

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 BOC LIMITED

SHEWETH as follows :-

1. A Bill (hereinafter called "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. 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 BOC Limited, a company limited by shares. Your Petitioners are the freehold owners and occupiers of certain land which lies within the limits of deviation for the works under the Bill. The land, of which your Petitioners are the freehold owners and occupiers, is shown as plot number 106 in the Borough of Slough, as described in the book of reference deposited with the Bill. Your Petitioners' land is liable to compulsory acquisition under the Bill, to which they object. Furthermore, your Petitioners object to the proposals in the Bill insofar as they affect your Petitioners' interests, for the reasons, amongst others, hereinafter appearing.
5. The plot described in paragraph 4 above forms part of your Petitioners' site at Stoke Poges Lane, near Slough, in Berkshire. The site is used for, amongst other things, the storage and trade sale of industrial gases, welding and safety consumables with ancillary office accommodation. The land is located immediately to the north of the Great Western Railway to the west of Slough station.
6. The Environmental Statement ("ES") deposited with the Bill says that the works which are proposed to be carried out in the vicinity of your Petitioners' property are needed to allow for electrification of the Great Western Line between Maidenhead and West Drayton. These works will include the introduction of new overhead line equipment and possible realignment of the track associated with the provision of a reversible goods loop.
7. The ES says that the electrification of the system will comprise the erection of steel masts approximately 8-10 metres high at 60 metre centres either side of the track. Pairs of masts will be linked across the railway by the cable headspans which also support the conductor cables running along each track.

8. Your Petitioners have already begun discussions with the promoters with regard to their property, and are hopeful that negotiations will lead to a successful conclusion.
9. The promoters have advised that your Petitioners' property may be at risk, along with other properties along the railway boundary, from contact with or proximity to the electrification equipment which is proposed to be installed. The promoters have further advised that there are strict safety requirements which need to be met relating to the electrification works and that as a consequence, your Petitioners' property has been included in the land to be acquired under the Bill.
10. The promoters have, however, also advised that no design work in relation to the overhead line equipment has yet been carried out and they have confirmed that ownership of your Petitioners' property will not actually be needed either permanently or temporarily in relation to construction of the railway, because any works will be carried out from the railway itself. The promoters have said that they may need rights of access over your Petitioners' property to ensure proper construction and maintenance of the overhead power lines.
11. Your Petitioners object to their property being compulsorily acquired. They consider any such acquisition to be unnecessary in view of the fact that their property is not proposed to be used directly in connection with the construction of the railway. Your Petitioners seek an amendment to the Bill which will ensure that their property is not liable to compulsory acquisition. Your Petitioners understand the promoters' views in relation to safety requirements but, as mentioned above, the Promoters have said that they are unsure about whether your Petitioners' land is required in order to carry out the works. Even if the Promoters were to demonstrate that rights over your Petitioners' land were required your Petitioners would prefer that the matter be settled by agreement, but failing that, your Petitioners fail to understand why the land is not included in paragraph 8 of Schedule 6 to the Bill (which limits the power of acquisition to rights only) and they fail to see why so much land is required.

12. Your Petitioners are also concerned about the exercise by the nominated undertaker, in relation to your Petitioners' premises, of the powers contained in paragraphs 4, 5 and 6 of Schedule 2 to the Bill relating to mitigating and safeguarding works to buildings, including the associated powers of entry. Your Petitioners would wish to have control over any such works, have the works overseen by independent engineers, be satisfied as to the quality of such works and be assured of proper and adequate access to your Petitioners' premises being maintained at all times. Your Petitioners seek assurances accordingly.
13. As regards other powers of entry under the Bill, your Petitioners submit that these should be restricted such that they cannot be exercised during normal working hours at your Petitioners' premises.
14. Your Petitioners are concerned about the exercise by the nominated undertaker of the powers of paragraph 9 of Schedule 2 to the Bill with regard to preparatory works, and in particular the making of trial holes, and that the nominated undertaker could seek to do this at your Petitioners' premises. This power should only be exercisable with the consent of your Petitioners.
15. Your Petitioners are also concerned about the impact of the proposed works in such close proximity to their property for a period of several months. Your Petitioners fear that their property will be subject to adverse effects from construction activity and may be affected by noise (both ground and airborne), vibration and dust. Your Petitioners are also concerned about post-construction disruption, in the form of noise, and vibration and stray currents due to the close proximity of passing trains and the effect of the overhead electrification lines.

16. 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.

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of

BOC Limited

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AGAINST,

BY COUNSEL, &c.