

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2005-2006

CROSSRAIL BILL

PETITION

**Against the Bill
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

MARK JOSEPH McINTYRE

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').

Relevant clauses of the Bill

3. Clause 1 (Construction and maintenance of scheduled works) authorises the nominated undertaker to construct and maintain the works necessary for Crossrail as described in Schedule 1 to the Bill and shown on the plans and sections deposited with the Bill.
4. By Clause 6 (Acquisition of land within limits shown on deposited plans) the Promoter seeks power to acquire compulsorily so much of the land shown in deposited plans as may be required for or in connection with the works authorised by the Bill or otherwise for or in connection with Crossrail.
5. The Promoter proposes to acquire compulsorily the whole of the Eleanor Street Travellers Site (the Site), London E3 4NP in order to construct a ventilation shaft thereon. The Site is owned and run by the ~~London~~ **Borough of Tower Hamlets**.
6. ~~Your Petitioner is an Irish Traveller and he lives in two mobile homes with his three children on plot 7 of the Eleanor Street Traveller Site.~~
7. Your Petitioner and his rights, interests and property are injuriously affected by the Bill, to which your Petitioner objects for the reasons among others hereinafter appearing.
8. Your Petitioner and his family have lived on the Eleanor Street Travellers Site for about 1 ½ years and the children attend local schools. Your Petitioner does not wish to move from the Site and is very concerned that the education of his children will suffer if they are forced to leave the area. Your Petitioner receives support and assistance with his childcare responsibilities from residents and friends in the area and would find it more difficult to cope as a single parent if his family were forced to leave the Site.
9. There is a strong community spirit on the Eleanor Street Travellers Site and its residents have integrated well within the local community. Gypsies and Travellers still face discrimination in all walks of life and your Petitioner fears that he and his family may well be exposed to prejudice and discrimination if the Site is relocated in another area.

10. Your Petitioner objects to the proposed acquisition of the Eleanor Street Travellers Site on the ground that the Promoter has failed in his duty to have 'due regard' to the three strands of the 'general race equality duty' laid down in Section 71(1)(a) and (b) of the Race Relations Act 1976 when choosing to locate a ventilation shaft on the Eleanor Street Travellers Site: that is, the obligation to have due regard to the need to eliminate unlawful racial discrimination, promote equality of opportunity, and promote good relations between persons of different racial groups.
11. Your Petitioner objects to the proposed acquisition of the Eleanor Street Travellers Site on the ground that the Promoter has failed to consult properly with the Site residents and/or Gypsy and Traveller representative organisations: indeed, there was no consultation until the residents of the Site insisted that it took place and such consultation as has since taken place has been inadequate.
12. Your Petitioner objects to the proposed acquisition of the Eleanor Street Travellers Site on the ground that the Promoter has not justified its proposal. The Promoter has not explained why it is essential that the said ventilation shaft be constructed on the Eleanor Street Travellers Site located on the Site and has failed to explain why it could not be located at the alternatives site proposed by both Site residents and others.
13. In the premises your Petitioner respectfully submits that the Promoter should now be required to:
 - a) complete a full 'race impact assessment' in relation to the proposal that a ventilation shaft be constructed on the Eleanor Street Travellers Site and comply with its 'general race equality duty';
 - b) undertake a full and open process of consultation with the residents of the Site, Gypsy and Traveller representative organisations and the London Borough of Tower Hamlets;
 - c) carry out an exhaustive search for alternative sites for the location of the proposed ventilation shaft in cooperation with the residents of the Site, Gypsy and Traveller representative organisations and the London Borough of Tower Hamlets,and that your Honourable House should not permit Clause 6 to pass into law insofar as it affects your Petitioner.

14. If, contrary to Your Petitioner's contention, your Honourable House is satisfied that the Eleanor Street Travellers Site should be the subject of compulsory acquisition then your Petitioner would humbly submit that the Bill should be amended:

- a) to make satisfactory provision for the relocation of the Eleanor Street Travellers Site and its residents within the area on another site that is constructed to meet current standards and is situated in a safe and sustainable location;
- b) to make provision within the Bill for the compensation of Site residents for the fact that they will be subject to relocation if the Bill is passed.

For all these reasons your Petitioner respectfully submits that unless the Bill is amended as proposed above, so far as it affects your Petitioner, it should not be allowed to pass into law.

Your Petitioner submits that, in the respects mentioned and in other respects the Bill fails adequately to safeguard and protect the interests of your Petitioner and the other residents of the site.

YOUR PETITIONER THEREFORE HUMBLY PRAYS your Honourable House that the Bill may not pass into law as it now stands and that he may be heard by himself, Counsel, Agents and witnesses against so much of the Bill which relate to or affect his property rights and interests and in support of other such clauses and provisions for the protection and benefit of your Petitioner and his property rights and interests and that he may have such other relief as your Honourable House may seem meet.

AND YOUR PETITIONER WILL EVER PRAY, &c.