



IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2005-06

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

THE SPITALFIELDS SMALL BUSINESS 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 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. Clauses 1 to 20 of the Bill together with Schedules 1 to 9 make provision for the construction and maintenance of the proposed works including the main works set out in Schedule 1. Provision is included to confer powers for various building and engineering operations for compulsory acquisition and the temporary use of and entry upon land, for the grant of planning permission and other consents, for the disapplication or modification of heritage and other controls and to govern interference with trees and the regulation of noise.
4. Clauses 21 to 44 of the Bill together with Schedule 10 make provision for the application with modifications and the disapplication in part of the existing railway regulatory regime which is contained in and in arrangements made under the Railways Act 1993 and associated legislation. In particular, they provide for the disapplication of licensing requirements, the imposition of special duties on the Office of the Rail Regulator (ORR), the modification of railway access contract and franchising arrangements and the disapplication of railway closure requirements and of the need for consent from Transport for London in relation to impacts on key system assets. Provision is also included to enable agreements to be required as between the nominated undertaker and controllers of railway assets, to govern the basis for arbitration and to provide for the transfer of statutory powers in relation to railway assets.
5. Clause 45 to 59 of the Bill together with Schedules 11 to 14 contains miscellaneous and general provisions. These include provision for the making of transfer schemes, the designation of nominated undertakers, the devolution of functions and as respects other actions to be taken by the Secretary of State. Provision is also made in particular for the disapplication or modification of various additional miscellaneous controls, for the treatment of burial grounds, for

the application of provisions of the Bill to future extensions of Crossrail, for the particular protection of certain specified interests and as respects arbitration.

*Your Petitioners*

6. Your Petitioners are the Spitalfields Small Business Association Ltd (hereinafter called "the SSBA"). Your Petitioners are an award winning, self sustaining Social Enterprise incorporated as a Company Limited by Guarantee. The SSBA was formed in 1979 to enable a local housing co-operative to significantly improve housing conditions in the area and help with economic activity. The Memorandum of the SSBA state the specific aims to be to assist the economic regeneration of small businesses; to preserve and improve neighbourhood employment opportunities; to serve the local community's needs, demands and initiatives in respect of housing and working conditions, cultural needs and associated amenities
7. The SSBA was created by and for the benefit of the Bangladeshi community in the Brick Lane area and it now owns and manages approximately 90,000 sq ft of workspace let to over 100 businesses employing well over 300 people. The SSBA is unlike any ordinary landlord as its tenants are members and they help to control the business. The SSBA provides business advice and support to its tenant members as well as other people in the wider community and involves itself in training and enterprise projects for local people including women, older men and people with learning difficulties. It also undertakes numerous other activities that improve and strengthen the local economy and community.
8. Your Petitioners own freehold mixed residential and commercial use properties at 58, 60, 62, 64 and 66 Hanbury Street and 33 and 35 Princelet Street as well as residential properties at 43,47 and 49 Princelet Street and workshop properties to the rear of 37 Princelet St known as units A, B, C, D, E, F & G . Your Petitioners also hold leasehold mixed use residential and commercial use properties at 105,

107, 109 & 111 Hanbury Street, ground floor retail premises 33 & 37 Princelet Street and a converted public house, the Crown & Leek at 11 Deal Street. The subsoil of all of these properties is subject to the compulsory purchase proposals in the Bill. All of the premises are in the immediate vicinity of the proposed works and liable to be injuriously affected by them.

9. Your Petitioners also manage the Bethnal Green Training Centre in Hanbury Street for the London Borough of Tower Hamlets, the subsoil of which is also subject to the compulsory purchase proposals in the Bill. The properties are in the immediate vicinity of the proposed works and liable to be injuriously affected by them.
10. Your Petitioners also own properties at 29a Spelman St known as 1-28 Links Yard and hold leases on 160 to 166, 170 & 172 Brick Lane and manage and rent premises in the Business Development Centre at 7 to 15 Greatorex Street, all of which are in the general vicinity of the proposed works and likely to be affected by them.
11. Your Petitioners have concerns in relation to the works in the Brick Lane area. Its members own and/or have interests in businesses and residential properties which are in the vicinity of the proposed works. Their health, safety and wellbeing and those of their families and their businesses and livelihoods are liable to be injuriously affected.
12. Your Petitioners and their rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, here stated.

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*Your Petitioners' concerns*

*Inadequate consultation*

13. Your Petitioners were excluded from the round one consultation process and denied the opportunity to object to and change the proposals put forward in the Bill for the work shafts and sites in the Hanbury Street and Pedley Street areas.
14. The result of the Promoters poorly constructed consultation process was that your Petitioners were ill informed and misguided by initial information published by the Promoters as to the extent of the tunnelling and construction works proposed in the Hanbury Street and Pedley Street areas, denying your Petitioners the opportunity to intervene and make representations at an early stage.
15. The consultation process has excluded and disregarded the needs of your Petitioners and those of the local community of all background and the information presented was insufficient for them to make reasoned judgement. The Bill is therefore premature and not acceptable in its present form.

*Blight*

16. Your Petitioners have a fundamental concern that despite the adoption of the Bill as a Government led project, Crossrail lacks funds for the design and construction of the scheme. This is apparent in the lack of detailed work which would normally be expected to be completed at this stage and your Petitioners therefore object to the presentation and consideration of this premature and incomplete scheme and the untold blight it will cause to their properties and business if the Bill is passed in its present form.

*The route*

17. Your Petitioners object to the route proposed for the tunnels via the Hanbury Street shaft and Whitechapel station, east of the safeguarded alignment between Paddington and Liverpool Street. The route is the 1991 safeguarded route only slightly modified and represents a totally inadequate and ill thought out design

solution for tunnels wanting to terminate much further east. The proposals do not meet the fundamental design criteria set for the construction of the lines and insufficient consideration has been made of the environmental, social and economic impacts on the Brick Lane area of not digging end to end.

18. Your Petitioners do not believe there is a proven need for the Whitechapel station nor the construction of the tunnels from the Hanbury Street and Pedley Street shafts and worksites and all should be deleted from the Bill.

*Socio-economic effects*

19. Your Petitioners and businesses in the Brick Lane area believe the principal aim of Crossrail is to link the financial business service (FBS) clusters or agglomerations in the West End, the City and Canary Wharf and improve their access to Heathrow. Your Petitioners and the community in the Brick Lane area object to carrying the cost of these (FBS) improvements by having to endure environmental misery and suffer the destruction of the local economy and the loss of their businesses, homes and jobs brought about by six years of tunnel digging and construction works in the Brick Lane area.

*Regeneration*

20. Your Petitioners object to the effects the works at Hanbury Street and Pedley Street will have on your Petitioners' workspaces, properties and tenant businesses and the degenerative effect the works will have on the local area in general, and their properties in particular, and destroying the community in the local area that has invested its whole life towards the improvement of the quality of the whole area.
21. It is acknowledged by all independent studies into social exclusion, institutional deprivation, educational underachievement and misapplication of public funds that the Brick Lane area represents one of the most deprived communities in all of the UK.

*The tunnelling strategy*

22. Your Petitioners object to the tunnelling strategy adopted for the area in general and the Hanbury Street and Pedley Street shafts and worksites in particular. The need to launch the tunnel boring machines (TBM's) and dig the tunnels from a shaft in Hanbury Street is unproven and this and the Pedley Street tunnel and worksite will have devastating social, economic and environmental effects on your Petitioners' businesses as well as others in this densely populated area. The consequential cost of such work on the local community, un-quantified by the Promoters, will be far greater than the operational gain claimed by not tunnelling simply from end to end.

*The construction strategy*

23. In addition your Petitioners object to the construction strategy adopted at the Hanbury Street and Pedley Street sites which does nothing to limit the adverse impact the construction process will have upon the local community and environment; nor do the controls to be implemented avoid, reduce or remedy the significant adverse environmental effects arising from the construction works.

*Traffic & transport*

24. In particular your Petitioners object to the exceptionally large vehicles and traffic and transport access routes being proposed to and from the construction sites at Hanbury Street and Pedley Street. The vehicles will cause major disruption and permanent harm to the normal functioning of your Petitioners' businesses as well as the general economic and social life of the area. The volume and scale of traffic proposed is totally unsatisfactory for the Brick Lane area with its densely populated mixed residential and commercial use properties and already blocked roads and narrow streets with tight corners and difficult junctions.
25. Your Petitioners also object to obstruction and danger the heavy vehicles and traffic will cause to pedestrians in the area including shoppers, market traders,

business customers, restaurant patrons, school children, mosque worshippers and local people visiting friends and family, all of whom will find it impossible to get around safely.

26. Your Petitioners object to the cumulative impact the traffic generated by the Hanbury Street, Pedley Street and Whitechapel station sites and the Crossrail sites to the west at Liverpool Street and Farringdon will have on the Brick Lane area. Collectively they will cause immense harm and major damage to the lives, livelihoods, social activities and property of your Petitioners as well as those of the general community in the Brick Lane area. When added to the impact of the traffic generated by the East London Line Extension, the Royal London Hospital, the Bishopsgate Goodyard site and the Aldgate Development Scheme they spell disaster and threaten to make the entire Brick Lane area one large lorry gyratory.

*Air quality, noise & vibration*

27. Your Petitioners object to the poor air quality and the high levels of noise and vibration that will be caused by the heavy lorry traffic, excavation and construction works proposed, both above and below ground at Hanbury Street and Pedley Street. This will have adverse effects on the health and wellbeing of your Petitioners as well as on local people in general and children and the elderly in particular who already have health problems well above the national average.
28. Your Petitioners can anticipate higher levels of respiratory diseases, including asthma, and can also anticipate that health will be adversely affected due to sleep deprivation. It will make it difficult for students to concentrate and lead to poorer school and college results. Your Petitioners can also anticipate that there will be increased mental health problems and additional expense caused to the National Health Services for any illness caused by the additional dust, dirt and noise created.

29. Your Petitioners also object to the use of the Hanbury Street shaft site for the installation and use of slow moving fans to ventilate the tunnels both during and after construction and the degenerative effect these will have on the local environment in general and your Petitioners' properties in particular.

*Working hours*

30. Your Petitioners are concerned that construction of the works in the Brick Lane area will cause intolerable disruption and nuisance to your Petitioners' businesses as well as those of other commercial and residential occupants in the Brick Lane area and limited working hours will do nothing to safeguard the quality of their lives or the peaceful enjoyment of their properties, especially during the month of Ramadan,

*Spoil & contaminated waste*

31. Your Petitioners object to the excavated and possibly contaminated material to be removed from the Hanbury Street and Pedley Street shafts and the handling, transport and disposal methods adopted, including the conveyors in elevated structures driven over a considerable distance from Pedley Street to Mile End Park. If an end to end route were adopted the area would not have any of the problems associated with tunnel spoil and this method of disposal.

*Landscape & built environment.*

32. Your Petitioners object to the fact that the Promoter has failed to recognise or acknowledge in their proposals the close knit, high density, mixed use nature of the properties in the vicinity of the Hanbury Street site and the fact that Allen Gardens, in the immediate vicinity of the worksite in Pedley Street, will be blighted and unusable for the duration of the project. Allen Gardens is the only green open space in the Brick Lane area that local people in general and children and local festivals in particular can use for leisure and entertainment.

### *Property powers*

33. Your Petitioners object to the powers proposed in the Bill affecting their properties and subsoil which are excessive, unjustified and unclear.

### *Settlement*

34. Your Petitioners are concerned that no appropriate safeguarding measures will be carried out to all buildings, listed or not, to reduce the effect of construction, particularly structural damage. Tunnels should be constructed at a much greater depth with freedom to deviate upwards being severely restricted.
35. Your Petitioners are also concerned that the tunnel boring method proposed for the tunnel drives east of the Hanbury Street shaft will cause unnecessary settlement and serious structural damage to your Petitioners' properties and those owned and used by others due to the specific hydrology and geology of this area.
36. Your Petitioners are also concerned the method proposed for the tunnel drives east of the Hanbury Street shaft could cause settlement and/or collapse of blocks of buildings above ground that are currently occupied by local authority tenants and/or leaseholders who have no knowledge or appreciation of their rights and their relationship to the safeguarded routes, nor do they have an understanding of the vulnerability of their homes and properties.

### *Compensation*

37. Your Petitioners object totally to the assumption that any compensation will address let alone meet the needs of the area. This petition is being lodged within the constraints set by the UK Parliament. The petitioners are therefore not able to include factual evidence that will overwhelmingly expose the shortcomings of the entire Crossrail Bill. Those items of evidence and the arguments supporting them will be forthcoming from the community and from the Petitioners after the formal lodging of this petition.

38. Your Petitioners submit that the compensation provisions proposed in the Bill are totally inadequate to compensate your Petitioners, their members or the community in the Brick Lane area for the loss, damage inconvenience and blight attributable to their properties, businesses, jobs and homes which they may suffer as a result of the prospective construction worksites and shafts.
39. As a general matter your Petitioners submit that provision should be made for the Promoter to repay to your Petitioners all proper costs, charges and expenses (including the fees of such professional advisers as they may instruct) reasonably incurred in consequence of the Bill or any provision made as a result of this Petition.
40. 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.

*Conclusion*

41. Your Petitioners submit that the Bill fails adequately to safeguard and protect the interests of your Petitioners and should not be allowed to pass into law without these issues being addressed.

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 themselves, Counsel or 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 said clauses and provisions as may be necessary or expedient for their protection, or that such relief may be given to your Petitioner in the premises as your Honourable House shall deem meet.

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AND YOUR PETITIONERS WILL EVER PRAY, &c.