

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2005-06

CROSSRAIL BILL

P E T I T I O N

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 TRUSTEES OF THE SS. ROBIN TRUST

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 1 of the Bill the Promoter seeks power, in executing any on the deposited plans to the extent of the limits of deviation and vertically from the levels shown on the deposited plans sections downwards in all cases and to such extent upwards of the works proposed by the Bill, to deviate laterally from the lines or situations thereof shown d to deviate o any extent to any extent not exceeding 3 metres either in the case of the underground railways or in the case of any of the other of the works for the purposes of constructing stations depots or shafts or, associated works as shown on the deposited plans and sections.

5 By Clause 3 (Highways) of the Bill the Promoter seeks power under paragraph 4 of Schedule 3 to carry out associated works conferred by paragraphs 1 to 4 of Schedule 2 in a way that permanently obstructs the highway, such associated works under Schedule 2 including general

powers to carry out ancillary works additional to the scheduled works, the provision of highway accesses, the diversion of particular overhead lines, and the undertaking and maintaining of landscape or other mitigation works necessary as a result of the Crossrail works.

6 By Clause 3 (Highways) of the Bill the Promoter seeks power under paragraph 5 of Schedule 3 to temporarily stop up, alter or divert any highway break up and to interfere with the highway and to divert traffic from it in respect of those highways named in column two of the table under paragraph 5(3) of Schedule 3 to the Bill for the purpose of executing the proposed works.

7 By Clause 3 (Highways) of the Bill the Promoter seeks power under paragraph 15 of Schedule 3 to enter upon, take and use for Crossrail the subsoil of any highway where the subsoil concerned is subject to compulsory purchase under the Bill, without being required to acquire that subsoil or any right in it, except in respect of the areas listed in the table in the paragraph.

8 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 (a term defined in the Bill).

9 By Clause 6 (Acquisition of land within limits shown on deposited plans), Clause 7 (Acquisition of land not subject to the power under section 6(1)) and Clause 8 (Extinguishments of private rights of way) of the Bill, the Promoter seeks power to enter upon, take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as it may require for the purposes of the proposed works or for any purpose connected with or ancillary to its undertaking.

10 Clauses 10 to 20 (inclusive) of the Bill would disapply existing statutory controls in relation to development requiring an environmental impact assessment, listed buildings, buildings in conservation areas, historic buildings and ancient monuments, tree preservation in so far as they generally applicable to the works powers proposed in the Bill in respect of scheduled works begun within ten years from the enactment of the Bill. As respects demolition and works for permanent alteration or extension are concerned, the disapplication is limited to buildings specified in Clause 14(2) to the Bill.

11 (Compensation for injurious affectation) of the Bill would require the promoter to pay compensation to owners, lessees and occupiers of property for any injurious affectation.

Your Petitioners

12. Your petitioners are the Trustees of the SS. Robin Trust, a registered charity and a company limited by guarantee. The Trust was registered on February 7th 2003. The charitable purposes the restoration, preservation and maintenance of the SS Robin for the education and benefit of the public, and to advance education in particular but not by way of limitation by the display of photographic exhibitions in the ship.

13. The vessel Robin was built 1890 by Mackenzie, MacAlpine and Co. of Blackwall and has been listed as part of the Core Collection by the National Register of Historic Vessels (NRHV). The NRHV provides an authoritative assessment of the significance of historic vessels. Core Collection vessels are of pre-eminent national importance. They span the spectrum of achievement of UK maritime history and illustrate changes in construction and technology. Core Collection vessels merit a higher priority for long-term preservation and a greater degree of support.

14. The offices of the Trust lie within the proposed Isle of Dogs Station worksite with an entrance to it from the under-croft of the West India Quay Docklands Light Railway station at the eastern end of West India Quay. They are housed in a temporary structure donated to the Trust by one of the construction companies involved in the building of Canary Wharf on land arranged by Canary Wharf Group. The Robin is permanently moored alongside West India Quay (and has been since 1991) which acts as the only land access to it by those using it either as volunteers, those children and teachers from schools and those visiting the ship hold to participate in activities that contribute to the upkeep of the Robin and the charitable activities that go on aboard her.

15. The SS Robin Trust runs a public art gallery and ongoing series of art and photography workshops with local schools and community groups. The impact of the construction work on these activities in terms of noise, dust, pollution and access restrictions may render the programme unsustainable and may force the Trust to close its activities.

16. It is respectfully submitted that the rights, interests and property of your Petitioners will be injuriously affected by the Bill if it is passed into law in its present form. Accordingly your petitioners object to the Bill for the reasons, amongst others, herein appearing.

Your Petitioners' concerns

17. Your Petitioners would respectfully record their disappointment at the inadequacy of the Promoter's efforts to consult with your Petitioners, before the Bill was deposited in Parliament, and in the detailed documentation made available to you Petitioners as to the likely effects of the works and possible mitigation, for example the effects of the construction of the Isle of Dogs station on the office accommodation and on the activities on board Robin during the construction period and on the ability of Robin to if necessary navigate past the construction site and the completed station.

Concerns about the Administrative Office location

18. The offices of the Trust are within the proposed work site for the construction of the station and are of necessity located close to Robin, Your Petitioners are concerned that the activities within the worksite would cause the offices to be removed from the site and not be replaced, or be replaced to the disadvantage of the Trust and its volunteers.

19. Your Petitioners would respectfully ask that assurances be provided by the Promoters that the offices of the Trust can remain in their present location and that access to them is maintained through the construction period and between them and Robin for all using the Robin.

20. Your Petitioners are concerned that if the offices do remain where they are presently located within the worksite area they will be adversely affected by noise, dust, vibration or other forms of pollution to the extent that they and those using them will not be able to function properly. Your Petitioners note that there is no agreement between the Promoters and the Local Authority on a code of practice to govern environmental pollution during construction and that the Local Authority is seeking assurances on these matters.

21. Your Petitioners are concerned that development by the promoter of a different design of the Isle of Dogs station to that set out in the environmental statement has not been fully evaluated and respectfully asks that your Petitioners activities are included within that evaluation, they are consulted and the necessary mitigation measures are put in place before work starts on the site.

Concerns affecting the Robin.

22. Your Petitioners are concerned that the construction work on the Isle of Dogs Station and in adjacent construction sites will, because of their proximity to the Robin, her location in water and her construction have an adverse affect on the activities that take place on board or on the vessel herself.

23. They would respectfully ask that a full technical assessment is carried out on the effects of construction before the bill is passed into law and that the Promoters undertake any necessary mitigation before construction is started.

24. Your Petitioners are concerned that the construction or other works associated with the Bill will cause the Robin to be relocated which will involve your Petitioners in costs for the movement of the vessel, removing and re-erecting parts of her to allow passage under the Docklands Light Railway bridge and in re establishing her and the office at another location. They would therefore seek an assurance that if it was decided to move the Robin because of the works proposed that the Promoters would pay the costs associated with the move so as to have no adverse effect on the Trust.

25. It may be that notwithstanding the above there is a need to move the Robin from her present location for a temporary period for example to have shipyard work carried out as part of a conservation plan for an historic vessel or for insurance purposes during construction and afterwards. Your Petitioners would respectfully ask that the construction sites and the completed station do not impede navigation for the Robin and any vessels that might assist her progress at all times, and that the bill is not passed into law until undertakings have been given to this effect.

26. The activities on board the Robin depend on there being good access to her from West India Quay, which is essentially a pedestrian area, alongside which she is moored. Your Petitioners are concerned that the Quay has been included within the proposed works as a route. Your Petitioners have not been able to ascertain from the Promoters the reason for this designation nor the effect that it might have on the Robin, its office or its activities. The Quay's construction, it is piled out over the water for part of its width, means that it is unsuitable for heavy vehicles and loads, whilst damage to it or obstruction of it would have an injurious effect on Robin and her activities. Your Petitioners respectfully ask that these matters be clarified before the bill passes in to law, and that your Petitioners would therefore reserve the right to raise any matters of concern in due course.

27. 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 proper fees of such professional advisers as they may instruct) reasonably incurred in consequence of the Bill or of any provision made as a result of this Petition.

28. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far as affecting your Petitioners, the Bill should not be allowed to pass into law

29. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights, interests and property of your Petitioners and for which no adequate provision is made to protect your Petitioners

Conclusion

Your Petitioners submit that, in the respects mentioned and in other respects, the Bill fails adequately to safeguard and protect the interests of 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 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 and in support of other such 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.

AND YOUR PETITIONERS WILL EVER PRAY, &c.