

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2004-2005- 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 ANTIQUE HYPERMARKET LIMITED.

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 Mr Secretary Darling supported by The Prime Minister, Mr Secretary Prescott, Mr Chancellor of the Exchequer, Secretary Margaret Beckett, Ms Secretary Hewitt, Secretary Tessa Jowell, Mr Peter Hain and Mr Tony McNulty. The Preamble to the Bill recites that its purpose is 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.
3. Your Petitioner, Antique Hypermarket Limited, is the Leaseholder of two entire buildings at 58 Davies Street, Mayfair, London, W1 and 1-8 Davies Mews, Mayfair, London, W1, both in the City of Westminster.
4. The Bill anticipates that 58 Davies Street, a Grade II Listed Building, will be required for compulsory purchase, or if not the property, the subsoil or under-surface or a right to use the property. The Bill Anticipates that the subsoil may be required under 1-8 Davies Mews.
5. Your Petitioner and its rights, interests and property are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.
6. Your Petitioner holds long leases on the entire buildings at 58 Davies Street and 1-8 Davies Mews. The properties are separate and do not inter-communicate, but are physically close to each other. 58 Davies Street was acquired in 1976 and 1-8 Davies Mews in 1978. Antique Hypermarket operates high-class antique markets, reflecting the Mayfair location, on the ground floor and basements of each of the properties. The antique markets are long-established having been in existence for 29 and 27 years respectively. The ground floors and basements of each of the properties are divided into numerous individual stalls which are let to dealers in antiques and objets d'art by way of Licences. Some of the dealers have traded from the markets for many years. Antique Hypermarket Limited provides services to the markets, such as lighting, heating and marketing and is responsible for payment of Business Rates and for repairs, maintenance etc.

7. Both of these antique markets are located in Mayfair, close to Oxford Street, New Bond Street and the many antique and art dealers who occupy shops and showrooms in nearby north Mayfair. 58 Davies Street is a Landmark Grade II Listed Building and occupies a prominent position facing Oxford Street and with an extensive frontage to Davies Street. In contrast, 1-8 Davies Mews is in a secondary non-retail thoroughfare and attracts little passing trade.
8. The two antique markets, and their associated craft workrooms located on upper floors, provide employment for over 100 people who depend on the continuing prosperity of the antique markets operated by Antique Hypermarket Limited for their livelihood.
9. 58 Davies Street is a Landmark Grade II Listed building and is a rare example of a former industrial building being put to commercial use in Mayfair. Your Petitioner objects to such a unique and irreplaceable building being taken in whole or in part.
10. Your Petitioner objects to the taking of any part of the ground floor and basement of 58 Davies Street. The business of Grays Antique Market (the trading name of the antique market at 58 Davies Street) is site specific to 58 Davies Street. There is no other building in Mayfair offering the required combination of location (being just off a main retail thoroughfare and close to travel facilities) size (the retail floors provide in excess of 1,090 sq m (11,750 sq ft), character and economic sustainability (due to its shape, the rent is sufficiently low to allow an antique market to trade profitably). It cannot therefore be relocated to another building. The taking of any part of the ground floor and basement of 58 Davies Street is likely to result in the antique market becoming uneconomic and it may be terminal for the company.
11. Your Petitioner also objects to the loss of a cultural focus and tourist attraction, and a unique business within Mayfair, which is irreplaceable.
12. Your Petitioner also objects because the livelihood of over 100 dealers and artisans will be put at risk by the taking of all or part of 58 Davies Street.
13. Your Petitioner also objects because in the event of all or part of 58 Davies Street being taken, the antique market at 1-8 Davies Mews would fail, since the latter is totally dependant for its existence on the superior located antique market at 58 Davies Street continuing.
14. Your Petitioner also objects to the proposed works to the highways in Davies Street and Davies Mews, which will cause substantial disruption to the antique markets and to other businesses operating from 58 Davies Street and 1-8 Davies Mews.
15. Your Petitioner also objects because the Bill provides for inadequate compensation generally for those directly and indirectly affected by the construction or use of the proposed works, and in particular for the extinguishment of the antique market operated by Antique Hypermarket Limited at 58 Davies Street, the consequential extinguishment of the business of the antique market operated by Antique Hypermarket Limited at 1-8 Davies Mews, and the loss of the livelihood of the dealers and artisans in both antique markets at 58 Davies Street and 1-8 Davies Mews, who would be displaced by the proposals.
16. For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended as proposed above, clauses, so far affecting your Petitioner, should not be allowed to pass into law.
17. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and its rights, interests and property and for which no adequate provision is made to protect your Petitioner.

18. The Preamble to the Bill, in so far as it relates to the matters aforesaid, is untrue and incapable of proof.

YOUR PETITIONER therefore humbly prays 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 Petitioner 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.

AND your Petitioner will ever pray, &c.