

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2005-2006

**CROSSRAIL BILL**

Against the Bill – 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 GARY MALCOLM**

**SHEWETH AS FOLLOWS:**

1. A Bill (hereinafter referred to as "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. The Bill is promoted by the Secretary of State for Transport (through Cross London Rail Links being a Department for Transport and Transport for London joint venture company) (referred to as "the Promoter")
3. Your Petitioner is Councillor Gary Malcolm, London Borough of Ealing. Your Petitioner's place of residence is adjacent to one of the sites affected by the proposed Bill. Your Petitioner is also on the waiting list to become an allotment holder of the Great Western allotments. Residents who raise their concerns about the Bill will affect your Petitioner in his remit as a London Borough of Ealing Councillor. Your petitioner is the Chair of Ealing Living Streets who are an organisation that promotes walking; your petitioner is someone who walks around the area affected by the Bill.
4. Your Petitioner welcomes the proposed Bill and supports the construction of Crossrail as long as the identified specific and direct burdens on the Petitioner and the residents he represents within their Borough are resolved. Some of these burdens relate to the whole length of the proposed track within your Petitioners' Borough and others are specific to particular sites. Your Petitioner is hopeful that concerns can be met by agreement with the Promoter.

5. Clause 46 of the Bill authorises the Secretary of State to nominate by means of an Order a nominated undertaker for the purpose of the Bill (hereinafter called "the Nominated Undertaker")
6. Clause 1 (construction and maintenance of the scheduled works) states that the Nominated Undertaker may construct and maintain the works necessary for Crossrail as specified in Schedule 1 of the Bill. The works that are specified in Schedule 1 of the Bill are referred to as "the Scheduled Works".
7. These Scheduled Works include: Work No. 3/17 – A deviation of the Ealing Railway (2,068 metres in length partly in tunnel) commencing by a junction with that railway at a point 300 metres west of the bridge carrying Hanger Lane over that railway, passing eastwards and terminating by a junction with that railway at a point 25 metres west of the bridge carrying Horn Lane over that railway;
8. These Scheduled Works also include: Work No. 3/17B – A railway (881 metres in length) forming sidings within the Acton Yard, commencing by a junction with Work No.3/17A at a point 160 metres north-east of the bridge carrying Noel Road over the Reading Railway, passing eastwards and terminating at a point 155 metres west of the junction of York Road with Horn Lane.
9. Clause 2 (Further and supplementary provisions) of the Bill contains provisions relating to highway accesses, overhead line diversions, mitigation and protection works, the underpinning of buildings, discharge of water, entry on land for preparatory purposes, temporary interference of waterways.
10. Clause 3 (Highways) of the Bill allows the Promoter, under paragraph 5 of Schedule 3, to temporarily stop up, alter or divert any highway, to break up and interfere with the highway and to divert traffic from it in respect of those highways named in column two of the table under paragraph 5(3) of Schedule 3 to the Bill for the purpose of executing the proposed works.
11. Clause 3 (Highways) of the Bill allows the Promoter, under paragraph 15 of Schedule 3, to enter upon, take and use for Crossrail the subsoil of any highway where the subsoil concerned is subject to compulsory purchase under the Bill, without being required to acquire that subsoil or any right in it, except in respect of the areas listed in the table in the paragraph.
12. Clause 3 (Highways) of the Bill allows the Promoter, under paragraph 4 of Schedule 3, to carry out associated works conferred by paragraphs 1 to 4 of Schedule 2 in a way that permanently obstructs the highway, such associated works under Schedule 2 including general powers to carry out ancillary works additional to the scheduled works, the provision of highway accesses, the diversion of particular overhead lines, and the undertaking and maintaining of landscape or other mitigation works necessary as a result of the Crossrail works.
13. Clause 5 (Temporary possession and use) of the Bill under Schedule 5 gives the Promoter powers to carry out and maintain the relevant works in the Borough of Ealing.
14. The Promoter would gain the powers to take over and use areas of land in Clause 6 (Acquisition of land within limits shown on deposited plans); Clause 7 (Acquisition of land not subject to the power under Section 6(1)) and Clause 8 (Extinguishment of private rights of way) of the Bill.
15. Clauses 9 through 20 of the Bill sets out aims that relate to the construction and operation of the railway transport system.

16. Your Petitioner presents issues of concern that are both site-specific and more general to the borough.
17. Acton Main Line rail station: In recent times there have been severe cuts to the frequency of trains stopping at this station, which is vital to the petitioner as I use it to go to work. These cuts to frequency of trains per hour has meant that getting to and from work takes longer and is less enjoyable due to the overcrowded conditions of the train carriages. Your Petitioner humbly requests that the Promoters be required to declare that Crossrail will run an improved minimum service level of at least four trains per hour.
18. Allotments in Acton and the West Acton Playing Fields: Clause 6 of the Bill would allow for compulsory acquisition of areas of land in the Acton area that are currently used as allotments (Great Western and Noel Road allotments) and a part of West Acton Primary School's grounds, all part of a green corridor in the area. Your Petitioner is concerned about the impacts of this land take on the area that is rich in ecology including slow worms and stag beetles because of his interest in wildlife and as a former member of The Royal Society for the Protection of Birds.
19. There will be many social impacts from the loss of this land and your Petitioner has seen personally due to the location of Your Petitioner's residence that the allotments have become a good site for educating children about food that will go some way to show children a healthier lifestyle. Also Ealing Council is engaged with local schools in the area about food growing – including Twyford High School nearby. Your Petitioner enjoys meeting and talking to the allotment holders in the area: this would stop if the Crossrail Bill went ahead as planned.
20. Acton has a low provision of council allotments – with only 20% of the space recommended by the Thorpe Committee – and the Great Western site is itself nearly half of this. Both allotment sites threatened by compulsory acquisition are fully occupied and both have waiting lists. Closing an allotment site can have an affect over a wide area. For example, when Blondin allotments in Northfields/Boston Manor were closed, many of the tenants moved to Ascott allotments in South Ealing, resulting in a shortage of plots for the people of South Ealing. Neighbouring sites in adjacent boroughs are also full. Creating additional allotment sites elsewhere in the borough would be a very significant financial burden. If borough residents write to the local authority asking for an allotment, and if none are available, the council would be forced to buy or convert expensive land to provide plots for allotment holders. Your Petitioner is on the waiting list to become an allotment holder of the Great Western allotments and so would be affected directly if the current Crossrail proposals went ahead.
21. Your Petitioner therefore seeks an undertaking from the Promoters that the land outlined for compulsory acquisition that is currently used as allotments should not be acquired even temporarily. There is other land available that could be used.
22. Your Petitioner would like the Promoters and your Honourable House to note that 165 local residents and Great Western allotment holders signed a petition that was handed into Ealing Council by Your Petitioner on 21 June 2005 asking Ealing Council: "...to oppose the compulsory purchase of local sporting fields or use of the Great Western Allotment Association allotments as storage areas for the undertaking of the Crossrail project".

23. The loss of any allotments and any part of the West Acton Primary schoolyard site are particularly sensitive issues. Your Petitioner attends public meetings at West Acton Primary School. The two children who live in the same residence as Your Petitioner attend West Acton Primary school and so would be directly be affected with a reduction in school land which would in turn affect Your Petitioner. Your Petitioner strongly requests that the Promoters reconsider the proposal for locating a worksite at Noel Road West and reconsider the layout of Acton Goods Yard to minimise the footprint and remove the impact upon the school, allotments, sports pitches and pedestrian access to the allotments from Horn Lane.
24. Haven Green, Ealing: Your Petitioner uses Haven Green in evenings and weekends as a place to read or meet friends, due to it being an area of beauty. Your Petitioner would like to see any work conducted at Haven Green to cause as little an impact as is possible to the trees and the grounds as the green is used by a very large number of people. Your Petitioner requests that the Promoters be required to reinstate the grounds to their original condition when works have finished.
25. Ealing Broadway Station: Your Petitioner uses the station to travel to and from Hanwell, Acton and Southall. The station at Ealing Broadway is used by a very large number of commuters and tourists. For regular users the main problems are (1) gaining safe access to the station; and (2) the ticket area is too small, especially if we wish to see a more sustainable transport system in operation. On one occasion an LTUC member was about to use legal powers to shut the station due to overcrowding where people queued outside the station into the road. Your Petitioner requests that the Promoters give due consideration to these improvements.
26. To aid better access, especially for those disabled or infirm. There is a need for a lift and possibly the addition of an entrance between the "Town House" public house and the National Westminster Bank. Your Petitioner requests that the Promoters ensure improved access.
27. Your Petitioner is concerned that many residents who live in areas that are to be affected by the proposed development have not been informed or consulted about the affects of the Bill. While conducting a petition locally (please see paragraph twenty two) it was apparent to Your Petitioner that the vast majority of people who were spoken to while giving their signatures did not know what Crossrail was and the affects it would have on their area. ~~It suggested to Your Petitioner that only the bare minimum of information dissemination (remembering that not everyone has easy access to the internet) was conducted and that a greater level of information dissemination and consultation is needed at all stages during the project so that the best outcome can be achieved for all.~~ This means that Your Petitioner may not be getting the information that would help him in making decisions regarding the Bill and the issues it raises. Also many residents if they had received information themselves would not have to have asked Your Petitioner.
28. Your Petitioner requests that the Promoters be required to guarantee that the Nominated Undertaker will disseminate information, in a wide-ranging manner, regarding the construction and operation of Crossrail to those residents and businesses who will be directly affected; Local Councils should be placed at the heart of the information dissemination strategy to give the Promoters knowledge of who is relevant to be informed about Crossrail and to suggest how information is best disseminated. Information disseminated or consultations conducted must be done using "Plain English" so more people can understand the technical engineering details that are contained within the Crossrail project.

29. Your Petitioner has concerns over the Environment Statement where there is a lack of detail in some parts and some sections are only in a drafted format. Also there is reference to supplementary codes that are to be produced in the future. Your petitioners wish to ensure that any future generated supplementary codes are published quickly to allow a fair and open process of review.
30. Your Petitioner is an insulin dependent diabetic and so is more susceptible to illness than many people. Your Petitioner is concerned with the problems of dust, noise, loss of open space, vibration, hours of working and disruption to the efficiency of traffic and pedestrians.
31. Your petitioner supports noise insulation or temporary re-housing if noise thresholds are exceeded which may be required particularly in West Acton as there is a Primary School adjacent to the proposed area of works. To encourage lower amounts of noise a system for compensation payments should be produced where noise or vibration standards are breached. Also I am keen to ensure that all of the residents, businesses and property owners in his Borough are properly compensated for damage caused by the construction of Crossrail or informed of how compensation can be applied for.
32. Your Petitioner is concerned about the impact the works will have on open space, green corridors and the biodiversity in the Borough. Impacts on wildlife populations can have far reaching affects on future generations of flora and fauna so the design and the work conducted during the construction phase needs to take these factors into account. Your Petitioner asks that the Promoter identifies the species of flora and fauna in affected areas and is obliged to ensure that these species do not suffer.
33. Ealing Council recently updated its Unitary Development Plan and a number of sections from the documents have relevance to Crossrail. These include policies as numbered: 3.1 Metropolitan, Open Land and Green Belt, 3.2 Green Corridors, 3.4 Public and Community Open Space, and 3.8 Biodiversity and Conservation.
34. When roads want to be closed temporarily or permanently the Promoter should specifically inform and consult ward councillors so that residents and businesses can be involved to reduce any burden since these locations could be wide-ranging geographically.
35. ~~It is noted that during the construction period, track possessions may occur. Your~~ Petitioner who often uses public transport asks that frequent replacement public transport alternatives be offered with adequate notification given to existing users, local community groups and local authorities.
36. In relation to the Crossrail stations Your Petitioner asks that the design of the stations allows and promotes interchange with existing or planned transport modes including pedestrians, cyclists and car club vehicles. Information at each station will need to be accessible to those who have disabilities and those whose first language is not English.
37. Your Petitioner would like to see a strong assurance to environmental sustainability including that the development and running of the Crossrail stations allows for greater recycling of items.
38. For the reasons stated earlier Your Petitioner respectfully submit that unless the Bill is amended as proposed above the Bill should not be allowed to pass into law.

**YOUR PETITIONER** 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 their Counsel, agents and witnesses in support of their allegations of the Petition against so much of the Bill as affects the property rights and interests of your Petitioner and in support of such other clauses and provisions as may be necessary or expedient for their protection, or that such other relief may be given to your Petitioner as your Honourable House shall deem meet.

**AND YOUR PETITIONER WILL EVER PRAY, &C.**