

AP 220

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:

TARMAC 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 330). 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 The Additional Provisions seek to acquire the following additional parcels of land for the purposes of the Bill.

CITY OF WESTMINSTER

Parcel Number 33a

Property Public footpaths (Alfred Road to Harrow Road and Westbourne Park Passage), football pitch, steps and grassed and paved areas (Westbourne Green Sports Complex, Alfred Road)

- 6 The Additional Provisions make provision amongst other matters for alterations to the proposed Work 1/8A, as described in Schedule 1 of the Bill, namely the extension of the siding at Westbourne Park.
- 7 Your Petitioners support the proposed alterations to the siding at Westbourne Park but are concerned that the construction works will be designed and executed in a manner that would not allow your Petitioners continued operation of a concrete batching plant at Paddington New Yard. Your Petitioners are also concerned to ensure that following construction the completed works will facilitate the operation by them of the concrete batching plant that is proposed to be reinstated at Paddington New Yard.
- 8 The Environmental Statement deposited with the Additional Provisions provides for the closure of your Petitioners’ concrete batching plant during the Crossrail works without providing any proposals for the temporary relocation of the plant or for

coexistence at Paddington New Yard of your Petitioners' plant and the Crossrail works. The Environmental Statement does not assess the effects of the temporary closure of the plant, or the impact of closure on the surrounding area nor does it address the possibility of the continued operation of the plant.

- 9 Your Petitioners have provided the Promoter with a number of proposals that would allow for the continued operation by them of a concrete batching plant business during the proposed works which have not been considered or assessed in the deposited additional Environmental Statement.
- 10 Your Petitioners submit that, the Additional Provisions should not be passed without amendment to allow for the continued operation of their concrete batching plant on the Paddington New Yard site during the construction and operation of the works authorised by the Bill and the Additional Provisions.

General matters

- 11 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.
- 12 There are other clauses and provisions in the Bill which, if passed into law as they are now proposed, will prejudicially affect your Petitioners and their rights, interests and property and for which no adequate provision is made to protect your Petitioners.

Conclusion

- 13 Your Petitioners submit that, in the respects mentioned above and in other respects, the Bill fails adequately to safeguard and protect the interests of your Petitioners.

- 14 Your Petitioners therefore respectfully submit that insofar as it relates to the matters mentioned the Additional Provisions should not be inserted in the Bill and the Bill should not be allowed to pass into law in its proposed form.

YOUR PETITIONERS THEREFORE HUMBLY PRAY your Honourable House that the Bill may not be allowed to pass into law as it now stands or is now proposed 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 Additional Provisions as affects their 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.

BIRCHAM DYSON BELL
Parliamentary Agents for
TARMAC LIMITED