

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

THE HUMBLE PETITION

Of

SLOUGH HEAT & POWER 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 ("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) 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 9 (Extinguishment of rights of statutory undertakers etc) would make provisions in relation to the extinguishment of rights of statutory undertakers.
12. Clause 20 (Proceedings in respect of statutory nuisance: defence) would provide the nominated undertaker with a defence in respect of statutory nuisance.
13. Your Petitioners are a multi-utility company which is a wholly owned subsidiary of Slough Estates, providing secure, clean, and efficient utility and environmental services to the Slough Trading Estate ("STE"). Your Petitioners have converted its coal-fired power station to run predominantly on wood chips and non-recyclable packaging materials, and is now one of Britain's cleanest power stations using these renewable energy sources. The power station and its underground distribution system also give STE unrivalled security of supply, more than twenty times better than the average elsewhere in the UK. Your Petitioners are the owners of land, premises and apparatus on the STE which is directly and specifically affected by the Bill.
14. 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.

15. 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.
16. 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 rights will not be taken under the terms of the Bill.
17. 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 and noise, dust, and vibration.
18. 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. Alternatively, 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.
19. 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 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.

20. 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 53 and 55 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 implementation 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 request that the Bill be amended so that CLRL may only acquire temporary rights of occupation for the construction of the proposed works in relation to land parcels 53 and 55.
21. 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.
22. Your Petitioners are a statutory undertaker, by virtue of a licence granted under section 6(1) of the Electricity Act 1989 as amended, are concerned about the proposals to divert its apparatus in order to construct the Crossrail proposals. Your Petitioners are gravely concerned about the powers in the Bill at Schedule 14, Part 2, paragraph 2 which will enable apparatus to be diverted without adequate alternative apparatus being put in place and request that this particular provision be removed entirely from the Bill. Your Petitioners require adequate safeguards that it will be able to supply its services without interruption and that the protective provisions in Schedule 14 to the Bill will be sufficient and appropriate. Your Petitioners require undertakings or amendment to the Bill so as to ensure that CLRL consult them in relation to the diversion of its apparatus and grant them sufficient access and rights to construct or supervise such diversionary works.
23. 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 9 and 20 so affecting Your Petitioners should not be allowed to pass into law.

24. There are other clauses and provisions of the Bill to 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 provisions 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.