

HOUSE OF COMMONS
SESSION 2005-06

CROSSRAIL

PETITION

Against the Bill – 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 MAXINE FANNING, THOMAS GEORGE FANNING
AND ROSS FANNING**

SHEWETH as follows:-

1. A Bill (hereinafter called "the Bill") has been introduced into and is now pending in your honourable House entitled "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. Clauses 1 to 20 set out the Bill's objectives in relation to the construction and operation of the railway transport system mentioned in paragraph 1 above. They include provision for compulsory acquisition, planning permission, heritage issues, trees and noise.

Clauses 21 to 44 of the Bill establish a regulatory regime for the railway transport system and clauses 45 to 59 of the Bill deal with miscellaneous and general provisions.

3. The works proposed to be authorised by the Bill are specified in Schedule 1 to the Bill and the scheduled works are defined in the Bill as the works specified in Schedule 1 to the Bill which are works authorised to be constructed by the nominated undertaker (defined in the Bill and hereinafter referred to as "the nominated undertaker").
4. Your Petitioners are Maxine Fanning, Thomas George Fanning and Ross Fanning, of 20 Hunter Avenue, Shenfield, Brentwood, Essex CM15 8PF . This property is a two bedroomed detached bungalow with detached garage. The Petitioners have resided at this property for some six and a half years .
5. Your Petitioners' house faces onto the site of the proposed works at Shenfield station. According to the Environmental Statement deposited with the Bill, residents of Hunter Avenue will be significantly affected by noise and visual impact, to the extent that some residents may be eligible for insulation or even rehousing. Your Petitioners will be so affected.

Your Petitioners' house is also located on a road which will, according to the environmental statement deposited with the Bill, be used as a route for construction vehicles coming to and from the work sites at Shenfield Station and your Petitioners will therefore be affected by increased noise and traffic congestion outside their house.

6. Your Petitioners and their rights interests and property will be injuriously affected by the proposals in the Bill to which your Petitioners object , for the reasons, amongst others, hereinafter appearing.

7. Shenfield is a small, quiet, close knit community and the Petitioners are fearful that the Promoters' intentions with regard to the station and surrounding area will have a detrimental affect on the Petitioners' immediate environment. The Promoters should therefore look to cease their intended works at Stratford or Romford which will allow the Promoters to cater for the proposed increase in population following development of those areas without the need to inflict unnecessary and unwanted changes on Shenfield and its residents. The published information provided by the Promoters confirms that only six minutes will be saved on the journey time between Shenfield and Heathrow following completion of their intended works. The Petitioners feel that the time saving published for this journey does not warrant the amount of disruption likely to be caused to Shenfield and its residents and would be a waste of the Promoters' funds. In addition, we are advised by the Promoters that they have estimated "...that about 100 additional passengers would enter the station and there would be no change in passengers leaving the station..". The Petitioners believe that no substantial benefit will be derived from the Promoters' published intentions for Shenfield, its residents or rail passengers.
8. The Petitioners are fearful that the intended works at Shenfield, at Shenfield station and the station car park area in particular will have a further detrimental affect on the value of their property both during and following completion of the construction work. Both the station car park and its entrance are situated in close proximity to and directly opposite the Petitioners' property. By virtue of the Promoters' intention to use the station car park as their works site, and the Promoters' intention to widen the entrance to the said car park to accommodate large construction vehicles, the Petitioners are extremely worried that access to and from their property will be severely hampered by queing lorries awaiting entrance to the works site area. In addition, Hunter Avenue, by virtue of there being no side roads adjacent, is a road used by fast moving traffic. The Petitioners are fearful that access to and from their drive will become precarious to say the least should the Promoters

continue with this proposed course. The Petitioners believe that the Promoters should arrange for the entrance to the works site to be relocated away from their property and indeed away from Hunter Avenue. In addition, the Petitioners have received no undertaking from the Promoters that the current car park will be returned to its current state following completion of the intended works. The intended works will apparently ultimately see an increase in rail traffic together with an increase in public usage of the station which will impact directly upon the Petitioners' property in a most detrimental manner.

9. Due to the threat of the proposed works which has already had a proven detrimental affect on the movement and price of properties on Hunter Avenue, the Petitioners have been unable to sell their property, which has been on the market since April 2005. In order that the Petitioners are able to proceed with their objective of selling their property in order to partly fund their son's requirements whilst receiving University education, due to commence in October 2006, the Petitioners would seek from the Promoters an offer to purchase their property at the true market value prior to publication of the Promoters' intentions (and for the Promoters to meet all other associated costs) under the Promoters' "Purchase of Property in Cases of Hardship" policy. Should the Promoters not follow this course, the Petitioners would seek written assurance from the Promoters of suitable monetary compensation in respect of the devaluation of their property. Should a satisfactory offer be made to the Petitioners by the Promoters to purchase their property under the said policy, such transaction to be completed as soon as possible but certainly prior to August 2006 in order that the Petitioners may pursue their objectives in a timely fashion to accommodate their domestic requirements.
10. The Petitioners would also seek from the Promoters monetary compensation for the stress, anxiety and loss of their ability to carry on their normal way of life caused by the Promoters actions in pursuing their stated course of action. The Petitioners are fearful for their mental

and physical well-being both during and following the intended construction works. By virtue of the Promoters' published intentions, the ill-health already being suffered by one of the Petitioners, Thomas George Fanning, has been exacerbated. Thomas Fanning is disabled, having suffered from TIA's (mini strokes), has difficulty walking and suffers from depression and severe IBS. In addition, Thomas Fanning has been receiving psychiatric care and the Petitioners would therefore seek compensation from the Promoters by way of their offer to purchase the Petitioners' property at true market value prior to the publication of the Promoters' intentions (and for the Promoters to meet all other associated costs) under the Promoters' "Purchase of Property in Cases of Hardship" policy; such transaction to be completed as soon as possible but certainly prior to August 2006. Alternatively monetary compensation will be sought by the Petitioners from the Promoters in lieu of such an offer.

11. Following discussions between the Petitioners and representatives of the Promoters regarding their stated intention of installing secondary glazing and fans in respect of noise insulation and ventilation, the Petitioners are of the opinion that these proposed remedies are insufficient for their needs. Therefore, should the Promoters not see fit to act on the above proposal to purchase the Petitioners' property the Petitioners would seek from the Promoters, free of any associated costs, noise insulation by way of triple glazing throughout their property in order to maintain their current standard of living. In addition, the Petitioners would also seek from the Promoters, free of any associated costs, the provision and installation of air conditioning units in the living areas of their property in order to maintain their current standard of living on the basis that they will be unable to take advantage of and enjoy the option of open windows, open doors and natural ventilation throughout their property due to noise impact but taking into account the deterioration of air quality both during and following the construction work taking place. In addition, the Petitioners would seek from the Promoters monetary compensation in respect of increased

power bills which they will require to pay in connection the running of the said air conditioning units. The Petitioners would also seek from the Promoters, free of any associated costs, installation of further roof insulation to assist with the abatement of encroaching noise impact caused by and associated with the Promoters' said works.

12. The Petitioners would also seek from the Promoters monetary compensation to cover re-decoration of any parts of their property disturbed by such installations stated above and monetary compensation in respect of replacement vertical blinds situated at such windows of the Petitioners' property receiving benefit of triple glazing.
13. The Petitioners are fearful that the extensive construction traffic expected during the intended works will have a detrimental affect on their property by way of causing structural damage due to vibrations and other associated nuisance and the Petitioners would seek an indemnity from the Promoters to protect them from all costs associated with the reparation of any such damage, structural or otherwise, to their property in this respect. Such indemnity to be provided in writing by the Promoters to the Petitioners prior to commencement of works.
14. The Petitioners seek from the Promoters alternative routes for construction vehicles which will allow such traffic to avoid the areas of Hunter Avenue, Oliver Road and Alexander Lane on the basis of the two schools within this immediate area, Shenfield High School and Long Ridings Primary School. Children, whose ages range from five to eighteen, use these roads for access to their schools and the Petitioners believe the routes chosen by the Promoters for their works vehicles will have a dire impact on the health and safety of pedestrians.
15. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of your Petitioners and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

YOUR PETITIONERS THEREFORE

HUMBLY PRAY

your Honourable House that the Bill may not pass into law as it now stands and that they be heard by themselves, their counsel, agents and 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 such other clauses and amendments as may be necessary and proper for their protection and benefit.

AND YOUR PETITIONERS will ever pray, &c.