



REGENT STREET
ASSOCIATION

292

Company No: 2170503

THE REGENT STREET ASSOCIATION LTD

**Minutes of the Extraordinary General Meeting at Mitre House, 177 Regent Street,
London W1B 4JN on Thursday 15 September 2005**

Present **Stuart Nishikawa- President**
 Martin Sola - Treasurer
 Eva Saltman – Hamleys
 Pete Haworth – NatWest
 Annie Walker – Regent Street Association

It was decided that in the interests of the Regent Street Association and its objectives and in particular in view of the possible adverse effects on retail businesses in Regent Street the company should petition against the Crossrail Bill currently before Parliament.

1. IT WAS RESOLVED THAT the Regent Street Association submit a Petition to the House of Commons, Session 2005-2006 on the Crossrail Bill.

Annie Walker or Stuart Nishikawa be authorised to lodge the petition on behalf of the Regent Street Association and to take any steps necessary to give effect the company's petition.

2. There being no other business the President declared the meeting closed.

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2005–06

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 THE REGENT STREET ASSOCIATION LTD

SHEWETH as follows:-

- 1 A Bill (hereinafter referred to as “the Bill”) has been introduced 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 The Bill is promoted by Her Majesty's Government.
- 3 (a) Clause 1 authorises the construction and maintenance of the works for the delivery of the railway transport system, which is known as Crossrail Line 1. The works are listed in Schedule 1 and shown on the plans and sections deposited with the Bill.
(b) Clauses 2 and 3 authorise ancillary works and give effect to Schedules 2 and 3 respectively.
(c) Clause 5 and Schedule 5 enable the nominated undertaker for Crossrail to take temporary possession of land in connection with the Crossrail works.
(d) Clause 6 authorises the Secretary of State compulsorily to acquire so much of land within the limits shown on the plans and sections accompanying the Bill as may be required for the Crossrail works. Clause 6(3) and Parts 2 and 3 of Schedule 6 apply certain legislation

relating to compulsory purchase compensation, subject to modification. The power of compulsory acquisition is subject to a five year time limit, extendable by order of the Secretary of State.

- (e) Clause 7 provides, among other things, authority for the Secretary of State by further compulsory purchase order to acquire land outside the limits shown on the plans and sections or land within the limits but not subject to the powers under clause 6, if required in connection with the Crossrail works.
- (f) Clause 8 extinguishes private rights of way over land within the limits of deviation and within the limits of land acquired and held in connection with the authorised works.
- (g) Clause 10 provides for the grant of deemed planning permission for development authorised by the Bill and Clause 10(5) in particular applies Schedule 7 which sets out certain controls in favour of local planning authorities over detailed aspects of the Crossrail works.
- (h) Clause 11 provides that deemed planning permission for the scheduled works will be subject to a 10 year time limit, extendable by order of the Secretary of State.
- (i) Clause 15 and Schedule 8 disapply controls relating to historic buildings and Clause 16 provides for rights of entry.
- (j) Clause 19 modifies Sections 60 and 61 of the Control of Pollution Act 1974 so that appeals relating to control of noise from construction sites are dealt with by the Secretary of State or through arbitration as opposed to the Magistrate's Court.
- (k) Clause 20 prohibits an order being made by the Court in the event that any proceedings are brought by a person aggrieved by a statutory nuisance, in circumstances where (a) the nuisance complained of is noise emitted from premises or noise emitted by vehicles machinery or equipment in a street and (b) these arise in consequence of the exercise of powers under the Bill in accordance with notices or consents issued under the Control of Pollution Act 1974.
- (l) Clauses 45 and 46 make provision for transfer schemes and nomination of undertakers respectively.
- (m) Clause 47 and Schedule 12 disapply and modify certain statutory controls.
- (n) Clause 50 applies Section 10(1) Compulsory Purchase Act 1965 (compensation for injurious affection) subject to the proviso that liability for compensation for land injuriously affected by the Crossrail works falls to the nominated undertaker, as opposed to the Secretary of State.
- (o) Clause 54 provides a power to modify deposited plans or the book of reference if they are inaccurate.

INTRODUCTORY

- 4 Your Petitioner is an association of retail, restaurants, hotels, bars and other businesses in and adjacent to Regent Street, London W1, the purpose of which is to promote and protect the interests of those businesses. The following retailers constitute members of The Regent Street Association

Adolfo Dominguez	129 Regent Street	London	W1B 4HT
Andrews Ties	49-63 Regent Street	London	W1Y 3BD
APCOA Parking UK Ltd	3-9 Old Burlington Street	London	W1S 3AF
Apple Uk	235 Regent Street	London	W1B 2ET
Aquascutum	100 Regent Street	London	W1B 5SR
Austin Reed	103 - 113 Regent Street	London	W1A 2AJ
Bartle, Bogle & Hegarty	60 Kingly Street	London	W1B 5DS
BBC	Broadcasting House	London	W1A 1AA
Bendon UK Ltd	212 Regent Street	London	W1B 4NF
Benetton (UK) Ltd	255-259 Regent Street	London	W1B 2ER
Bloww Salon London	4 Regent Place	London	W1B 5EA
Boodle & Dunthorne	128-130 Regent Street	London	W1R 5FE
Boots The Chemist	302 Regent Street	London	W1B 3AS
Boots The Chemist	44 Regent Street	London	W1B 5RB
Britain and London Visitor Centre	1 Regent Street	London	SW1Y 4XT
Broadcasting Audience Research Board Ltd	19 Dering Street	London	W1S 1AQ
Burberry	157-167 Regent Street	London	W1B 4PH
Burger King	298 Regent Street	London	W1B 3AP
Café Royal	68 Regent Street	London	W1B 5EL
Capital & Counties Plc	40 Broadway	London	W1H 0BU
Chiltern Management Ltd	162-168 Regent Street	London	W1B 5TF
Church's Shoes	201 Regent Street	London	W1B 4NA
Clarks Shoes	101 Regent Street	London	W1B 4EZ
Clarks Shoes	203 Regent Street	London	W1R 7HB
Classic FM	7 Swallow Place	London	W1A 7RX
Coast	262-264 Regent Street	London	W1R 5DA
Cocoon	65 Regent Street	London	W1B 4EA
Cushman & Wakefield & Healey & Baker	43-45 Portman Square	London	W1A 3BG
Destino	25 Swallow Street	London	W1B 4QR
Dickins & Jones	224-244 Regent Street	London	W1A 4DB
Donaldsons	48 Warwick Street	London	W1B 5NL
Emoji Ltd	211-213 Regent Street	London	W1B 4NF
Energy Marketing Group	162-169 Regent Street	London	W1B 5TE
Esprit GB Limited	178-182 Regent Street	London	W1R 5DF
Exsus Travel	23 Heddon Street	London	W1B 4BQ
Filofax (UK) Ltd	21 Conduit Street	London	W1S 2XP
Fletcher Priest	35 Heddon Street	London	W1B 4BQ
Freedom Recruitment Limited	50 Great Marlborough Street	London	W1V 1DB
French Connection Retail	249 Regent Street	London	W1R 7AD
Frey Wille	153 Regent Street	London	W1B 4JE
Gabrielle's	14 Heddon Street	London	W1B 4DA
GAP Kids	208 Regent Street	London	W1X 5EA
Gaucha Grill	19 Swallow Street	London	W1B 4DJ

Gizmondo	175 Regent Street	London	W1B 4JN
Glazier Publicity	28 Heddton Street	London	W1B 4BH
Global Luggage	50-52 Regent Street	London	W1B 5RE
Godiva	141 Regent Street	London	W1R 7LD
Gorrie Whitson	20 Hanover Street	London	W1S 1YR
Hamleys of London Ltd	2 Fouberts Place	London	W1V 2AD
Hamlins	273-287 Regent Street	London	W1B 2AD
Harveen Gill Associates	17 Cavendish Square	London	W1G 0PH
Hawes and Curtis	70 Regent Street	London	W1
Hawes and Curtis	177 Regent Street	London	W1B 4JN
Headmasters	11 Hanover Street	London	W1S 1YQ
Hobbs	217-219 Regent Street	London	W1B 4NG
HSBC Bank Plc	133 Regent Street	London	W1B 4HX
Hugo Boss	184 Regent Street	London	W1R 5DF
ICE BAR London	29-33 Heddton Street	London	W1
Jaeger Company Ltd	200-206 Regent Street	London	W1R 6BN
Kipling Luggage	205 Regent Street	London	W1R 7DE
Langham Hotel	Regent Street	London	W1N 1JA
Langham Hotel	Regent Street	London	W1B 1JA
Le Meridien Piccadilly	21 Piccadilly	London	W1J 0BH
Leicester Arms	44 Glasshouse Street	London	W1B 5DP
Levi Strauss (UK) Ltd	174 Regent Street	London	W1F 7BH
Levi Strauss (UK) Ltd	174 Regent Street	London	W1F 7BH
Liberty Plc	210-220 Regent Street	London	W1B 5AH
Lillywhites	24 - 36 Regent Street	London	SW1Y 4QF
Liz Claiborne	211-213 Regent Street	London	W1B 4NF
L'Occitane	149 Regent Street	London	W1B 4JD
Mamas and Papas	256-258 Regent Street	London	W1R 5DA
Mango	106-112 Regent St	London	W1B 5RU
Mappin & Webb	170 Regent Street	London	W1B 5BQ
Massimo Dutti	156 Regent Street	London	W1B 5NL
McDonalds Restaurants Ltd	312 Regent Street	London	W1 5AL
Mitsukoshi (UK) Ltd	14-20 Regent Street	London	SW1Y 4NR
Momo Restaurant	23-25 Heddton Street	London	W1B 4BH
MWB Business Exchange	222 Regent Street	London	W1B 5TR
NatWest Bank Plc	146 Regent Street	London	W1B 3PB
Nexec Partners	162-168 Regent Street	London	W1B 5TD
Next Plc	160-168 Regent Street	London	W1R 5TA
Oasis	288-294 Regent Street	London	W1R 6QL
Petit Bateau	171 Regent Street	London	W1B 4JG
Principles - Rubicon Retail	260 Regent Street	London	W1B 3AG
Racing Green	193-197 Regent Street	London	W1C 4LY
Regent Street Direct	177 Regent Street	London	W1B 4JN
Reiss	172 Regent Street	London	W1B 5TH
RM Williams Pty Ltd	223 Regent Street	London	W1B 2EB
Saint Georges Hotel	Langham Place	London	W1N 8QS
Shampers Wine Bar	4 Kingly Street	London	W1R 5LF
Shellys Shoes Ltd	266-270 Regent Street	London	W1B 4AH
Sketch	9 Conduit Street	London	W1J 2XG
Sofitel St James London	6 Waterloo Place	London	SW1Y 4AN
Stevenson James	162-168 Regent Street	London	W1B 5TB
Strawberry Moons	15 Heddton Street	London	W1B 4BF
T&T Investements Limited	162-168 Regent Street	London	W1B 5TD
Talbots (UK)	115 Regent Street	London	W1B 4HW
Ted Baker	243 - 245 Regent Street	London	W1B 2EN
The Living Room	3-9 Heddton Street	London	W1

The Pen Shop	199 Regent Street	London	W1R 7WA
The Pepper Corporation	149-151 Regent Street	London	W1B 4JD
The Ross Group	207 Regent Street	London	W1B 4ND
The Warwick	1-3 Warwick Street	London	W1R 5WA
Toast Marketing Limited	19 Heddon Street	London	W1B 4BG
Toni & Guy	67 Regent Street	London	W1B 4EB
TTT Moneycorp Ltd	Piccadilly	London	W1V 9PH
Uniqlo UK Ltd	90 Regent Street	London	W1B 5RR
Veeraswamy/Masala World	99 Regent Street	London	W1R 8RS
Virgin Cosmetics Company	1 Piccadilly Circus	London	W1B 0TR
Virgin Megastore	1 Piccadilly Circus	London	W1B 0TR
Viyella Plc	179-183 Regent Street	London	W1R 6HJ
Wedgwood	158 Regent Street	London	W1R 5TA
W'Sens	12 Waterloo Place	London	SW1Y 4AU
Zara International	48 Warwick Street	London	W1B 5FE
Zinc Bar and Grill	21 Heddon Street	London	W1R 7HA

- 5 Clause 15 of the Bill disapplies listed building controls for the maintenance or restoration of the following listed buildings in or adjacent to Regent Street: 229-247 Regent Street, 1 Hanover Street and 27 Princes Street, 223 Regent Street, 4 Maddox Street, 225 and 227 Regent Street, 224-244 Regent Street.
- 6 The works authorised by the Bill include tunnelling directly under Abbot House/Regent House, International House and Dickins & Jones in Regent Street, and otherwise in close proximity to other properties in Regent Street. These properties form part of the Crown Estate.
- 7 In the vicinity of Regent Street the proposed works include a new ticket hall and station entrance at Hanover Square and associated with this a major work site. In addition the Bill authorises the temporary closure of highways in the area.

GENERAL CONCERNS

Structural Damage

- 8 Your Petitioner is greatly concerned by the extent of excavation and tunnelling works under and in the immediate vicinity of its members' properties Dickins & Jones, Apple, Karen Millen, Ted Baker, Lacoste, Quicksilver, Molton Brown and Headmasters. Your Petitioner is anxious that associated ground settlement and subsidence could jeopardise the stability and structural integrity of those buildings, many of which it has been noted are listed for their architectural or historic interest. Your Petitioner's concerns are underlined by the provisions of the Bill which disapply listed building controls to permit the maintenance or restoration of buildings which form part of the Crown Estate, where this is necessary as a consequence of the works. Your Petitioner submits that in those circumstances any works or interference with Your Petitioner's members' properties should require the express consent of Your Petitioner and its members in addition to the consent of The Crown Estate.

- 9 Your Petitioner is also very concerned about the possible structural response of the relevant buildings to ground-borne vibration caused by the proposed works. Insufficient data has been provided by the Promoter in the Environmental Statement to understand the likely affects of vibration on the structures of the buildings and the effectiveness of any mitigation measures.
- 10 Ground settlement, subsidence and ground-borne vibration arising from the works are likely to cause your Petitioner significant loss and damage and interfere with your Petitioner's members' enjoyment of the property. Your Petitioner humbly submits that the Promoter should not be permitted to interfere with your Petitioner's members' rights and interests unless and to the extent (if any) that this is demonstrated to be strictly necessary and in the public interest and until a full and comprehensive assessment of the potential effects of the works on Your Petitioner's members' buildings has been undertaken, demonstrating that there will be no significant impact on Your Petitioner's members' properties.
- 11 Your Petitioner submits that there is insufficient provision for mitigating the risk of or actual damage to Your Petitioner's members' properties. Your Petitioner submit that the Promoter be required:
- (a) To take all reasonably practicable measures to prevent damage to the relevant properties;
 - (b) To conduct a full survey of the condition of the relevant properties before and after construction of the works and to undertake comprehensive monitoring of the structures during the works;
 - (c) To carry out a full geotechnical survey in the vicinity of the relevant properties before commencement of the works;
 - (d) To give advance notice of each phase of the works and undertake advanced consultation in relation to their construction;
 - (e) To use all available working methods to minimise the risk of ground-borne vibration, settlement and subsidence including undertaking agreed underpinning and strengthening works to those properties.
- 12 Your Petitioner seeks provision within the Bill or binding assurances from the Promoter to ensure that Your Petitioner and its members are fully indemnified in respect of any loss damage costs and claims associated with the effect of the works on the structure of the relevant properties.

Environmental Effects of Construction

- 13 Your Petitioner is greatly apprehensive about the environmental effects of the works in the vicinity of Regent Street and in particular noise and vibration from the tunnelling activities underneath Regent Street and the extensive excavation, piling and other construction activities associated with Hanover Square. Your Petitioner's members' properties include sensitive uses at each level including retail uses. Your Petitioner is concerned that these uses will be adversely affected and that the revenue they generate and tenant interest will be significantly reduced.

- 14 The Environmental Statement accompanying the Bill provides inadequate data to ascertain the likely actual noise and vibration effects at each of Your Petitioner's members' properties. Further, inadequate consideration is given by the Promoter in the Environmental Statement to the perceived nuisance effects of both vibration and noise. Your Petitioner submits that the Promoter should not be permitted to interfere with your Petitioner's members' rights and interests unless and to the extent that comprehensive assessments of the specific likely effects at Your Petitioner's members' properties have been undertaken, demonstrating that there will be no significant impacts.
- 15 A further concern to your Petitioner is the visual impact of the proposed works and in particular the Hanover Square worksite that is in close proximity to some of Your Petitioner's members' properties. This extensive worksite will comprise significant excavated areas, equipment and construction traffic, which your Petitioner is concerned, will adversely affect visual amenity and deter tenants and visitors including shoppers. Of particular concern to Your Petitioner is the likely significant effect on the amenity of properties adjacent to Hanover Square as well as the general pedestrian environment on this side of Regent Street. The Promoters have given inadequate consideration to this aspect of the works and the mitigation measures to deal with it.
- 16 Your Petitioner is also extremely concerned by the likely amounts of dust that will be generated by the construction activities at the Hanover Square worksite and the effects of this on the environmental quality of the area around Your Petitioner's members' properties and the maintenance requirements for those properties and the associated plant.
- 17 Your Petitioner is greatly concerned that it remains open to the Promoter or the nominated undertaker to use Regent Street as route for construction traffic. The associated noise, fumes and dust and the increase in heavy goods vehicle traffic would have a significant adverse effect on the amenity of the area and, Your Petitioner strongly believes, would deter visitors and shoppers throughout the construction period. As a consequence, the use of Regent Street by construction traffic would adversely affect Your Petitioner's members' businesses including their ability to attract and retain staff.
- 18 Your Petitioner seeks protection for its members from the adverse consequences of construction traffic routeing for Regent Street. Your Petitioner submits that the Promoter or the nominated undertaker should consult fully with and be personally bound to Your Petitioner and its members in relation to any proposed use of Regent Street for construction traffic. Further Your Petitioner submits that any proposed use of Regent Street should be subject to comprehensive restrictions requiring the Promoter or nominated undertaker only to operate vehicles along Regent Street overnight if at all and routinely to undertake wheel-cleaning and street cleaning and all other measures required in order to mitigate the effects of construction traffic.
- 19 The Promoter recognises that adverse environmental effects will be caused by the construction of the works and propose a code of construction practice, a series of individual agreements under the Control of Pollution Act 1974 and statements of policy to which the Promoter is to adhere. Your Petitioner is concerned that none of these measures will take into account the particular

circumstances and character of the Regent Street area and the significant scale of the works in the immediate vicinity of some of the properties concerned.

- 20 In particular all of Your Petitioner's members' affected properties are in commercial use and situated in predominantly commercial areas. In those circumstances, Your Petitioner strongly believes that the Promoter ought to adopt working hours that are more flexible than those which presently appear in the standard code of construction practice published by the Promoter. Significant construction activity during business hours should be avoided and overnight and weekend working patterns should be adopted.
- 21 Your Petitioner requires that the Promoter fully and properly explore the environmental effects of the construction of the works and that all mitigation measures specific to Your Petitioner's members' properties be thoroughly assessed. Your Petitioner also requires the Promoter to be bound personally by a specific code of construction practice for works in the vicinity of Regent Street in order to mitigate and regulate all environmental effects and operational impacts.
- 22 Your Petitioner is keen to ensure that Regent Street remains a vibrant mixed-use area, an international shopping destination and a major business location. Your Petitioner's members and visitors to the area expect a clean, pleasant environment. The Bill as presently drafted does not seem to give sufficient weight to the needs of business.

Other Impacts of Construction

- 23 Your Petitioner is extremely anxious about the operational impacts of the works in the vicinity of Regent Street and in particular:
- (a) Services diversions;
 - (b) Closure of highways;
 - (c) General disruption to traffic circulation from as early as the site preparation works and services diversions.
- 24 Each of these impacts will have a significant adverse effect on Regent Street. Your Petitioner therefore seeks protection in relation to all operational consequences of construction activities in order to ensure that Regent Street businesses may function normally during the works.

Operational railway impacts

- 25 Your Petitioner is extremely concerned by the impacts of the operational railway on some of its members' properties. In particular, your Petitioner is very apprehensive about the potential noise and vibration effects of running trains in the tunnels and structures that pass underneath, particularly in the vicinity of Hanover Square as they accelerate and decelerate at the proposed station. Such effects would potentially be exacerbated should Crossrail be used by freight trains. Insufficient data is included in the Environmental Statement accompanying the Bill to enable a proper assessment of the likely impacts of these operational effects. For example, there is inadequate information

regarding the assumptions used in the assessment for train speed, track fixing and track foundations. The lack of information in this regard is a source of great concern to your Petitioner. Your Petitioner submits that the Promoter should be required to incorporate all reasonably available mitigation measures including track-laying and foundation techniques in order to ensure the vibration and noise effects of operating trains are minimised.

- 26 Your Petitioner is also greatly concerned that the proposals for the new station entrance and ticket hall in Hanover Square are being brought forward without consultation with Your Petitioner or its members. Your Petitioner considers that the proposed station represents an opportunity to integrate a major public transport route and international connections with Regent Street. The location of the station entrance and the design of the public realm in the immediate surroundings provide an opportunity to create a sense of arrival and a gateway to Regent Street. Your Petitioner considers that these aspects of the station proposal and the nature of the over-site development are critical to the vitality and viability of Regent Street. Your Petitioner seeks assurances that the Promoter and the nominated undertaker will progress the detailed design and scope of the railway system and over-site development in full consultation with Your Petitioner and its members and wishes to ensure that the Bill includes sufficient powers to meet these objectives.

Compensation provision

- 27 Your Petitioner further submits that provisions within the Bill regarding compensation in respect of compulsory acquisition and other matters are not sufficient to compensate your Petitioner's members' adequately for the loss, damage and inconvenience, which they may suffer as a result of the construction and subsequent use of the proposed railway system. Your Petitioner seeks further provision within the Bill for indemnifying your Petitioner's members' against loss of revenue caused by the adverse effects of the proposed works, particularly during the construction period.
- 28 Of particular concern to your Petitioner is any instance where it is not necessary to acquire compulsorily any part of a particular property and yet such property is nonetheless adversely and injuriously affected by the construction of the proposed works and the operation of the railway system. In those circumstances the compensation provisions within the Bill are inadequate.
- 29 Your Petitioner submits that the Bill should be amended in this respect to ensure that your Petitioner's members' are entitled to claim compensation in such circumstances for structural damage or related internal damages to its members' properties by the execution of the works, for interference with rights and for injurious affection caused by the execution of works and the subsequent operation of the railway system. Your Petitioner seeks provision to enable such claim to be made separately from any claim for compensation in respect of the acquisition of land or interests under the powers of compulsory acquisition in the Bill. Furthermore, your Petitioner submits that any such claim should be permitted at any time before the expiry of 5 years following the opening of the proposed railway system for use by members of the public.
- 30 Your Petitioner submits that provision should also be made within the Bill to enable your Petitioner's members to recover their own reasonable expenditure including the full costs of making good any damage to the structure of the properties of your Petitioner's members' caused by the proposed

works, the full cost of any works undertaken in mitigation of the proposed works and your Petitioner's costs (and those of its members) in co-operating with the Promoter during the project. Your Petitioner also seeks inclusion of provisions within the Bill to compel the Promoter to indemnify owners and occupiers of interests in affected properties from claims and demands made in consequence of the construction, use or maintenance of the works or any act or omission of the Promoter and the nominated undertaker including their contractors and agents.

Environmental Impact Assessment

31 Your Petitioner submits that the Environmental Statement accompanying the Bill is deficient in several respects and therefore fails to satisfy the requirements of Council Directive 85/337/EC, as amended by Council Directive 97/11/EC. In particular:

- (a) There is inadequate description of the likely significant effects of the project, particularly the specific effects in the vicinity of your Petitioner's members' properties and no consideration given to direct and indirect effects – in particular the effect on retail trade in Regent Street.
- (b) Insufficient data has been provided in order to identify and assess the main effects of the works, particularly in the vicinity of your Petitioner's members' properties where tunnelling and major station works are proposed.
- (c) There is insufficient detail of proposed mitigation measures, no assessment of their effectiveness in avoiding reducing or remedying significant environmental effects and no provision within the Bill compelling the Promoter to undertake identified mitigation measures.
- (d) There is insufficient analysis of alternatives in the context of each work section and no analysis of alternative methods of construction, alternative configurations and alternative locations for the proposed new stations and the tunnels.

Human Rights

32 Your Petitioner submits that in its current form and without further amendment or provision as sought by your Petitioner, the Bill is incompatible with the right of your Petitioner's members' peacefully to enjoy their properties and to carry on trade or business. The Bill would unfairly interfere with such right contrary to Article 1 of Protocol 1 to the European Convention on Human Rights and fails to provide your Petitioner's members' with sufficient right of participation in future determinations of your Petitioner's members' rights (for example in relation to the extension of the time limit for planning permission and compulsory purchase powers) contrary to Article 6 of the Convention. In particular, in your Petitioner's submission, the wide and extendable powers available to the Promoter and the inadequate provision for compensation in the particular circumstances with which your Petitioner's members may be presented renders the Bill incompatible with the Convention.

33 Your Petitioner and some of Your Petitioner's members' regularly monitor footfall in the area and should this be dramatically reduced during construction period the Promoter must have a

contingency plan to rectify this decline as Your Petitioner and Your Petitioner's Members rely heavily for their livelihood on the above footfall and Your Petitioner seeks provision in the Bill or binding assurances in this regard.

CONCLUSION

34 For the foregoing and connected reasons Your Petitioner respectfully submits that, unless the Bill is amended as proposed above, the Bill should not be allowed to pass into law.

35 There are other clauses and provisions of the Bill, which, if passed into law as they now stand will prejudicially affect your Petitioner and its rights, interests and property and for which no adequate provision is made to protect your Petitioner.

YOUR PETITIONER therefore humbly prays your Honourable House that the Bill may not be allowed to pass into law as it now stands and that it may be heard by its 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 Petitioner and in support of such other clauses and provisions as may be necessary or expedient for its protection and benefit, or that such other relief may be given to Your Petitioner in the premises as your Honourable House shall deem meet.

AND your Petitioner will ever pray, &c.

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2005-06

Crossrail Bill
PETITION OF THE REGENT STREET ASSOCIATION LTD

AGAINST, By Counsel, &c.