

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 John Darren Whitfield and Deborah Alayne Whitfield.

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 Cross London Rail Link Limited and the Department of Transport.
- 3 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.
- 4 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").
- 5 Your Petitioners are John Darren Whitfield and Deborah Alayne Whitfield, owners of a Freehold interest in Aldeburgh 21 Herington Grove Shenfield Essex CM13 2NW ("the Property"). Your Petitioners live in the Property with their two children.
- 6 Your Petitioners' Property faces onto the site of the proposed works at Shenfield Station. According to the Environmental Statement deposited with the Bill, residents of Herington Grove will be significantly affected by noise to the extent that some residents may be eligible for insulation or even rehousing. Your Petitioners will be so affected.
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 - 7.1 Your Petitioners and their rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.
 - 7.2 Your Petitioners' Property is designated as a Property which is to be so impacted by noise that it will qualify for noise insulation. It is not clear to your Petitioners the extent to which the Property is impacted or the extent of the noise insulation suggested. It is impossible for your Petitioners to form a judgement on whether the noise insulation will be sufficient nor the extent of disruption to your Petitioners as a result of the noise insulation being installed.
 - 7.3 It is not clear to your Petitioners the basis upon which judgements have been made to distinguish between the properties so severely impacted that the occupants need to be relocated for three months, the properties sufficiently protected by the installation of noise insulation and those properties which require no protection at all. Properties 14-24 Herington Grove, directly opposite your Petitioners' Property, are so severely impacted that the occupiers are to be

relocated. The houses on either side of your Petitioners' do not even qualify for noise insulation.

- 7.4 Whilst the Properties 14-24 Herington Grove would act as a form of sound barrier, this barrier is not solid and the Petitioners' Property occupies higher ground than these properties.
- 7.5 Within an area with a circumference of 20 yards, properties are being treated completely differently. Your Petitioners do not believe that the Promoters have justified the distinction and there is no logic to the different treatment.
- 7.6 Your Petitioners believe that the loss of car parking by the station will impact severely on the financial viability of the local shops resulting in their loss.
- 7.7 In respect of the Shenfield Station Works site the Promoters' environmental statement states that there will only be two lorry movements per day. These are likely to be the only lorry movements which will affect your Petitioners and your Petitioners would require that the Promoters are put under an obligation to not exceed the stated number of lorry movements.
- 7.8 Your Petitioners believe that the Promoters should be required to agree the level of noise impact on your Petitioners' Property and the level of noise insulation appropriate for the agreed level of impact. The noise level should then be taken at the Property at agreed intervals and the insulation adjusted if the level is not as forecast. The adjusted insulation should also be agreed. Your Petitioners, not being experts in noise levels should be advised by a noise expert, the cost of whom should be met by the Promoters.
- 8 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioners and their rights, interests and property and for which no adequate provision is made to protect your Petitioners.

YOUR PETITIONERS therefore humbly pray your Honourable House that the Bill may not be allowed to pass into law as it now stands and that they may be heard by 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 provisions as may be necessary or expedient for their protection, or that such other relief may be given to your Petitioner in the premises as your Honourable House shall deem meet.