

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:

THE DOCKS MANAGEMENT ADVISORY GROUP

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

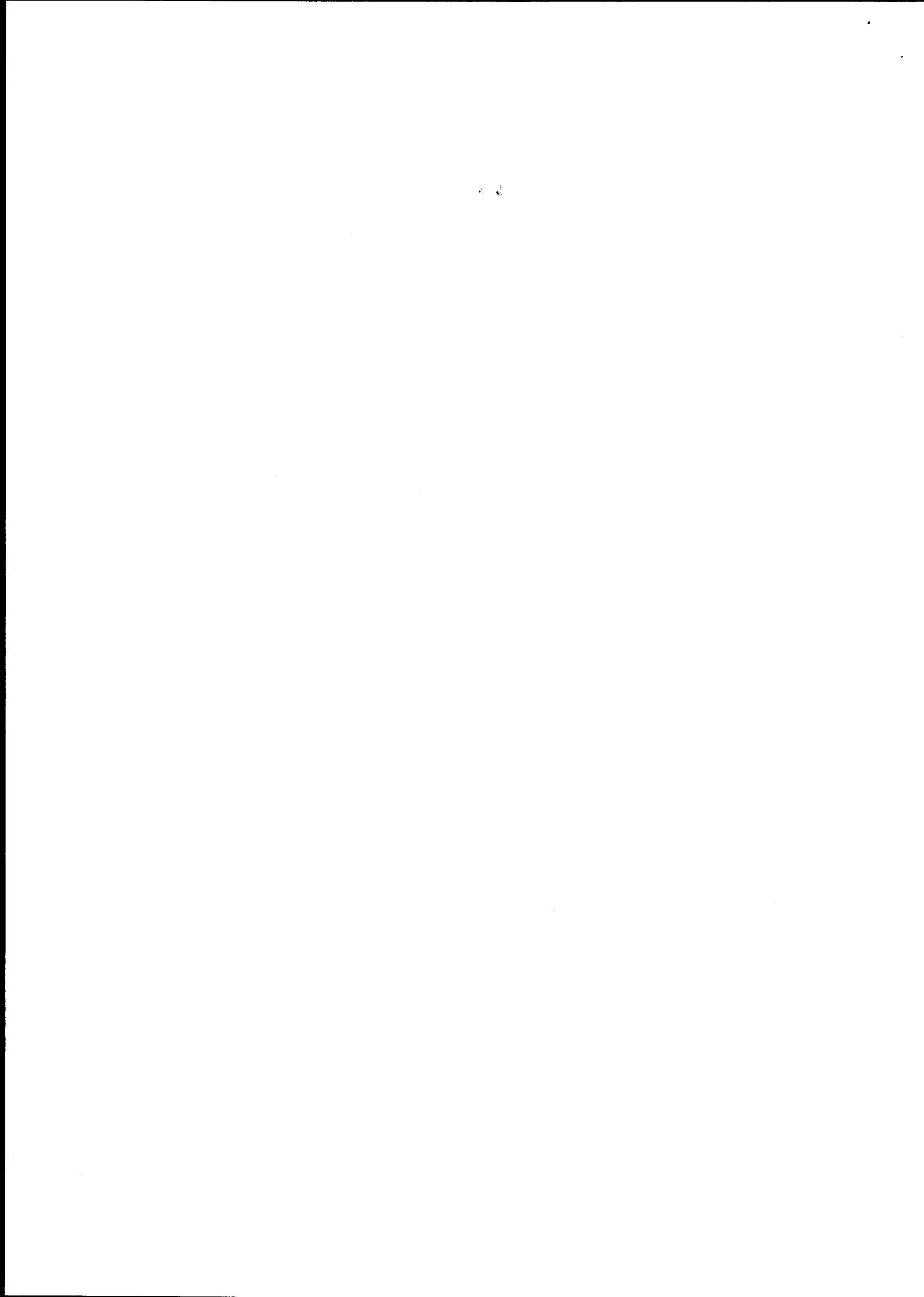


out in Schedule 1. Provision is included to confer powers for various building and engineering operations, for compulsory acquisition and the temporary use of and entry upon land, for the grant of planning permission and other consents, for the disapplication or modification of heritage and other controls 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.
- 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 application of provisions of the Bill to future extensions of Crossrail, for the particular protection of certain specified interests including your Petitioners and as respects arbitration.

#### *Your Petitioners*

- 6 Your Petitioners are the Docks Management Advisory Group, a group constituted in 1997 subsequent to the transfer of the West India and Millwall Docks from London Docklands Development Corporation to British Waterways on 10<sup>th</sup> October 1997. The purpose of the group is to inform British Waterways and advise on the views of the local residential and business communities in relation to the future development of the water spaces in the docks.
- 7 Your Petitioners and their rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for the reasons amongst others, hereinafter stated.



*Your Petitioners' concerns*

- 8 Your Petitioners have concerns about the location of the main station entrance to the new Isle of Dogs Station. As currently proposed by the Promoter, the station entrance and exits are located centrally in the north branch dock creating two narrow channels on its north and south sides. Whilst these will allow navigation of small vessels they will prevent the further development of the water space for useful moorings. Your Petitioners strongly support the proposal also being made by other Petitioners that the structure be located at the south side of the dock in order to improve the accessibility of the station for the adjacent developments and to improve significantly the usability of the surrounding water space.
- 9 Whilst recognising the Promoter's need to secure access for barges through West India Dock South, your Petitioners see no need for the area to be taken temporarily for that purpose to be so extensive, or for the wide powers under paragraph 10 of Schedule 2 to the Bill to execute works and interfere with rights of navigation. In particular, your Petitioners are most concerned that the area of West India Dock South is included within the land to be temporarily acquired and is subject to paragraph 10 of Schedule 2 of the Bill. The taking of this land will seriously prejudice the ability of British Waterways to operate their dock estate and hamper the proper development of adjacent sites. The waterway should be used to its fullest extent for the removal of construction spoil and the delivery of construction materials related to all Docklands developments. This will not be possible if West India Dock south cannot be used for these purposes. Your Petitioners respectfully suggest that the compulsory acquisition powers under the Bill should be limited geographically in their application if the Promoter fails to provide assurances which safeguard your Petitioners concerns.
- 10 A proposed development on an area known as Wood Wharf, to the east of the Canary Wharf development, is intended to have a canal constructed between the Blackwall Basin to the north of the development and West India Dock to the south. The proposal for a canal has always formed part of the plans for the



development, and is included in the existing master plan as adopted in Tower Hamlets in their Supplementary Planning Guidance. In addition, earlier plans produced by Crossrail indicated the use of such a canal by Crossrail for the removal of spoil by barge from the proposed Isle of Dogs station worksite. The construction of the canal would provide a connection by water from West India Dock North through Poplar Cut, the Blackwall Basin and West India Dock South out into the River Thames. The Bill, the plans deposited with the Bill and the Environmental Statement show that all of the spoil is intended to be removed from the worksite by a conveyor belt to be constructed over the existing Bellmouth Passage which links West India Dock North with West India Dock South. Your Petitioners are convinced that using the proposed canal would provide with significant advantages in terms of time and cost savings as well as a navigable route to the river which would otherwise be unavailable during the Crossrail construction works. Your Petitioners are keen to see agreement reached with the Promoter about the potential use of the canal by Crossrail, including a cost sharing agreement. In the absence of an agreement being reached, your Petitioners would ask your honourable House to urge the Promoter to adopt the idea and share in the costs of construction of the canal.

11 Your Petitioners respectfully request your honourable House to require the Promoters to carry out the works within strict and agreed limits with regard to the levels of noise, vibration and dust caused by the construction process. Your Petitioners respectfully request your honourable House to require the Promoter to agree a method statement setting out the techniques which will be used in the construction of the railway and the station so as to ensure that adverse effects are reduced to a minimum. The local community has endured many years of disruption caused by significant development in the area and. Your Petitioners submit that the Promoter should ensure that conditions preventing or limiting the emission of noise, dirt, dust, smells, fumes, smoke, grit and other emissions are incorporated into any contract made with contractors or subcontractors.

12 Your Petitioners are further concerned at the road traffic congestion that might be created on the wider Isle of Dogs by the removal of the road bridge across the



north branch dock during the construction phase. This bridge has assisted in the reduction of congestion on the Isle of Dogs, particularly during rush hour periods, and its temporary removal will re-create these difficulties. Your Petitioners submit that the Promoter should make temporary alternative arrangements for the dispersal of road traffic for the duration of the proposed works or until the permanent routes proposed have been constructed.

- 13 Your Petitioners are concerned about the hours of operation proposed in the Construction Code. West India and Millwall Docks are occupied 24 hours per day 7 days a week. Construction of the works during the hours proposed would cause considerable disruption to the occupiers of West India and Millwall Docks and your Petitioners therefore request that alternative arrangements are agreed in this vicinity.
- 14 Your Petitioners are aware of the petitions of the British Waterways Board and Canary Wharf General Partner Limited and support the points made in therein.
- 15 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.
- 16 There are other clauses and provisions in the Bill which, if passed into law as they now stand, may prejudicially affect your Petitioners and their rights, interests and property and for which no adequate provision is made to protect your Petitioners.



*Conclusion*

17 Your Petitioners submit that the Bill fails adequately to safeguard and protect the interests of your Petitioners 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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