

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2005-06

CROSSRAIL BILL H.C.

P E T I T I O N

Against – On Merits – Praying to be heard by Counsel, &c.

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

THE HUMBLE PETITION

Of

BILTON PLC

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 Mr. Secretary Darling supported by the Prime Minister, Mr. Chancellor of the Exchequer, Secretary Margaret Beckett, Secretary Peter Hain, Secretary Alan Johnson, Secretary Tessa Jowell and Derek Twigg.
3. The Preamble to the Bill recites that it is expedient for 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.

4. Clause 1 (Construction and maintenance of scheduled works) of the Bill would enable the nominated undertaker to construct and maintain the works specified in Schedule 1 ("the scheduled works").
5. Clause 2 (Works further and supplementary provisions) of the Bill will enable the nominated undertaker to carry out the works in Schedule 2 to the Bill.
6. Clause 3 (Highways) would enable the nominated undertaker to exercise the powers in Schedule 3 to the Bill.
7. Clause 5 (Temporary possession and use) would enable the nominated undertaker to exercise the powers in Schedule 5 to the Bill.
8. Clause 6 (Acquisition of land within limits shown on deposited plans) would enable the Secretary of State to acquire or use land for specified purposes.
9. Clause 7 (Acquisition of land not subject to the power under section 6(1)) would enable the Secretary of State to acquire or use land outside the limits of deviation.
10. Clause 8 (Extinguishment of private rights of way) would enable private rights of way to be extinguished.
11. Clause 20 (Proceedings in respect of statutory nuisance: defence) would provide the nominated undertaker with a defence in respect of statutory nuisance.
12. Your Petitioners are a property investment and development company which is part of Slough Estates plc property group providing high quality business space to its customers. Your Petitioners represent a significant investment for Slough Estates Plc, which is equal to approximately 7% of Slough Estates Plc total value. Your Petitioners have in excess of 150 customers occupying buildings and land totalling 184,242 square metres valued at £210 million. Your Petitioners are the owner of 12 commercial estates in west London including the premises at Stockley Close in the London Borough of Hillingdon which is directly and specifically affected by the Bill.
13. 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.
14. Your Petitioners support the principle of the Crossrail proposals, but have grave reservations about the adverse impacts the Crossrail proposals will have on its land and interests in land.

15. Your Petitioners are gravely concerned that the powers sought in the Bill go beyond the scale of powers of what is reasonably required to achieve implementation of the Crossrail proposals particularly in relation to the acquisition of land and rights in land on both a temporary and permanent basis.
16. Your Petitioners are gravely concerned that construction of the Crossrail proposals will have a considerable and detrimental impact on its land and interests in land in the vicinity of the spur from the Great Western Railway Line (“the railway line”) to Heathrow. Your Petitioners believe that CLRL should consult Your Petitioners and give appropriate undertakings alternatively amendments should be made to the Bill with a view to minimizing the temporary and permanent construction impacts particularly in relation to traffic restrictions and disturbance of noise, dust, vibration.
17. Your Petitioners believe that the current proposals to use the powers in the Bill will seriously inhibit Your Petitioners’ ability to optimize the use and development of its land and interests in land. Your Petitioners believe that CLRL should consult Your Petitioners and give appropriate undertakings alternatively amendments should be made to the Bill so that impact of the proposed works can be minimized so that Your Petitioners’ land and rights in land are not adversely affected and future development and redevelopment can take place whilst also enabling the sensible implementation of the Crossrail proposals.
18. Your Petitioners also require an indemnity from Crossrail that the proposed works will not be of long term or irreversible detriment to the land and interests of Your Petitioners. Such indemnity would also remedy any damage, claims, demands, proceedings, costs, damages, expenses and disruption arising from the construction of the proposed works.
19. Your Petitioners are gravely concerned about the impact of the Crossrail proposals on their land and interests being land parcel 127. Your Petitioners do not consider that CLRL require this land for the purposes it indicates and that alternative work sites exist and can be used by CLRL with less impact on Your Petitioners’ interests. Alternatively, if land parcel 127 is required, Your Petitioners have not been provided with adequate information in relation to the proposed environmental mitigation measures. Unless or until such information is provided and is made the subject of a commitment by CLRL Your Petitioners consider that the impact of the rights sought over land parcel 127 cannot be assessed. Further, CLRL have informed Your Petitioners of the purposes for which the land parcel is required. It is required temporarily for a construction work site. In the circumstances, Your Petitioners believe it is unnecessary and inequitable to seek to acquire permanent rights in relation to the land parcel 127 where limited and temporary rights are sufficient for construction of the works. In the light of the fact that

CLRL have indicated that they only require temporary rights for limited purposes Your Petitioners request that the Bill be amended so that CLRL may only acquire limited and temporary rights of occupation for the construction of the proposed works in relation to land.

20. For the foregoing and connected reasons Your Petitioners respectfully submit that, unless the Bill is amended or alternatively undertakings are given as proposed above, clauses 1 to 8 and 20 so far affecting Your Petitioners should not be allowed to pass into law.
21. 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 themselves, their Counsel or Agents and witnesses in support of the allegations of the Petition against so much of the Bill as their property rights and interests of your Petitioner and in support of other clauses and provisions as may be necessary or expedient for their protection, or that such other relief may be given to your Petitioner in the premises as your Right Honourable House may deem meet.

AND your petitioners will ever pray, &c.