

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2005-2006

CROSSRAIL BILL

P E T I T I O N

Against the Additional Provisions – 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:

ORANGE PERSONAL COMMUNICATION SERVICES LIMITED

SHEWETH as follows:-

- 1 A Bill (hereinafter referred to as the “the Bill”) has been introduced into 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”).

3 On 9 May 2006 the Promoter deposited certain amendments to the Bill, together with
an additional Environmental Statement, revised plans and sections and a
supplementary Book of Reference, collectively entitled “Amendment of Provisions
May 2006” (hereinafter referred to as “the Additional Provisions”).

4 Your Petitioners deposited a petition against the Bill in September 2005 (number
327). Your Petitioners and their rights, interests and property are injuriously affected
by the Additional Provisions, to which your Petitioners object for reasons amongst
others, hereinafter appearing.

Your Petitioners’ concerns

5 Whilst your Petitioners have no objection to the Crossrail project in principle, they
have substantial concerns that the exercise of the powers conferred by the Additional
Provisions will compromise the operation of your Petitioners’ undertaking and, in
particular, will interfere with use of elements of your Petitioners’ apparatus in the
vicinity of the proposed works.

6 Your Petitioners have electronic telecommunications apparatus (“apparatus”) located
in, on, under or over land which is subject to compulsory acquisition or a right to use,
under the Additional Provisions.

7 In addition, your Petitioners own and operate apparatus in land, including public
highways, which, whilst not subject to the compulsory purchase proposals of the
Additional Provisions, is in the immediate vicinity of the works proposed by the
Additional Provisions and liable to be injuriously affected by them. In particular,
your Petitioners have apparatus located on Langley Park Road and Court Lane which
are in the immediate vicinity of the works proposed by the Additional Provisions.

8 Therefore your Petitioners object to the Additional Provisions and contend that they
and their rights and interests are injuriously and prejudicially affected by the
Additional Provisions for the reasons (amongst others) here stated.

9 In relation to the relocation of any apparatus, your Petitioners maintain their position
as set out in paragraphs 13-15 of their original petition.

- 10 In relation to costs and expenses, your Petitioners maintain their position as set out in paragraphs 16 and 17 of their original petition.
- 11 In relation to access to their apparatus, your Petitioners maintain their position as set out in paragraph 18 of their original petition.
- 12 In relation to abandonment of apparatus, your Petitioners maintain their position as set out in paragraph 19 of their original petition.
- 13 In relation to disputes, your Petitioners maintain their position as set out in paragraph 20 of their original petition.
- 14 In relation to other more general concerns, your Petitioners maintain their position as set out in paragraphs 21-28 of their original petition.
- 15 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 Additional Provisions.

Conclusion

- 16 Your Petitioners submit that the Additional Provisions fail 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 with witnesses in support of the allegations of this Petition against so much of the Additional Provisions as affects the property, rights and interests of your Petitioners 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 Petitioners in the premises as your Honourable House shall deem meet.

AND YOUR PETITIONERS WILL EVER PRAY, &c.

BIRCHAM DYSON BELL

Parliamentary Agents for

ORANGE PERSONAL COMMUNICATIONS SERVICES LIMITED