

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2005-06

CROSSRAIL BILL H.C.

PETITION

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

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

THE HUMBLE PETITION

Of

SLOUGH TRADING ESTATE LIMITED

SHEWETH AS FOLLOWS:

1. A Bill (hereinafter referred to as “the Bill”) has been introduced and is now pending in your Honourable House intituled “A Bill to make provision for a railway transport system running from Maidenhead, in the County of Berkshire, and Heathrow Airport, in the London Borough of Hillingdon, through Central London to Shenfield in the County of Essex, and Abbey Wood, in the London Borough of Greenwich, and for connected purposes.”
2. The Bill is promoted by 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.
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) of the Bill 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 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 and investment company which is part of the Slough Estates plc property group. Your Petitioners owns the Slough Trading Estate ("STE") which comprises 486 acres of commercial property in Slough and provide 7.5 million sq ft of accommodation to 500 businesses and has a working population of circa 20,000 people. STE is the largest industrial estate in single private ownership in Europe.
13. Your Petitioners and their rights, interests and property will be 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, interests in land and the services it provides.
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. Your Petitioners believe that CLRL should further consult with Your

Petitioners and give appropriate undertakings, alternatively amendments should be made to the Bill to ensure that where land or rights are required on a temporary basis only that permanent acquisition of land or right will not be taken under the terms of the Bill.

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 adjacent to the Great Western Railway Line (“**the railway line**”) as well as causing considerable disruption to the traffic crossing the STE. 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, noise, dust, and 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 on STE. 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 of the STE 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.

Impact on traffic movements

19. Your Petitioners are gravely concerned that any temporary closure of the highways on the bridges across the railway line at Dover Road, Leigh Road and Farnham Road Bridge (“**the bridges**”) will gravely affect the businesses on the STE. The railway line bisects the STE and the bridges are the only means of access across the site. Any closure of the bridges will result in considerable delays and disruption to traffic crossing the STE and adversely affect the businesses based on the STE. Your Petitioners believe that CLRL should consult Your Petitioners and devise appropriate mitigation measures such as a temporary bridge over the railway line at Leigh Road to minimise the impact of the proposed works so as to ensure that no closures of the highway over the bridge will take place. In addition, Your Petitioners request that CLRL give a undertaking that whilst works to Leigh Bridge Road are being carried out both Dover Road bridge and Farnham Road bridge are kept fully open. Your Petitioners have raised the impact of the closure of the bridges over the railway line with Slough Borough Council and

they are aware of the need to implement appropriate mitigation measures which should include a temporary bridge over Leigh Road.

Works in the vicinity of Dover Bridge Road

20. Your Petitioners are particularly concerned about the powers in the Bill to acquire land and interests in land as well as power to construct the proposed works in land adjacent to Dover Road Bridge (land parcels 17, 18, 19, 25, 26 and 27 in the Borough of Slough). CLRL have informed Your Petitioners of the purposes for which these parcels of land are required. These Parcels are required for a temporary period to deliver and remove construction apparatus for use elsewhere or otherwise only for a temporary period during the construction process. In the circumstances Your Petitioners believe it is unnecessary and inequitable to seek to acquire permanent rights in relation to the above mentioned land parcels where limited and temporary rights are sufficient for construction of the works. Your Petitioners believe that the use of the above-mentioned land for the construction of the works will cause serious disruption to the businesses on such land. Your Petitioners further believe that use of the above-mentioned land in the manner currently proposed will prevent Your Petitioners from redeveloping such land in the most appropriate manner and cause unnecessary blight, particularly given the long time scale for implementing such 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 or appropriate undertakings are given so that CLRL may only acquire limited and temporary rights for the purposes of constructing the proposed works in relation to land parcels 17, 18, 19, 25, 26 and 27.

Furthermore, in respect of works at Dover Road Bridge, Your Petitioners believe that any closures of the carriageway as a result of the construction of the works will cause considerable disruption to the STE and result in severe difficulties for those wishing to access the STE. Your Petitioners therefore requests that the Bill be amended or appropriate undertakings are given by CLRL that during the course of the works that Dover Bridge Road will at all times be kept open and available for use by vehicular traffic and pedestrians.

Works in the vicinity of Leigh Road Bridge

21. Your Petitioners are particularly concerned about the powers in the Bill to acquire land and interests in land as well as the power to construct the proposed works in land adjacent to Leigh Road Bridge (land parcels 28, 29, 31, 33, 36, 39, 42, and 45 in the Borough of Slough). CLRL have informed Your Petitioners of the purposes for which these parcels of land are required. These land parcels are required for a temporary period during the construction process for access to other parts of the work site or for other purposes of a temporary period during the

construction process. In the circumstances Your Petitioners believe it is unnecessary and inequitable to seek to acquire permanent rights in relation to the above mentioned land parcels where limited and temporary rights are sufficient for construction of the works. Your Petitioners believe that the use of the above-mentioned land for the construction of the works will cause serious disruption to the businesses on such land. Your Petitioners also believe that use of the above-mentioned land in the manner currently proposed would prevent Your Petitioners from redeveloping such land in the most appropriate manner and cause unnecessary blight, particularly given the long time scale for implementing such 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 parcels 28, 29, 31, 33, 36, 39, 42, and 45.

22. Your Petitioners further believe it is inequitable and unnecessary to acquire a right of way over land parcel 30, a heavily used estate access road which is of vital importance to the adjoining units, when CLRL can legitimately use an alternative access by Berwick Avenue north of the railway line. Your Petitioners have not been informed why CLRL require this land and given the alternative access available, accordingly Your Petitioners request that land parcel 30 is expressly omitted from the Bill.
23. Your Petitioners have been informed that CLRL do not require land parcel 38 for the proposed works and as a result Your Petitioners request that land parcels 37 and 38 are expressly omitted from the Bill.

Works in the vicinity of Farnham Road Bridge

24. Your Petitioners are particularly concerned about the powers in the Bill to acquire land and interests in land as well as the power to construct the proposed works in land adjacent to Farnham Road bridge (land parcels 46, 47, 48, 49, 51, and 52 in the Borough of Slough). Your Petitioners believe it is unnecessary and inequitable to seek to acquire permanent rights in relation to the above mentioned land parcels where temporary rights are sufficient for construction of the works. Your Petitioners believe that use of the above-mentioned land for the construction of the works would prevent Your Petitioners from redeveloping such land in the most appropriate manner and cause unnecessary blight, particularly given the long time scale for implementing such works. Your Petitioners further believe that the use of the above-mentioned land for the construction of such works would cause serious disruption to the businesses on such land. Your Petitioners believe inadequate evidence and justification has been provided of the need to take rights over all or part of these land parcels, and it is unclear as to why wholly unnecessary rights are sought over parcels 46-49 and 51-52 when there is access

via Whitby Road to the proposed worksite on land parcel 55. Land parcels 46-49 and 51-52 service a significant number of properties and Your Petitioners are gravely concerned that the proposals will unnecessarily interfere excessively with access to this part of STE. In light of the fact that there is an alternative form of access, Your Petitioners request that that parcels 46-49 and 51-52 are expressly omitted from the Bill.

Furthermore, in respect of works at the Farnham Road Bridge, Your Petitioners believe that any closures of the carriageway as a result of the construction of the works will cause considerable disruption to the STE and result in severe difficulties for those wishing to access the STE. Your Petitioners therefore request that the Bill be amended or appropriate undertakings are given by CLRL that during the course of the works that Farnham Road Bridge will at all times be kept open and available for use by vehicular traffic and pedestrians.

25. For the foregoing and connected reasons Your Petitioners respectfully submit that unless the Bill is amended as proposed above clauses 1 to 8 and clause 20 so affecting Your Petitioners should not be allowed to pass into law.
26. There are other clauses and provisions in the Bill, which if passed into law as they now stand would 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 Right 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.