

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2005–06

CROSSRAIL BILL

P E T I T I O N

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:

LONDON & CONTINENTAL RAILWAYS LIMITED

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 (hereinafter called “the Promoter”).

Relevant clauses of the Bill

- 3 Clauses 1 to 20 of the Bill together with Schedules 1 to 9 make provision for the construction and maintenance of the proposed works including the main works set out in Schedule 1. Provision is included to confer powers for various building and engineering operations, for compulsory acquisition and the temporary use of and

entry upon land, for the grant of planning permission and other consents, for the disapplication or modification of heritage and other controls and to govern interference with trees and the regulation of noise.

- 4 Clauses 21 to 44 of the Bill together with Schedule 10 make provision for the application with modifications and the disapplication in part of the existing railways regulatory regime which is contained in and in arrangements made under the Railways Act 1993 and associated legislation. In particular, they provide for the disapplication of licensing requirements, the imposition of special duties on the Office of Rail Regulation (“ORR”), the modification of railway access contract and franchising arrangements and the disapplication of railway closure requirements and of the need for consent from Transport for London in relation to impacts on key system assets. Provision is also included to enable agreements to be required as between the nominated undertaker and controllers of railway assets, to govern the basis for arbitration and to provide for the transfer of statutory powers in relation to railway assets.
- 5 Clauses 45 to 59 of the Bill together with Schedules 11 to 14 contain miscellaneous and general provisions. These include provision for the making of transfer schemes, the designation of nominated undertakers, the devolution of functions and as respects other actions to be taken by the Secretary of State. Provision is also made in particular for the disapplication or modification of various additional miscellaneous controls, for the treatment of burial grounds, for the application of provisions of the Bill to future extensions of Crossrail, for the particular protection of certain specified interests and as respects arbitration.

Your Petitioners and their properties

- 6 Your Petitioners are London & Continental Railways Limited (LCR) (Company No. 02966054) whose registered office is located 3rd Floor, 183 Eversholt Street, London, NW1 1AY. Your Petitioners manage St Pancras Station in London and oversee the development of land alongside the Channel Tunnel Rail Link route. Your Petitioners are also responsible for the acquisition of property required for the construction and operation for the Channel Tunnel Rail Link. Your Petitioners

are also responsible for the regeneration of land around Channel Tunnel Rail Link Stations, including Stratford Station, aimed at promoting regeneration benefits and associated development of an estimated £4 billion, including the creation of up to 80,000 jobs. Your Petitioners also carry the interests of Stratford City Developments Ltd (company No. 4261851) who are development partners with LCR for the regeneration of land around Stratford International Station known as Stratford City in objecting to the Bill.

- 7 Your Petitioners own or have an interest in the following properties which are subject to compulsory acquisition or use under the Bill.

LONDON BOROUGH OF NEWHAM

Plot: 640

Property: Angel Lane Site

Description: Portakabins, hardstanding, land and premises (west of Angel Lane).

LONDON BOROUGH OF NEWHAM

Plots: 618, 620, 621, 623, 625, 628, 629, 635, 638, 639 and 641

Property: Stratford Regional Station

Description: Viaduct carrying railways, railways, tunnel carrying railways, works, land, river, railway station, platform, canopies, kiosks, advertising hoardings, premises, embankment, access road, substations, offices and electricity substation.

- 8 Your Petitioners and their rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for the reasons amongst others, here stated.

Your Petitioners' concerns

- 9 Your Petitioners are not opposed in principle to the construction of the new railway transport system for which the Bill provides, but are greatly concerned as to the impact that the works and system will have on their business and property. The scheduled works detrimentally interfere with and affect the property and interests of your Petitioners along the line of the route.

- 10 Your Petitioners object to the Bill on the grounds that it does not afford sufficient safeguards to the continued development and regeneration of Stratford City and its key role in delivery of the London Olympic Games in 2012. The £3bn Stratford City regeneration project will provide 4,800 new homes and over 30,000 new jobs in and around East London.

Individual property concerns

Angel Lane Site

- 11 Your Petitioners and their development partners have approval from the London Borough of Newham and the Greater London Authority to develop the Angel Lane Site to assist in the integration between the existing Stratford town centre and the new town centre extension. The integration is primarily to be achieved by the construction of a new pedestrian bridge across the Great Eastern mainlines – the Town Centre Link. Your Petitioners and their development partners intend to construct a number of new buildings on the Angel Lane Site which will be integral with the Town Centre Link and thus (inter alia) overcome the significant physical challenges to the linking of the two areas.

- 12 The use for the land at the Angel Lane site under the Bill is proposed to be for a worksite. The site will only be required for the construction of the works and not need to be acquired permanently. Furthermore, it is understood that not all of the site is required in any event. Your Petitioners maintain that compulsory acquisition of the parcel of Angel Lane land is therefore not justified. They respectfully request that the parcel should be moved from schedule 6 to the Bill

(acquisition of land shown within limits on deposited plans), to schedule 5 to the Bill (temporary possession and use of land) to allow for the siting of your Petitioners' approved building development to be constructed.

Stratford Regional Station

- 13 As part of a section 106 agreement under the Town and Country Planning Act 1990 for Stratford City, your Petitioners are required to carry out works to, and over, Stratford Regional Station – namely:

Extensions of western & central subways

Platform de-cluttering

Extra stairs to platforms

Town Centre Link bridge.

Works must be carried out before the new development can open. The land in question is currently in ownership of third parties, but Petitioners are in the process of reaching agreement with third parties to allow for these works to be brought forward.

- 14 It is respectfully submitted that the acquisition of these plots by the Promoter must not preclude or impede your Petitioners' or their development partners' works. It is therefore respectfully submitted that the Bill must make allowance for the Stratford Regional Station redevelopment and associated works. In particular in respect of plot 628 where a signal box is currently located ("the Signal Box site"), your Petitioners are concerned that the Promoter under clause 6 of the Bill will be provided with the power to acquire compulsorily the Signal Box site. In order to construct the Town Centre Link bridge which will provide a link from the old town centre across the Great Eastern Line over the Stratford Station development to the newly regenerated residential and town centre extension development to the north of the station, it will be necessary to use the Signal Box site to provide for the immediate support of the bridge deck above the station. Planning approval for the northern residential and town centre extension regeneration development has been granted on the condition that a pedestrian link, the Town Centre Link, be provided to join the new development with existing town amenities. It is imperative that the Promoter allow the use of the Signal Box site for your

Petitioners' bridge deck support structure as no alternative site is available for the siting of the support.

- 15 The Bill would allow for the Promoter to use for the land at the Signal Box site for the provision of railway systems and station facilities for operational purposes. Your Petitioners maintain that compulsory acquisition of the entire parcel of land comprising the Signal Box site is not justified, and respectfully request that parcel should be moved from schedule 6 to the Bill (acquisition of land shown within limits on deposited plans), to schedule 5 to the Bill (temporary possession and use of land) to allow for the siting of your Petitioners' bridge deck support structure.

Timing of the works under the Bill and interface with preparations for the 2012 Olympic Games

- 16 Your Petitioners apprehend that the works authorised under clause 1 of the Bill will interfere with and possibly delay their own development proposals for Stratford City. It is respectfully submitted to your Honourable House that the success of the London 2012 Olympic bid has made the completion of regeneration in the area in time for the games more of a priority than your Promoter's proposed scheme. Your Petitioners respectfully request that the works proposed under the Bill should not be allowed to interfere with and/or delay their own development works and that alternative works, property and facilities should be sought by the Promoter so as not to disrupt your Petitioners' Stratford City development. If your Petitioners' own development works are required to be interrupted by the works authorised under Clause 1 of the Bill your Petitioners submit that the Promoter should be required to keep such interruptions to an absolute minimum and should take all reasonable steps to facilitate your Petitioners' development proposals at Stratford.

- 17 Your Petitioners respectfully point out that the Bill contains no provisions whereby the Promoter will be specifically obliged to have regard to the interests of the London 2012 Olympics, the Olympic Delivery Authority, your Petitioners or any other developer or organisation concerned with preparation for the London 2012 Olympic Games. It submitted that the Bill should not pass in to law without

incorporating additional provisions for the protection of the interests of those individuals and organisations engaged in official preparations for the London 2012 Olympic Games.

- 18 As a general matter, your Petitioners submit that provision should be made for the Promoter to repay to your Petitioners all proper costs, charges and expenses (including the proper fees of such professional advisers as they may instruct) reasonably incurred in consequence of the Bill or of any provision made as a result of this Petition.
- 19 There are other clauses and provisions in 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.

Conclusion

- 20 Your Petitioners submit that the Bill fails adequately to safeguard and protect the interests of your Petitioners and their development partners and should not be allowed to pass into law without these issues being addressed.

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, Counsel or Agents and with 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 other such clauses and provisions as may be necessary or expedient for their protection or that such other relief may be given to your Petitioners in the premises as your Honourable House shall deem meet.

AND YOUR PETITIONERS WILL EVER PRAY, &c.

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