

HOUSE OF COMMONS
SESSION 2005-06

CROSSRAIL

PETITION

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 ASSOCIATION OF PROFESSIONAL
RECORDING SERVICES LIMITED (1) AND UK POST LIMITED (2)

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 first Petitioners are the Association of Professional Recording Services Limited. They are a trade organisation whose purpose is to promote the highest standards of professionalism and quality within the audio industry and to represent the interests of its members to Government. It was established in 1947 and has over 250 members. Your second Petitioners are UK Post Limited. They are a trade organisation which represents the post-production and special effects sector at home and internationally. It supports and promotes the commercial interests of those companies involved in the creation and manipulation of images and sound for the broadcast, commercial and feature film industries. It was established in 2003 and has 113 members.
5. Your Petitioners, their members and the interests which your Petitioners represent are injuriously affected to a material extent by the provisions of the Bill, to which your Petitioners object for the reasons amongst others, hereinafter appearing.
6. The United Kingdom has a formidable reputation in the media industry. Whilst the reputation is based on a nationwide industry, a good proportion of the industry is located in London, with a particular concentration in Soho. Many of your Petitioners' members are based in Soho, and a number of them will be directly affected by the Crossrail works. A larger number could also be affected indirectly, for the reasons set out in this petition. Your Petitioners object to the promoter's failure to take adequate account of the likely effects of Crossrail upon the operation of companies in the business of post-production, special effects and audio recording in the film, moving image and music industries. Your Petitioners believe that both the construction of Crossrail and its subsequent operation, once

complete, could have deleterious effects upon their businesses. Your Petitioners draw the attention of your honourable House to the fact that many of the businesses which they represent are located in the area of North Soho and therefore liable to be injuriously affected by the building works and the subsequent operation of Crossrail.

7. Your Petitioners object to the failure to supply adequate and detailed information to date as to the nature of the proposed works, for example in relation to tunnels, platforms and ticket halls. Your Petitioners are not satisfied with the adequacy of the Environmental Statement and its supplement. Baseline assumptions made over a number of generic issues have still to be substantiated. Ancillary documentation such as the proposed Code of Practice remains in draft form which is unacceptable.

Noise, Vibration and Dust

8. The nature of your Petitioners' members' work means that they use expensive and sensitive equipment which is very susceptible to noise, vibration and dust. Many have adapted their premises so that highly demanding standards of soundproofing are met and they often use basement space to keep light and noise out. The nature of the work undertaken by your Petitioners means that noise and vibration, particularly if intermittent, will have a disproportionate and severe impact on their work even at low levels.
9. The noise and vibration arising from the construction, fitting out and testing of the railway and its associated works and structures is a matter of significant concern to your Petitioners. Your Petitioners submit that the Promoter should be compelled to use best available techniques in the construction of the railway and its associated works and structures to ensure that these adverse effects are minimised. Your Petitioners submit that strict standards should be set beyond those currently envisaged by the Promoter and to which the Promoter must be made liable to comply.
10. To mitigate the impact of building work, your Petitioners request that nominated service providers undertake to provide sound and dust

insulation to include dust sealed glazing and install full air conditioning with fully filtered air flow system. It is imperative that your Petitioners are adequately notified of proposed works. A comprehensive consultation programme should be put in place which includes a proposed system for noise monitoring and a mitigation plan. This plan must fall under the aegis of the proposed Code of Construction practice. The hours during which tunnelling work is undertaken should be minimised as this will cause particular disruption and the work needs to be carried out to strict standards.

11. As regards the operation of the railway once constructed, in your Petitioners' submission, the nominated undertaker should be subjected to stringent design standards, and should be required in particular to use a floating continuously welded track for the railway underneath Soho to prevent any noise from the running of the railway causing the soundproofing standards with which your Petitioners' members must comply to be breached. This requirement should also apply to any temporary track used for the transport of material during the construction period. The nominated undertaker should be required to adopt, with the agreement of your Petitioners' members individually, where appropriate, procedures and design and construction methods to inhibit the transmission of noise and vibration into your Petitioners' members' buildings so that relevant soundproofing standards continue to be met. In order to reduce noise and vibration to a minimum, your Petitioners contend that the running tunnels should be constructed at the greatest practical depth.

Preparatory Work and Provision of Essential Services

12. Your Petitioners are concerned about the impact upon their members' businesses of moving sewerage, gas, electricity, water and telecoms services. Interruption to power supplies is a particular concern. Your Petitioners request that full and detailed information is provided about plans to move or interrupt such essential services as early as possible. Such work should be kept to an absolute minimum and be undertaken out of business hours wherever practicable.

Traffic Movements

13. Your Petitioners are concerned about the impact of building works on the streets surrounding their members' businesses. In particular, they are concerned about the routing of lorries and vehicles, access to worksite, hours of operation, the number of vehicular movements and the size of vehicles. Your Petitioners submit that construction work should be planned to ensure as much traffic and other disruption takes place away from where your Petitioners' members are located, and that the cumulative impact is minimised by properly managing lorry movements, by avoiding the stacking of lorries queuing at worksites, and by keeping movement to a minimum within confined and specified hours.

14. Your Petitioners are concerned at the prospect of disruption to vehicular and pedestrian access to their members' Premises. The Bill would enable the nominated undertaker to close, or restrict temporarily for long periods, roads in the Soho areas. Your Petitioners request that the promoters be required to ensure that pedestrian and vehicular access to their members' property should be maintained at all times.

15. Your Petitioners further submit that the nominated undertaker should be required under the Bill to provide detailed plans, method statements and other particulars of works including the work programmes and schedules of deliveries (in particular abnormal deliveries) occurring in the Soho area substantially in advance of the commencement of construction operations.

Tunnelling Work and the Operation of the Railway

16. Your Petitioners request that provision be made for all damage or other defects occurring to their members' properties or any part of them caused by the tunnelling or the operation of the Crossrail works at any time be made good by the nominated undertaker at the nominated undertaker's expense immediately upon request by the owner and to the owner's satisfaction and in accordance with a method statement agreed by the owner. Your Petitioners request that provision be made for all necessary

statutory consents to be obtained by the nominated undertaker at its cost. Your Petitioners request that provision be made for the owner to be compensated immediately by the nominated undertaker for any damage to the contents of any of their members' buildings.

Electromagnetic Interference and Interruption of Services

17. Your Petitioners are concerned that their members' valuable electrical and electronic equipment will be damaged by electromagnetic interference once the railway with its ancillary equipment is completed and running. In order to protect their members, your Petitioners submit that maximum permitted levels for electromagnetic radiation must be stipulated in the Bill or satisfactory mitigation measures agreed.

Miscellaneous

18. Your Petitioners have general concerns about the effect of the Crossrail works upon the British film, moving image and sound industries. As mentioned earlier, the hub of these industries in the UK, and especially the production, special effects and sound sector is located in Soho. As a consequence of the sophisticated infrastructure and skills which exist in the Soho area, these industries are able to attract investment from all over the world. These industries rely on state of the art technologies for their competitive advantage. If the ability of these technologies to function to their optimal level is threatened by Crossrail works, a significant amount of work could be lost to other countries, since it would take many, many years to build a comparable cluster of companies elsewhere in London or in the UK. This would result in the loss of significant economic benefits to the UK, lead to the loss of many highly-skilled jobs which contribute to the development of the knowledge economy, and have a damaging impact right across the value chain for the British film, moving image and sound industries.
19. 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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PETITION

of

The Association of Professional Recording
Services Limited (1) and UK Post
Limited (2)

AGAINST,

BY COUNSEL, &c.