that any development of this property would suffer as a result of the works being carried out, particularly in terms of access. Your third Petitioners request that the

promoter be required to ensure that pedestrian and vehicular access to their property be maintained at all times, and, should this prove impossible, they request that the promoter should provide for alternative means of access to their properties.

15. Your third Petitioners are concerned that the increased congestion due to the changes in traffic circulation around, and diversion of buses into, St Giles Circus, St Giles Street, and New Oxford Street, the reduction of traffic lanes on New Oxford Street, and closure of Andrew Borde Street will lead to disturbance to them and to those people working in their property due to noise, pollution, and fumes. Your third Petitioners request that the Bill should put in place a comprehensive consultation, noise monitoring and mitigation scheme, and be subject to a compensation code where agreed noise, pollution and fumes levels are breached.

#### **135 – 137 Barbican Station Development, London EC9**

16. Your second Petitioners have a leasehold interest in the land at plot 49 in the City of London shown on the plans submitted with the Bill. The land which is proposed to be acquired by the promoter is described as “operational works and land comprised within Barbican Station”, together with subsoil. Those buildings above the station, and which are in the ownership of your second Petitioners, are occupied as shops and offices. The works to be carried out at the site include the construction of a shaft and diversion of a sewer, as well as the tunnelling and laying of the railway. Your second Petitioners are concerned about the potential impact of these works on the property and in particular subsidence and other damage which could be caused to the property. Your second Petitioners request that the promoter provides undertakings that all measures will be taken to prevent such damage. They further request that the promoter should carry out full condition surveys prior to the commencement of the works, during, and upon completion of the works, and to monitor whether subsidence affects your second Petitioners’ property. Your second Petitioners also request that they should receive full compensation from the nominated undertaker for any damage the nominated undertaker causes to their property in constructing and using the works. Your second Petitioners are also concerned about the impact

of noise and vibration caused by the construction of the works and their subsequent use, and seek reassurances from the promoter that such noise and vibration will be kept to a minimum.

**4 Broad Street Place, 31-35 Blomfield Street, London and 81-89 Old Broad Street EC2**

17. Your second Petitioners note that the Bill as submitted to your Honourable House makes provision for the compulsory acquisition of subsoil fronting 31-35 Blomfield Street and 4 Broad Street Place, which are properties in respect of which your second Petitioners are lessees. These are shown as plots 112 and 114 in the City of London on the plans submitted with the Bill. Similarly the Bill makes provision for the compulsory acquisition of the subsoil fronting 81-89 Old Broad Street, of which your Petitioners are also lessees and occupiers. This property is shown as plot 135 in the City of London on the plans submitted with the Bill. Your second Petitioners request that the Bill should not be allowed to proceed without full compensation being available for the acquisition of their property. In addition, your second Petitioners are concerned that the works to be carried out at the Liverpool Street Station site should not cause damage to their property as a result of subsidence or settlement, and request that the promoter should carry out full condition surveys prior to the commencement of, during, and after the conclusion of, the works so as to establish if any settlement has occurred and that they should monitor the property during construction and provide full compensation in the event of any structural damage to the properties.
  
18. Your second Petitioners note that the Environmental Statement submitted with the Bill envisages that parts of Blomfield Street and Old Broad Street will be closed during the construction of the works. Your second Petitioners are concerned that both they and their tenants should have vehicular and pedestrian access to their properties at all times, and cannot see how access to their properties can be retained with the closure of these two streets. Your second Petitioners request that the Bill should be amended to guarantee them and their tenants full access, both vehicular and pedestrian, to their properties.

19. Your second Petitioners are alarmed to note that the promoter estimates that there will be some 29 lorries per day accessing Blomfield Road, which is to be a worksite under the proposals put forward by the promoter. The promoter further envisages the demolition of properties to build the Blomfield Street shaft which is to be used for ventilation and safety purposes. Your second Petitioners are concerned at the disruption that will be caused by such works to the occupiers of their buildings, particularly due to traffic and noise, fumes, dirt, dust and other emissions, and seek assurances that the promoter will keep them to a minimum.

**10-24 Moorfields 89-135 Moorgate, and 1, 2 and 3 Moor Place, London EC2**

20. Under the Bill as submitted to your Honourable House, the proposed Liverpool Street Station is to have a new ticket hall adjoining the existing London Underground Station at Moorgate, which will be connected to Liverpool Street by a passage to the existing London Underground ticket hall at Liverpool Street Station. Construction of the ticket hall at Moorgate will require the demolition of property owned by your second Petitioner which is shown as plot 93 in the City of London on the plans submitted with the Bill. This property comprises offices with retail use on the ground floor. Your second Petitioners are concerned about the proposed demolition of their property. They will lose the income which they receive from the leases. The existing lease expires in 2006, at which significant refurbishment will be required, if not redevelopment. Your second Petitioners will also face blight as a result of being unable to lease out the property in the period running up to the commencement of the works. Your second Petitioners therefore request that the Bill in its *current form should not proceed without the promoter of the Bill being required to compensate them for the cost to them of the blight affecting their properties, as well as full compensation for the acquisition of their properties.*
21. Your Petitioners are particularly concerned about the loss of a site with great development potential, particularly as your second Petitioners note that Transport for London has applied for planning permission for this site. Your second Petitioners will, if the Bill is enacted in its current form, and if the powers of compulsory acquisition are used to their full extent,

lose the opportunity to develop a prime site in terms of office and retail outlet accommodation. Your second Petitioners are concerned that the Bill does not allow for full compensation for losses connected to such a prime site, and submit that the Bill should be amended accordingly.

22. If your second Petitioners' property is to be demolished in order for the station to be built, then your second Petitioners can see no reason why they should not be entitled to retain the freehold ownership of some, if not all of their land. This could be achieved by your second Petitioners granting a long term lease to the promoter for so much of the land as is required for permanent station buildings at Liverpool Street, and a short term lease over the rest of the land for as long as is required for the construction of the station. Alternatively, a "flying freehold" could be retained by your second Petitioners, enabling them to redevelop the site themselves, thus protecting their valuable investment. Your second Petitioners understand that flying freeholds exist above other London Underground stations, so the situation is not unprecedented.
23. In the event that the property is to be compulsorily acquired for demolition and your second Petitioners are not to retain ownership of the freehold as outlined in paragraph 22 above, your second Petitioners request that the promoter should be required under the terms of the Bill to acquire the property at the earliest available opportunity. This would ensure that the impact of any blight upon your second Petitioners would be reduced as much as possible. Your second Petitioners request that the Bill should be amended to make provision for such early acquisition.

**Properties at Finsbury Circus, Broad Street Place and Liverpool Street, London EC2**

24. Construction of the Liverpool Street Station and the running tunnels will also require the acquisition of the subsoil of a number of other properties in which your second Petitioners have an interest, including 20 Finsbury Circus and 1-2 Broad Street Place, 2-10 and 31-35 Blomfield Street, 29-45 New Broad Street, and 1-14 Liverpool Street. These plots are shown as 112, 118, and 127 on the plans submitted with the Bill, and comprise premises used by your second Petitioners' lessees as offices, shops, an electricity substation and other uses.

25. Your second Petitioners are concerned that works which are to be carried out under their properties should not result in damage to their properties. Your second Petitioners request that the promoter should be required to ensure that the nominated undertaker will carry out full structural surveys of your second Petitioners' properties prior to, during, and at the end of the works being carried out and to monitor the properties for damage caused by the construction and operation of the works. Full compensation should be payable to your second Petitioners for any damage arising out of settlement, and any damage caused should be rectified at the nominated undertaker's expense without delay.

**15-17 Eldon Street, London EC2**

26. The promoter intends that Eldon Street, to the north of Finsbury Circus, will be used as a route by which construction materials are to be moved to and from the worksites at Moorgate and Liverpool Street and the promoter seeks powers to close the street temporarily. Your second Petitioners' property at 15-17 Eldon Street is situated on the south side of the street. The premises are used as offices, a sandwich bar and a restaurant by your second Petitioners' tenants. All construction materials are to be transported by road, and the promoter estimates that there will be some 90 lorry movements per day to and from the eastern ticket hall sites. Your third Petitioners' tenants will suffer disturbance due to traffic and noise, fumes, dirt, dust and other emissions, which could affect their businesses. The promoter would also be able to close Eldon Street temporarily without the consent of the highway authority. Your third Petitioners seek assurances that the promoter will ensure that disturbance due to traffic, noise, fumes and other emissions are kept to a minimum, and that pedestrian and vehicular traffic will be allowed continued access to their property. Your third Petitioners also require that the promoter will consult with them prior to any proposed closure of Eldon Street.

## General

27. Your Petitioners have general concerns about the effect of the works proposed under the terms of the Bill on their premises. In your Petitioners' submission, the Bill is deficient in various respects, in relation to their premises, as detailed below. They submit that the Bill should be amended to provide them proper protection in these respects. The matters in relating to which protection is requested are –

- a. The construction of the works could cause damage to all your Petitioners' premises. Your Petitioners would wish the promoter to agree that in respect of each of their properties mentioned in this petition, and any other later identified as being affected by the works, a schedule of condition should be prepared, in accordance with a specification to be agreed with your Petitioners, at the expense of the promoter, before the works commence. The effect of the works on the premises should be regularly monitored at the expense of the promoter, in accordance with arrangements to be agreed with your Petitioners so as to minimise interference with business at your Petitioners' premises and at the conclusion of the works a further schedule of condition should be prepared at the nominated undertaker's expense, to ascertain what matters require to be remedied;
- b. Your Petitioners are particularly concerned that their premises may suffer settlement effects as a result of construction of the nominated undertaker's proposed works. Your Petitioners submit that the promoter should be obliged to carry out suitable protective and preventative measures in relation to your Petitioners' premises, and the services thereto, to your Petitioners' satisfaction, and at the promoter's own expense, so as to minimise settlement effects;
- c. If, during the course of the construction of the works, your Petitioners notice damage occurring to their property which requires attention, the nominated undertaker should be obliged, on request, to carry out the works of repair and suitable protective works, to your Petitioners' satisfaction, and at the nominated undertaker's own expense, without waiting until the conclusion of the construction of the works;

- d. Your Petitioners are concerned about the proposals for grout pumping to compensate for any consequent settlement of land or buildings. They consider that there is insufficient detail contained in the plans relating to the grout pumping in relation to the sites at North Audley Street and Hanover Square. There is, for instance, little or no information provided on when such grout pumping will be necessary, how the nominated undertaker will go about assessing whether such pumping will be necessary, how soon after the commencement of the works it is anticipated pumping will be required, whether materials will be stored at these sites, and if so, what type, quantity and length of time materials may be stored, and how the nominated undertaker will go about such grout pumping. Your Petitioners are particularly concerned that, once grout pumping has commenced, it would have to continue until the nominated undertaker is satisfied that any settlement to the building has been corrected. This could result in continuous noise and disruption for long periods of time, far in excess of the hours of work proposed by the promoter. Your Petitioners urgently request that further details relating to the proposed grouting operations should be provided to your Petitioners for consultation, together with a detailed survey to determine the most suitable shaft locations. Prior to the commencement of any operations, the final proposals for these works should be submitted to your Petitioners, and only implemented when in an agreed form;
- e. Your Petitioners are concerned about impact of the proposed works on the foundations of your Petitioners' premises and about prejudice to future development of the premises. The nominated undertaker should be required to construct the underground works at such depth or in such a way that the foundations of and subsoil under your Petitioners' premises are unaffected and so that the load bearing capacity of the foundations and subsoil stratum underneath is not reduced;
- f. The construction of the works and exercise of other powers under the Bill could interfere with or cause disruption to services to and from your Petitioners' premises including power, drainage and telecommunications services. The nominated undertaker should be

required to ensure that these services will be suitably protected and secured, that supplies and services will not be interrupted and that the capacity of supplies and services will not be impaired by reason of the works;

- g. Your Petitioners are concerned about the exercise by the nominated undertaker, in relation to your Petitioners' premises, of the powers contained in paragraphs 4, 5 and 6 of Schedule 2 to the Bill relating to mitigating and safeguarding works to buildings including the associated powers of entry. Your Petitioners would wish to have control over such works, have the works overseen by independent engineers, be satisfied as to the quality of such works and be assured of proper and adequate access to your Petitioners' premises being maintained at all times. Your Petitioners seek assurances accordingly;
- h. As regards the nominated undertaker's powers of entry under the Bill, your Petitioners submit that these should be restricted such that they cannot be exercised during normal working hours at your Petitioners' premises. Furthermore, the time of day when major structural works may be carried out should be restricted to outside normal working hours;
- i. Your Petitioners are concerned about adverse effects of the nominated undertaker's proposed powers on occupiers of your Petitioners' premises and their businesses and on the impact on your Petitioners' interests in relation to rental levels on rent reviews and rental income generally;
- j. If the nominated undertaker were to construct the works without taking proper account of the day-to-day requirements of your Petitioners and their tenants, there could be a serious adverse effect on trade at your Petitioners' premises. In particular, your Petitioners are concerned about the effects of noise, dust and vibration, and about access for vehicles as well as pedestrians, for the purpose of the delivery of goods. Free and convenient access should be maintained at all times for pedestrians. Creation of noise, dust and vibration which may affect your Petitioners' premises should be avoided during the hours of trading of the premises and during normal office hours.

- k. Your Petitioners are concerned that the exercise by the nominated undertaker of the powers of the Bill in relation to street and pavement closures or openings in streets or pavements could result in vehicular access to your Petitioners' property being denied or pedestrian access being impeded. Your Petitioners are particularly concerned about the adverse impact of possible access difficulties on your Petitioners' tenants. Your Petitioners require to be notified sufficiently in advance of any temporary road closures or obstructions in the vicinity of their properties;
  - l. Your Petitioners are concerned about the possible duration and programming of the proposed works. Your Petitioners require assurance that the nominated undertaker will notify them of the construction programme and timetable so far as practicable and that the nominated undertaker will arrange the construction programme and timetable so as to minimise disruption and disturbance to your Petitioners' premises;
  - m. For compensation purposes, your Petitioners submit that the nominated undertaker should be obliged to treat separately a claim for injurious affection from any claim which may be made in respect of land taken compulsorily under the Bill. The nominated undertaker should be obliged to indemnify your Petitioners fully against costs or loss to your Petitioners by reason of material damage to your Petitioners' premises or otherwise occasioned as a result of the Bill and its proposals.
28. 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.

HOUSE OF COMMONS  
SESSION 2005-06

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PETITION

of

NORWICH PROPERTY TRUST LIMITED  
(1); NORWICH UNION LIFE & PENSIONS  
LIMITED (2); COMMERCIAL UNION LIFE  
ASSURANCE COMPANY LIMITED (3)  
and CGNU LIFE ASSURANCE LIMITED  
(4).

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AGAINST,

BY COUNSEL, &c.