

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 London Transport Users Committee and Rail Passengers Council

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 presented by Mr Secretary Darling, supported by The Prime Minister, Mr Chancellor of the Exchequer, Secretary Margaret Beckett, Mr Secretary Hain, Secretary Alan Johnson, Secretary Tessa Jowell, and Derek Twigg.
- 3 The main clauses of the Bill to which the objection is to be made:
 - Clause 1 – Construction and maintenance of scheduled works
 - Clause 23 – Directions specifying matters for the purposes of section 22
 - Clause 32 – Amending existing access contracts: effects of contracts under section 31
 - Clause 36 - ClosuresThere is no clause relating to improved accessibility, however your Petitioners believe that there should be reference to this issue in the Bill.
- 4 Your Petitioners, the London Transport Users Committee, are the statutory body established under Section 247 of the Greater London Authority Act 1999 to represent the interests of transport users in and around London. Your Petitioners, the Rail Passengers Council, are the statutory body established under Section 19 of the Railways Act 2005 to represent the interests of rail passengers in Great Britain.
- 5 Your Petitioners and those they represent are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.
Clause 1 – Construction and maintenance of scheduled works
6. Schedule 1 of the Bill provides for a station at Farringdon. Your Petitioners are aware that the Thameslink 2000 proposals, which are currently the subject of a Transport and Works Act (TWA) order application, incorporate alterations to the existing station at this important interchange location. Your Petitioners are concerned that because Crossrail and Thameslink 2000 are being considered

separately, under different legal processes, there is the potential for decisions that contain mutually exclusive requirements. Your Petitioners, therefore, propose that your honourable House should consider the interface between the two schemes to ensure that no decision is taken which might prevent the Thameslink 2000 project proceeding. Your Petitioners are making similar representations to the Inspector considering the Thameslink 2000 project in respect of its interface with the Crossrail Bill.

7. The purpose of the Bill includes provision of rail services to Heathrow Airport. Your Petitioners believe it is important that consideration be given to the appropriate level of service on Crossrail to be provided beyond the station at Heathrow Terminals 1, 2 and 3, to the stations at Terminal 4 and at Terminal 5.
8. Your Petitioners understand that the Bill before Your Honourable House provides enabling powers to make provision for a railway transport system but believe that unless that system directly serves the stations at both Terminals 4 and 5 at Heathrow, it will fail to meet the requirements of Europe's most important international airport. Your Petitioners therefore believe that Your Honourable House should specify that the Crossrail system should serve the stations at both Heathrow Terminal 4 and Heathrow Terminal 5.
9. Your Petitioners have further concerns about the failure of the proposed railway transport system to serve London City Airport. Your Petitioners recognise that consideration has already been given to moving Custom House station further east to provide a direct link with London City Airport but that the cost of so doing has been adjudged too high. Your Petitioners believe however that your honourable House should require passive provision to be made for a possible future new station, in the vicinity of the existing Silvertown station, to directly serve the airport.

Clause 23 – Directions specifying matters for purposes of section 22

10. Your Petitioners note that under provisions contained in clause 23 (4) the Secretary of State, before issuing a direction under sub-sections (1) or (3) must consult 'Transport for London', 'the provider of any service for the carriage of passengers by railway that is a service likely to be affected by the exercise of the power,' and 'such other persons (if any) as the Secretary of State considers appropriate.'. Your Petitioners have been established by Parliament to represent the interests of the passengers using the railways that will be affected by this provision and they contend, therefore, in line with the moves to greater transparency in decision-making processes, that an additional sub-clause should be inserted in clause 23 (4) to require the Secretary of State to have additionally to consult both the Rail Passengers Council and the London Transport Users Committee before giving a direction under sub-sections (1) or (3).

Clause 32 – Amending existing access contracts: effects of contracts under section 31

11. Your Petitioners are aware that some Train Operating Companies and Freight Operating Companies allege that the priority to be allowed to Crossrail services on the Great Western Main Line will significantly adversely affect other Train and Freight Operating Companies. Your Petitioners have no remit

in relation to freight, but do represent the interests of all passengers using trains in and around London and would regard a significant increase in journey time on other rail services as a result of the priority given to Crossrail as unacceptable.

12. Although the promoters of the Crossrail Bill deny that Crossrail will have the adverse effect suggested, your Petitioners have not seen evidence to refute it. Your Petitioners, therefore, urge your honourable House to seek such evidence from the promoters of the Bill and, in the light of what is provided to you, to consider whether any significant adverse impact on other rail users is acceptable in all the circumstances.

Clause 36 - Closures

13. Your Petitioners believe that this provision is too loosely worded and are concerned as to the extent it might be used.
14. Your Petitioners have noted a similar clause is contained in the Channel Tunnel Rail Link Act 1996 and the promoters of this Bill have argued that they are merely following precedent by inserting it in the Crossrail Bill. Your Petitioners contend that the Channel Tunnel Rail Link is an entirely different railway to Crossrail and the all-embracing nature of Clause 36 is unacceptable in the context of the railways with which Crossrail interfaces.
15. Crossrail will interface with existing heavily used passenger railways in the London conurbation. Your Petitioners believe it is unacceptable to allow the possible closure of any such railways without the protection afforded by the closure provisions in the Railways Act 2005.
16. Your Petitioners believe that Your Honourable House should seek an undertaking as to the maximum extent to which Clause 36 might be used, and on the basis of such an undertaking consider the impact of such closures on the users of the railways affected.

Accessibility

17. Your Petitioners recognise that all new stations provided for in the Crossrail Bill will be fully accessible. Your Petitioners warmly welcome this.
18. Your Petitioners are not, however, satisfied that Crossrail adequately addresses accessibility issues at existing stations which Crossrail will serve. Your Petitioners are particularly concerned about the interchange between Crossrail and other railway lines at Whitechapel, where a scheme has yet to be agreed to make the existing London Underground station fully accessible. Your Petitioners contend that this situation is totally unacceptable and believe that Your Honourable House should require the matter to be addressed.
19. Your Petitioners believe that Parliament has recognised the importance of addressing disability discrimination on public transport by approving the Disability Discrimination Act 1995 and the Regulations that stem from that Act. Your Petitioners request that your Honourable House consider whether a transport scheme of the importance as Crossrail should not include provision to make all stations it serves fully accessible, or at the very least include an agreed timetable by which all such stations will be made fully accessible.

20. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, clauses 1, 23, 32 and 36 so far affecting your Petitioners, should not be allowed to pass into law.
21. 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 interests 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 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 Petitioners in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.

