

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2006-07

CROSSRAIL BILL

P E T I T I O N

Against the Additional Provision (No. 4) – 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:

ENGLISH WELSH & SCOTTISH RAILWAY LIMITED

SHEWETH as follows:—

- 1 A Bill (hereinafter referred to as “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 16 May 2007 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 2007” (hereinafter referred to as “the Additional Provision (No. 4)”).

4 Your Petitioners deposited a petition against the Bill in September 2005 (number 196) and against the Additional Provision (No. 3) in December 2006 (number AP3/43). Your Petitioners and their rights, interests and property are injuriously affected by the Additional Provision (No. 4), to which your Petitioners object for reasons amongst others, hereinafter appearing.

Your Petitioners' further concerns

5 The Additional Provision (No. 4) includes the following parcels of land at Plumstead Goods Depot in the London Borough of Greenwich.

LONDON BOROUGH OF GREENWICH

Parcel Number	96a, 97a, 98, 98a, 99, 102
Property	Plumstead Goods Depot
Effect	Acquisition

6 These parcels of land, together with parcels 96 and 97, form part of one of the 75 or so Strategic Freight Sites set aside by the government upon rail privatisation as reserved for future use by rail freight businesses. Freight companies may apply to Network Rail, who owns the freehold of the land, if they have a potential use for one of the sites, to lease it and enter into a track access agreement.

7 In June 2005, at the request of Petitioner 157, Mendip Rail Ltd, your Petitioners applied to Network Rail to call down part of Plumstead Goods Depot, roughly corresponding to parcels 96, 96a and 97a, and were awarded the site in September 2005.

Revised Crossrail scheme

8 In the original Crossrail Bill, the railway tracks were due to emerge from tunnel in the middle of Plumstead Goods Depot. When your Petitioners appeared before the

Crossrail Bill Select Committee in July 2006 the Promoter agreed to look at whether your Petitioners could be accommodated on any of the site, although no conclusion was subsequently reached.

- 9 Additional Provision (No. 4) reduces the effect on Plumstead Goods Depot by moving the point at which the tracks emerge from tunnel some 300m to the east, and instead installing a shaft at Plumstead Goods Depot. The replacement plans deposited with Additional Provision (No. 4) appear to show the proposed Plumstead Shaft as being to the north of the area of the Strategic Freight Site that your Petitioners have called down.
- 10 Your Petitioners therefore request that the Promoter be required to allow your Petitioners and their prospective tenant to operate the land they have been awarded as a freight yard following, and if possible during, construction of Crossrail. This will allow an estimated 50,000 to 75,000 tonnes of aggregate per year to travel by rail rather than road from the Mendip Hills in Somerset.
- 11 Your Petitioners further request that as much of the remainder of Plumstead Goods Depot as possible be retained as a Strategic Freight Site and that the Promoter be required to provide replacement land for any land that is lost, even if he is not obliged to do so under the original arrangements for such sites. In that way the environmental benefits of carrying goods by rail rather than road stand an equal chance of being realised than they would have done in the absence of the Crossrail scheme.

General matters

- 12 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.
- 13 There are other clauses and provisions in the Bill proposed to be amended by Additional Provision (No. 4) 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

- 14 Your Petitioners submit that, in the respects mentioned and in other respects, the Bill as proposed to be amended by Additional Provision (No. 4) fails adequately to safeguard and protect the interests of your Petitioners.
- 15 Your Petitioners therefore respectfully submit that insofar as it relates to the matters herein mentioned the Additional Provision (No. 4) should not be inserted in the Bill and the Bill should not be allowed to pass into law in its proposed form unless and until the matters raised by your Petitioners herein are addressed to their satisfaction, whether by further amendments to the Bill or otherwise.

YOUR PETITIONERS THEREFORE HUMBLLY PRAY your Honourable House that the Bill may not be allowed to pass into law as it now stands or as 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 Provision (No. 4) 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 Petitioners in the premises as your Honourable House shall deem meet.

AND YOUR PETITIONERS WILL EVER PRAY, &c.

BIRCHAM DYSON BELL LLP

Parliamentary Agents for

ENGLISH WELSH & SCOTTISH RAILWAY LIMITED

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12 June 2007