

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2005-06

CROSSRAIL BILL . ADDITIONAL PROVISION

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 IAN MACKENZIE. SHEWETH as follows:

- 1 An Additional Provision to the Crossrail Bill has been introduced and is now pending in your honourable House intituled "AMENDMENT OF PROVISIONS (May 2006)".
- 2 Your Petitioner is an owner of property in Gilbert House Barbican London EC2Y 8BD which the Additional Provisions to the Bill may directly and specially affect.
- 3 Your Petitioner and their rights, interests and property are injuriously affected by the Bill, to which your Petitioner object for reasons amongst others, hereinafter appearing.
- 4 Your Petitioner objects to the amended location and proposed construction of the proposed crossover between Farringdon and Liverpool Street. The noise and vibration emanating from the crossover will be far greater than from the railway tunnel originally proposed and the construction period is also considerably longer. The new location is in part directly under Gilbert House, a substantial block of residential flats forming the central part of the Barbican Estate and Willoughby House, which also forms part of the Barbican Estate. This will generate noise and vibration that will have a detrimental effect on the living conditions of the residents of that block and other adjacent blocks for the duration of the construction period, which is estimated at approximately 4 years and also from the subsequent operation of the railway.
- 5 Your Petitioner further objects to the amendment because the proposed crossover will pose an unacceptable risk to the health and safety of the residents during the construction and subsequent operation of the railway.
- 6 Your Petitioner further objects because the proposed crossover will result in damage to a building listed as of architectural or historical interest.
- 7 Your Petitioner further objects because the crossover will result in Gilbert House and Willoughby House being blighted by the proposal at least until the construction has been completed and the operation of the railway commences. The result will be that the owners of leasehold flats within these blocks will be unable to sell their properties during this period except at a substantially reduced price and will not be eligible to operate the Blight Notice provisions under The Town and Country Planning Act 1990. This is because no land will actually be acquired from the leasehold owners. The hardship policy proposed is too restrictive and unlikely to apply to most situations. Furthermore, it is totally discretionary. Compensation under the Land Compensation Act 1973 would not become due until 1 year after the railway opens for use. Consequently, leasehold owners will have no way of selling their properties without losing a substantial amount of money. That will result in unnecessary hardship.

- 8 Your Petitioner further objects because there has been inadequate consultation with the residents of Gilbert House.
- 9 Your Petitioner further objects because the proposed crossover is unnecessary for the operation of the railway.
- 10 Your Petitioner further objects because there has been inadequate consideration of alternative sites or solutions for the proposed crossover.
- 11 For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended as proposed above, the Proposed construction tunnel and crossover between Farringdon and Liverpool Street, Schedule 1, Schedule 2, Schedule 3, Schedule 4, Schedule 5, Schedule 6, Schedule 7, Schedule 8 and After clause 56 so far affecting your Petitioner, should not be allowed to pass into law.
- 12 The Additional Provision if passed into law as will prejudicially affect your Petitioner and their rights, interests and property and for which no adequate provision is made to protect your Petitioner.

YOUR PETITIONER therefore humbly prays your Honourable House that the Additional Provision 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 Additional Provision as affects the property, rights and 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 Petitioner in the premises as your Honourable House shall deem meet.

AND your Petitioner will ever pray, &c.

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IAN MACKENZIE