

**IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2004-5**

**CROSSRAIL BILL**

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 SAVE BRITAIN'S HERITAGE**

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 the Secretary of State for Transport (hereinafter called the "Promoter")

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 the Rail Regulator (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 Petitioner**

6. Your Petitioner SAVE Britain's Heritage is a registered charity. It was founded in European Architectural Heritage Year – 1975 – to campaign publicly for the protection of threatened historic buildings and areas. Through press releases, exhibitions and reports it has championed the architectural heritage of this country. There are many buildings now restored and in beneficial use that, had it not been for SAVE, would have been destroyed.

7. SAVE has been at the forefront of the conservation movement in the UK, pushing for changes in legislation and in government policy to give greater protection to our built heritage, and in raising awareness amongst politicians, professionals and the public about the vital contribution made by historic places and spaces to the quality of life in this country.

8. SAVE actively seeks and encourages alternative solutions in cases where buildings are threatened with demolition, such as at Peninsula Barracks in Winchester where a SAVE scheme for the retention and reuse of the existing historic buildings was taken on by a major developer and carried through.

In 1983 SAVE successfully challenged Department of Transport proposals to proceed with construction of the A34 trunk Road on a line damaging the historic park at Highclere Hants. A High Court judge upheld SAVE's submission that a public inquiry should be called to examine the issue and the inspector recommended another less damaging alignment which was adopted

9. Your Petitioner holds that its fundamental interests, as laid down in its memorandum and articles, are threatened by the Crossrail Scheme, namely: "to save from needless destruction or disfigurement buildings or groups of buildings and designed landscapes of special historic or architectural interest"

10. Your Petitioner holds that, in the case of Crossrail, individual buildings and groups of buildings of special historic and architectural interest, identified by central Government and local authorities and discussed in the Crossrail Environment Statement, will be needlessly destroyed.

## Your Petitioner's Concerns

11. As your Petitioner understands it, the Central London buildings of special historic or architectural interest are as follows:

|   |   |
|---|---|
| Paddington                                | GWML Parcels office   |
| Bond Street                               | 65 Davies Street  |
| Tottenham Court Road<br>and Soho          | 94 Dean Street<br>135a-167 (odd) Charing Cross Road<br>Astoria Theatre (157 Charing Cross Rd)<br>2,3,4,6,7 Fareham Street<br>Goslett Yard<br>12 Sutton Row<br>3 & 9 Diadem Court<br>93 & 96 Dean Street<br>GF of 97-99 Dean Street<br>92-102 Dean Street<br>1a-12 Great Chapel Street<br>1-6 Falcon Court<br>91-101 Oxford St<br>1-15 Oxford St<br>148 Charing Cross Rd |
| Farringdon                                | 38-42 Charterhouse Street<br>54, 56,56-64 Charterhouse Street<br>3,8,9,10 Hayne Street<br>2a, 3, 4, 5 Lindsay Street<br>20-23 Long Lane<br>33-35, 36-37 Charterhouse St<br>38-42 Charterhouse Street  |
| Liverpool Street<br>Spitalfields worksite | 11-12 Blomfield Street<br>rear extensions of 63/5/7 Princelet Street<br>West part of Viaduct on Pedley Street and GEML<br>Viaduct on Hemming Street and Tent Street<br>73-74 Vallance Road  |

11. Your Petitioner questions whether the level of demolition of buildings of historic and architectural interest proposed is the bare minimum necessary. This has not been demonstrated at any point in the Environment Statement, nor during the consultation period.

12. Your Petitioner notes that the majority of buildings threatened with demolition during Crossrail are of historic value. These buildings are frequently smaller than modern buildings nearby, with shallow foundations. Your Petitioner submits that through the siting of Crossrail's stations the scheme is inherently biased against the historic

environment. Your Petitioner argues that Crossrail could be of benefit to the built environment through instead the demolition of ugly, redundant post-war buildings and through the subsequent re-use of those sites.

13. Your Petitioner is particularly concerned about two individual buildings and three groups of buildings:

13.1 65 Davies Street

13.2 11 – 12 Blomfield Street

13.3 Tottenham Court Road and Oxford Street group

13.4 Charterhouse Square and Lindsey Street group

13.5 The bridges of the Great Western Line

Your Petitioner asserts that the demolition of all these buildings is unnecessary, and that buildings of less interest could be demolished as an alternative. Your Petitioner wishes to see proper studies of the alternatives carried out to examine a more sensitive approach to these works. Such issues have not been aired in public.

14. Your Petitioner submits that the implications for the proposed Great Western Railway World Heritage Site through the demolition of historic bridges along the route to make way for electrification (the alternative being the lowering of the tracks) are serious. The International Commission on Monuments and Sites which oversees World Heritage Sites has not, to your Petitioner's knowledge, been consulted.

15. Your Petitioner is concerned that the justification given for the demolition and / or mutilation of these buildings, both listed and in conservation areas, is entirely inadequate and would not even make it past a local authority planning committee. This analysis is not up to the standards demanded by legislation and guidance. Your Petitioner wishes to see the Government set examples of best practice, not worst practice, in this scheme. SAVE also submits that if any of the historic buildings cited are purchased they should neither be left empty nor demolished until full finance is in place for the Crossrail scheme. This is a scheme involving very large sums of public money which may never be forthcoming

16. Your Petitioner also wishes to see a clear attempt to balance the loss of listed and conservation area buildings with the community benefits of the scheme.

17. Your Petitioner is concerned that the consultation process has been flawed, indicating a failure on the part of Crossrail to communicate with its stakeholders. The Government's Statutory Consultees on listed buildings (The Council for British Archaeology, The Society for the Protection of Ancient Buildings, The Georgian Group, The Victorian Society, The Twentieth Century Society, The Garden History Society and the Theatres Trust) through SAVE had to request a meeting with Crossrail's consultants to explain the heritage implications. Details of the demolitions entailed by the scheme and their justifications have not been provided to date.

18. Your Petitioner notes that all of the construction sites are in areas of high commercial value and that through powers granted by the Bill owners will have their property compulsorily purchased at market value. Once the railway construction is complete, that land will be redeveloped at much greater intensity, exponentially increasing the value of the sites. Your Petitioner contends that this marriage value should belong to the owners of the buildings and not to the Promoter and that land rights should revert to the owner.

19. Your Petitioner is therefore concerned that this aspect of Crossrail is more of a land-grab than an infrastructure project. Your Petitioner is concerned that the Promoter will have the powers to demolish buildings and develop the sites even if Crossrail is not built. Your Petitioner wishes to see a clause in the Bill such that that no property is compulsorily purchased or demolished until the finances are in place for the entire scheme.

20. Your petitioner holds that the result of the demolitions in conservation areas will, if carried out, completely decimate the special character and interest of these conservation areas. Once lost, this historic character cannot be replaced.

21. Your Petitioner accordingly submits that this Bill should be amended so that the damage to the unique heritage of London caused by the current scheme is far more limited and that instead land used in the construction of the railway is focussed on buildings of no individual, group or townscape merit.

### **Conclusion**

YOUR PETITIONER therefore humbly prays that the Bill may not be allowed to pass into law as it now stands and that it may be heard by its officers, Counsel, Agent and witnesses in support of the allegations of this Petition against so much of the Bill as affects the rights and interests and in support of other such clauses and provisions as may be necessary or expedient for its protection, or that such other relief may be given to your Petitioner in the premises as your Honourable House shall deem meet.

AND YOUR PETITIONERS WILL EVER PRAY &c.