



House of Commons
Select Committee on the
Crossrail Bill

Crossrail Bill

**First Special Report of Session
2006–07**

Volume I



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Report, together with formal minutes

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The Select Committee on the Crossrail Bill

The Select Committee on the Crossrail Bill is appointed by the House of Commons to consider:

(a) any Petition against the Bill presented by being deposited in the Private Bill Office at any time not later than 16th September 2005, and

(b) any Petition which has been presented by being deposited in the Private Bill Office and in which the Petitioners complain of any amendment as proposed in the filled-up Bill or of any matter which has arisen during the progress of the Bill before the Select Committee, being a Petition in which the Petitioners pray to be heard by themselves, their Counsel or Agents.

That, notwithstanding the practice of the House that appearances on Petitions against an opposed Private Bill be required to be entered at the first meeting of the Select Committee on the Bill, in the case of any such Petitions as are mentioned in sub-paragraph (a) above on which appearances are not entered at that meeting, the Select Committee shall appoint a later day on which it will require appearances on those Petitions to be entered.

That any Petitioner whose Petition stands referred to the Select Committee shall, subject to the Rules and Orders of the House and to the Prayer of his Petition, be entitled to be heard by himself, his Counsel or Agents upon his Petition provided that it is prepared and signed in conformity with the Rules and Orders of the House, and the Member in charge of the Bill shall be entitled to be heard by his Counsel or Agents in favour of the Bill against that Petition.

That the Select Committee have power to sit notwithstanding any adjournment of the House, to adjourn from place to place and to report from day to day the Minutes of Evidence taken before it.

That three be the Quorum of the Select Committee.

Current membership

Mr Alan Meale (*Labour, Mansfield*) (Chairman)
Mr Brian Binley (*Conservative, Northampton South*)
Ms Katy Clark (*Labour, North Ayrshire and Arran*)
Mr Philip Hollobone (*Conservative, Kettering*)
Kelvin Hopkins (*Labour, Luton North*)
Mrs Siân C. James (*Labour, Swansea East*)
Mr Ian Liddell-Grainger (*Conservative, Bridgwater*)
John Pugh (*Liberal Democrats, Southport*)
Mrs Linda Riordan (*Labour, Halifax*)
Sir Peter Soulsby (*Labour, Leicester South*)

Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee are on the Internet at www.parliament.uk/parliamentary_committees/crossrail.cfm

Committee staff

The staff of the Committee are Sian Jones (Clerk) and Darren Hackett (Committee Assistant).

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Summary

This Report explains the decisions and recommendations the Select Committee on the Crossrail Bill has made after sitting in public for 84 days of hearings and considering the cases presented on 205 of the 457 petitions deposited against the Crossrail Bill and against the 4 sets of additional provisions deposited by the Government. As a result of these considerations the Committee has made certain amendments to the Bill to meet or partially cover the requirements of Petitioners where we judged it appropriate. There were also a number of issues where the Committee made recommendations or suggested a course of action to the Promoter of the Bill instead of making an amendment to the Bill.

This Report details many, but not all of the cases presented in Committee. The Committee has only commented on cases where it deemed necessary. In all other cases, the Committee was satisfied with the undertakings and assurances offered by the Promoter to the Petitioner.

1 Introduction

Crossrail

1. The Crossrail Bill provides 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’¹. The said railway transport system is a proposal affecting primarily London and the South East of England. The intention is to deliver a railway with a frequent train service across the capital by 2017.² The route will begin in Maidenhead and Heathrow and travel via Paddington, Liverpool Street and Stratford to Shenfield, and via Whitechapel to Abbey Wood. The railway will travel underground through the city centre between Paddington and east London.

The Promoter and the history of the scheme

2. The Department for Transport and Transport for London formed a 50/50 joint venture company, Cross London Rail Links (CLRL), to promote and develop the Crossrail scheme. The construction of a project, such as Crossrail, requires the authority of Parliament in the form of a Bill. The Crossrail Bill was presented by the Secretary of State for Transport on 18 May 2005. The Bill is hybrid because although promoted by the Secretary of State as a matter of public policy, it adversely affects the private interests of certain individuals and organisations, who may therefore be entitled to have their objections considered by a select committee under a quasi-judicial procedure akin to that for private bills. Objections are made by depositing a petition against the Bill.³

3. The proposals for such a transport scheme are not unique to this Bill. Parliament considered a Crossrail Bill over a decade ago. That Bill, promoted by Transport for London, was developed following the 1989 Central London Rail Study.⁴ It was presented as a private Bill to the House of Commons on 22 January 1991. However, the Bill was blocked from proceeding at several of its Parliamentary stages. The 1991 Bill had 314 petitions deposited against it. At that time, an Opposed Bill Committee was formed to hear the cases for and against the Bill and it subsequently sat for 7 months. The Bill was finally rejected by the Committee on 11 May 1994. The Committee reported that the case for the bill had not been made. The Bill was therefore not passed by the House. However, the Government issued Safeguarding Directions to protect the alignments of the lines through central London, that ensured that no developments could be built which would prevent the Crossrail scheme from being built in the future. We note that the Safeguarding Directions had a long term impact on some of the landowners along the route.

1 Crossrail Bill [Bill 2(2006-07)]

2 Paragraph 21737 [Mr T Mould QC]

3 People affected by the Bill are entitled to object to it by depositing a Petition against the Bill. Petitions can be deposited in both the House of Commons and the House of Lords within a set timetable. Please see paragraph 13.

4 Department of Transport, 1989

4. In 2001, CLRL was allocated a budget of £154 million by central Government to carry out feasibility work connected to the possible acquisition of Parliamentary powers. It was given a further £100 million in 2005 for development work.⁵ The Promoter of the Bill brought forward legislation to Parliament in May 2005 to enable the construction of the Crossrail transport system.⁶

The Powers of the Bill

5. The Bill will confer a range of powers on the nominated undertaker⁷ to build and operate Crossrail. These include the right to construct and maintain Crossrail and the other associated and enabling works.⁸ These works are summarised in the Environmental Statement and the explanatory memorandum accompanying the Bill. A summary of the main powers sought in the legislation follows below:⁹

- a) The Bill will grant deemed planning permission for the construction of Crossrail and other associated and enabling works. The Bill will also remove the need for listed building consent under section 8 of the Planning (Listed Building and Conservation Areas) Act 1990.
- b) The Bill will provide for the demolition, alteration or extension of the listed buildings specified in the Bill where this is necessary to construct the scheme and it removes the need to obtain conservation area consent under section 74 of the 1990 Act, for the demolition of buildings and other structures specified in the Bill within designated conservation areas where this is necessary to construct Crossrail and the other associated and enabling works.
- c) The Bill will confer powers of compulsory acquisition or temporary possession of the land needed to construct Crossrail and it authorises the stopping up or closure of highways and other public thoroughfares both permanently and temporarily, and the alteration of highways.
- d) The legislation also gives the Promoter of the Bill the enabling rights to use certain rail facilities to be taken or varied for the purposes of providing Crossrail services¹⁰; it authorises interference with navigable waterways; and it confers other powers required in connection with the construction and operation of Crossrail and other associated and enabling works.

5 <http://www.crossrail.co.uk/pages/whatiscrossrail.html>

6 Votes and Proceedings: Wednesday 18 May 2005, p15

7 The 'nominated undertaker' is given powers in the Bill to implement the construction of the Crossrail project. The Bill gives the Secretary of State the ability to nominate that undertaker.

8 Associated and enabling works are those which do not directly relate to the construction of the railway but are needed to allow the construction work to take place.

9 Please refer to the Bill and its explanatory memorandum for a detailed explanation of the Bill's provisions. Explanatory notes to the Bill, prepared by the Department for Transport, Crossrail Bill [Bill 2 and 2—EN (2006-07)]

10 The Bill provides that in the period between Royal Assent and the start of Crossrail passenger services, the Office of Rail Regulation ('ORR') shall exercise its functions, so far as they relate to access contracts, in a manner so as to facilitate the operation of the principal Crossrail passenger service on and after a date specified by the Secretary of State.

e) There are provisions in the Bill that will deem planning permission to be granted for the authorised works, and such permission is deemed subject to conditions requiring the approval of the local planning authority for certain matters of detail. The extent of matters subject to approval under these conditions will depend upon whether the local planning authority is a 'qualifying authority', that is, it has given an undertaking to the Secretary of State about the way in which it will handle applications for approval of details. For qualifying authorities, the matters subject to approval will include certain construction arrangements. Where works affect highways, the Bill will also provide for certain matters to be subject to the approval of the relevant highway authority.¹¹

6. In short, this legislation provides the legislative framework to allow the construction of Crossrail. It amends existing powers, where the Promoter deems necessary, to ensure the construction and operation of the proposed transport scheme.

11 <http://Billdocuments.crossrail.co.uk>

2 The Select Committee on the Crossrail Bill

7. Select Committees on hybrid bills do not operate under the same parliamentary rules as departmental select committees. They are quasi-judicial and operate more like a court. Committees, such as ours, do not have an extensive remit and serve only to consider the issues raised by Petitioners, where the Petitioner has *locus standi*¹². In addition we were given five Instructions by the House of Commons that served further to define what issues we would be able to consider. One of the main causes of frustration for the Committee was that some Petitioners wished to raise issues which we were not empowered to consider.

8. We take this opportunity to summarise briefly the rules and procedure followed in Committee so that the House and members of the public can readily understand the limited framework in which the Committee was able to operate.

Agreed by the House of Commons

9. A hybrid bill has a second reading in the House of Commons before it is referred to a Select Committee. Once the House agrees that the Bill should be read a second time, it is deemed to have approved it in principle. A Select Committee on a hybrid bill may not therefore reject the bill. Petitioners are subsequently limited in the arguments they promote in committee; they may seek to amend the Bill and may not argue that the Committee should reject it.

A petition against a hybrid bill

10. A petition is a summary of objections to particular aspects of the Bill. It is a request to the House of Commons for the Petitioner to be allowed to argue their case before the Select Committee on the Crossrail Bill.

Who petitioned?

11. The Crossrail Bill and the Environmental Statement were published on 22 February 2005.¹³ The timetable for receiving petitions in the House of Commons was laid down in an Order of the House on 19 July 2005.¹⁴ Any individual, group of individuals, or organisation ‘directly and specially affected’ by the provisions of the Crossrail Bill was able to petition against it.¹⁵ Needless to say, there were a few cases where Petitioners tested the definition of ‘directly and specially’ to the limit. Some 358 petitions against the Bill were

12 The Promoter of the Bill may decide that, in their view, a Petitioner does not have a right, or *locus standi*, to petition against a Bill. Usually such a decision is taken because the Petitioner does not seem to be locally or specifically affected by the Bill, although other reasons may exist. If the *locus standi* of a Petitioner is objected to, it is decided upon by the Committee on whom the decisions of the Court of Referees are binding. (See Erskine May, *Parliamentary Practice*, Twenty-third edition, Chapter 39, LexisNexis Butterworths.)

13 Crossrail Bill [Bill 1 and 1—EN (2005-06)]

14 The Private Bill Office remained open throughout the Summer recess to allow Petitioners three months to prepare and deposit their petitions.

15 The House of Commons produced 5000 leaflets explaining to those affected how they could petition Parliament. The Promoter of the Bill kindly agreed to send a leaflet to every person who received notice from the Promoter that they were affected.

deposited (an additional 99 petitions were deposited against the four sets of Additional Provisions).¹⁶

12. Many Petitioners believed that the Crossrail Bill would have a direct or deleterious effect on their well-being, their property or their business. The Committee heard from many, but not all, of the Petitioners during its hearings. Some Petitioners chose not to appear and some withdrew their petitions after negotiating a satisfactory undertaking with the Promoter of the Bill. All hearings took place in public and were transcribed and web-cast.

Rights of Parties

13. Both Promoter and Petitioners have the right to appear before the Committee to make their cases. The practice of the House allows Petitioners to be heard either in person, or by their agent or counsel. The Promoter of the Bill, the Secretary of State for Transport, was represented by his parliamentary agents, the firm of solicitors Winckworth Sherwood, and by legal Counsel. All petitions not withdrawn or successfully challenged on *locus standi* grounds, were referred to the Committee.

Order of Proceedings

14. In a select committee on a hybrid bill, the onus is on the Petitioner, or their Agent¹⁷, to prove that they are unreasonably affected by the Bill. It is usual in these circumstances to allow the Petitioner both the first and last words on each case. However, we recognised that this practice often disadvantaged Petitioners, many of whom had not appeared before a parliamentary committee before, by requiring them to explain complicated technical matters. Therefore the Committee insisted that Counsel for the Promoter made a brief factual statement at the beginning of each case explaining what the issues of contention were between the two parties.

15. Thus, Counsel for the Promoter briefly opened each case and then the Petitioner had their opportunity to set out their concerns and objections. The Petitioner was able to call witnesses in support of their case. The witnesses could be cross-examined by the Counsel for the Promoter, and re-examined by the Petitioner.

16. Once the Petitioner's case had been made, the Counsel for the Promoter would open his case. Again, witnesses could be called, examined, cross-examined and re-examined. The Petitioner had a right of reply.

Rules observed in Committee

17. In presenting their evidence to the Committee, Petitioners were restricted in a number of ways:

¹⁶ Private Business Notice Paper Session 2005-06, pages: 37-50, 127-131, 135 and Session 2006-07 pages: 11,15-19,125-129. Contents of the petitions can be viewed at:
<http://www.publications.parliament.uk/pa/pabills/200607/crossrail.htm>

¹⁷ Petitioners may chose to be represented by an Agent acting on their behalf or by legal Counsel.

- a) Petitioners could only be heard on matters included in their petitions, and were not able to make additional arguments before the Committee.
- b) Petitioners could only seek to represent themselves and those who had signed the petition. Any attempt to raise the concerns of neighbours or others who had not petitioned the Committee was not allowed. This was because the Committee could not reasonably determine why others had chosen not to petition. To allow Petitioners to argue on behalf of others would fall foul of the rules relating to *locus standi*.¹⁸
- c) Witnesses, Counsel and Petitioners were all obliged to conduct themselves before the Committee in a way which did not constitute a contempt of the House of Commons. Generally, that meant that all parties were obliged to be respectful.
- d) Repetitious and irrelevant evidence, deliberate delay, and refusal to answer questions were all treated as possible contempts of the House and were deprecated in Committee.

Making amendments to the Bill (Additional Provisions)

18. After hearing all the evidence on a case the Committee would decide whether or not it should amend the Bill. There were usually two types of amendment the Committee could consider making to the Bill. These were amendments that would:

- a) naturally tend to limit the powers, or
- b) extend the obligations of the Government and extend the powers contained in the Bill.

19. The latter type of amendment is known as an Additional Provision. Since such an amendment could potentially have an impact on people not previously affected by the Bill, Additional Provisions need to be advertised and authorised by the House in the same way as the original provisions of the Bill.

20. On occasions where we agreed such amendments were necessary, these decisions were announced in Committee. This was to allow the Government to bring forward the necessary Additional Provisions to the Bill and also to give the public the opportunity to object to these provisions if they were affected by them.

21. Although Additional Provisions to the Crossrail Bill were put forward by the Secretary of State, they were not formally accepted as amendments to the Bill until the Committee had fully considered all the cases presented against them. All amendments we judged to be appropriate were made formally to the Bill when we reported the Bill to the House.

18 Locus standi: see footnote 8.

3 Challenges faced by the Committee

22. Having been appointed in December 2005, the Committee first met in public on 17 January 2006 to begin the task of hearing the case of each Petitioner. This task continued for 22 months, with the Committee being called to meet up to eight times each week. The Committee sat for 84 days in public meetings, heard 205 Petitioners (in total) and received 413 volumes of written evidence. Members of the Committee worked exceptionally hard to fit this demanding timetable into their other parliamentary duties.

23. At this point, the Committee wishes to place on record its sincere thanks to the staff in the House connected with the Bill who assisted Members, Petitioners and the Promoter during the lengthy committee stage. We much appreciated the help, advice and services, provided by the staff of Clerks, Serjeant at Arms and Refreshment Departments. We also wish to thank the security staff and the cleaners who all worked hard to help us in this important task.

An unfamiliar process

24. Before we set out the significant issues that arose during the Committee's hearings we wish to make a few general points about the process itself. Firstly, the public has come to expect consultation documents from Government departments regarding new pieces of legislation. They are less familiar with the hybrid bill process. Many members of the public were sceptical that by depositing a petition they could have an opportunity to convince a parliamentary committee to change the Bill on their behalf. We trust that the extensive information and assistance provided to the public by the House and by the Government enabled all those who wished to engage in this process to do so.

25. We were also concerned that, as one might expect in the case of a Bill of this size, the only organisation placed to answer detailed public enquiries about the Bill was the company, Cross London Rail Links (the company formed to promote the Bill). In relation to certain cases put to us, we have highlighted our dissatisfaction at the lack of information given at times by the Promoter to the public during the consultation periods.¹⁹

Instructions given to the Committee

26. The House of Commons agreed five Instructions to the Committee during the last 18 months. These instructions had a variety of purposes and are therefore included in full in the appendix to this Report.

First Instruction

27. The first Instruction (agreed on 19 July 2005)²⁰ required us to report matters relating to the environmental impact of the railway to the House. It also served to set out what the Committee should consider to be part of the principle of the Bill. The practice of the House

19 Paragraph 10860 [Chairman]; Paragraph 10917 [Ms J Cove];

20 Votes and Proceedings, Tuesday 19 July 2005, p143

of Commons prevents a select committee on a hybrid bill from considering matters which affect the principle of the bill. The first Instruction thus further restricted the issues on which we could hear petitions. There was some confusion during the debate on the Instruction that unfortunately led some members of the public to petition against aspects of the Bill we had been instructed not to consider.

28. It is our view that this Instruction, although intended to provide clarity to the Committee was essentially unhelpful and served to confuse and potentially disadvantage members of the public. We recommend that future hybrid bill committees be allowed to decide what constitutes the principle of the Bill without such an Instruction.

Second and Third Instructions

29. The first Instruction was later clarified by two further Instructions which were passed by the House of Commons on 12 January 2006.²¹ The second Instruction allowed us to consider petitions on the first set of Additional Provisions that the Government introduced. The Additional Provisions changed the detail of the project and were a result of discussions with interested parties following the Bill's introduction in 2005.

30. The third Instruction allowed the Committee to consider certain issues raised by Petitioners which we would not otherwise have been able to consider, namely whether Crossrail should extend to Reading or Ebbsfleet. The location of the Crossrail termini identified in the Bill (Maidenhead in the West and Abbey Wood in the South East) had been specified under the first Instruction to be treated as part of the established principle of the Bill. The third Instruction was therefore necessary to enable the Committee to hear Petitioners on the issue of a possible extension of the line to Reading or Ebbsfleet.

31. It is important to note that the third Instruction did not allow us to consider the above issues with a view to amending the Bill. We were permitted to consider such issues for the purpose of reporting to the House of Commons whether there appeared to be a case for such an extension being the subject of an application for an Order under section 1 of the Transport and Works Act 1990. Any such Order would have to be taken forward independently of the Bill process.

Fourth Instruction

32. The fourth Instruction, agreed on 31 October 2006, empowered the Committee to consider the Additional Provisions that were introduced to:

- a) reflect the Committee's interim conclusions announced in July 2006 and make changes to the project in light of Petitioners' concerns;
- b) allow development of the project in light of discussions with stakeholders;
- c) reduce the project cost; or

²¹ Votes and Proceedings, Thursday 12 January 2006, p553

d) make minor technical changes.

Fifth Instruction

33. The fifth and final Instruction was agreed on 25 April 2007 and was brought forward at the specific request of the Committee. Our interim conclusions of July 2006 covered a range of issues, which included accepting the case for constructing a station at Woolwich. We took the view that the Government, as the Promoter of the scheme, should bring forward an Additional Provision to add to the project a station at Woolwich. We address this matter in detail later in our Report but we note here that this Instruction was the result of months of repeated requests to the Secretary of State. This Instruction enabled the Committee to consider an Additional Provision for such a station.

An Impartial Committee

34. Members of the Select Committee on the Crossrail Bill were selected because they did not have any local or personal interests in the Bill ensuring that they could judge impartially each case before them. The Committee ensured that all the information provided during Committee meetings was accessible to the public. We also insisted in committee that all legal Counsel and their experts explained the situation to us from first principles. We found that on several occasions, a Petitioner's original concerns dissipated when the issue was clarified by the relevant expert witness.

4 Specific local changes to the Bill and relevant undertakings

Register of Undertakings and Assurances

35. Some Petitioners against the Crossrail Bill were offered assurances or undertakings by the Promoter either in the Committee hearings or during discussions. These undertakings set out what a Petitioner could expect from the Promoter. The Department for Transport have recently published the first draft of the Crossrail Undertakings and Assurances Register. The register is intended to capture all the individual undertakings and assurances given to Petitioners in a single document thus ensuring that the ‘nominated undertaker’ (the person who will in due course be appointed to construct Crossrail), as well as the Secretary of State for Transport or any other organisation exercising the Bill powers, complies with them. The Committee understands that the register will form part of the Crossrail Environmental Minimum Requirements (EMRs) and that an undertaking has been given that ‘any nominated undertaker will be contractually bound to comply with the controls set out in the EMRs’.²² Therefore, we are reassured that the nominated undertaker will be contractually required to comply with the undertakings and assurances given by the Promoter in Committee and in private negotiation with Petitioners.

36. Many Petitioners were not clear which undertakings applied to their particular case. With this in mind, the Committee required the Promoter to write to every Petitioner whose property was affected on the route to state specifically which undertakings applied to their property and what level of comfort those undertakings would provide to the Petitioner. **Furthermore, we now expect the Promoter to ensure that all assurances and undertakings given to Petitioners are written in clear and direct terms. We are concerned that the draft Register of Undertakings and Assurances, published by the Department for Transport, is not user-friendly. The Crossrail Bill is a complicated piece of legislation. The public needs to have a clear understanding of the impact of the Bill, how each area will be affected by it and what action will be taken by the Promoter to mitigate any impact. We look to the Committee in the House of Lords to ensure that further clarity is achieved before the Bill reaches Royal Assent.**

Smithfield Market Tenants Association

37. The members of the *Smithfield Market Tenants Association*, were the tenants and traders in the London Central Markets in the City of London, more commonly known as the Smithfield meat market. The tenants held business leases of their respective shops and offices from the City of London for terms, typically, of 10 years ending December 2009 but renewable under Part 2 of the Landlord and Tenant Act 1954. The membership of the Association comprised all the active market traders bar one.

38. The Committee agreed that the *tenants of Smithfield Market* were not covered by the compensation provisions in an appropriate manner due to the exceptional and historic

²² <http://Billdocuments.crossrail.co.uk/80256fa10055060f/pages/ofundertakingsandassurances>

nature of their business. The Committee invited the Promoter to draw up an alternative provision which would provide the tenants with the right to claim compensation in circumstances where a specific level of loss was experienced.

Charterhouse Street

39. *SAVE Britain's Heritage* is a registered charity and a Petitioner against the Bill. It was founded to campaign publicly for the protection of threatened historic buildings and areas. Following the petition of *Save Britain's Heritage*, we asked the Promoter to explore and assess alternatives to the compulsory purchase of 33-37 Charterhouse Street. In response to our request, the Promoter commissioned an engineering study which showed that there were no suitable alternatives which would not have more significant effects on the area than the current Bill scheme. For this reason, we agreed that the Promoter should continue with the original proposal.

Christchurch, Spitalfields, and St Dunstan and All Saints Church, Stepney

40. The *Christchurch, Spitalfields and, St Dunstan and All Saints, Stepney churches* were going to be affected by the Crossrail tunnelling works. There was considerable concern that the vibration from the Crossrail works could damage the structural stability of valuable community churches. It was also a concern that the noise of the tunnelling machine would interfere with the services and concerts held within these historic churches. The Committee was convinced that that these churches required the maximum level of noise and vibration mitigation and that they should not be expected to pay for the monitoring of any impact on the structures of the churches due to the tunnelling work. We expected the Promoter to pay for independent assessment and monitoring of both these churches during the works. We were pleased with the undertakings given by the Promoter to these churches in response to our concerns.

Ealing Broadway

41. Ealing Broadway is a National Rail and London Underground station in Ealing in west London. National Rail services are provided by First Great Western and Heathrow Connect and London Underground services are provided by the District and Central Lines. The Committee was concerned about the interaction of the Crossrail project with the existing services and asked the Promoter to demonstrate that a good cross-platform interchange could be made available at Ealing Broadway between the Reading and Crossrail lines. The Committee was pleased that the Promoter agreed that 'same platform' interchange would be possible at Ealing Broadway.

EMI Limited

42. The *EMI Group* is a major British record company. EMI Music operates several labels, based in Kensington in London, England, United Kingdom. We were told that *EMI* owned two premises 12 Goslett Yard and parts of 127 Charing Cross Road, that would be affected by the Crossrail Bill. Goslett Yard was to be acquired and demolished for the Eastern Ticket Hall of the proposed Tottenham Court Road Station. 127 Charing Cross Road would be above and adjacent to the proposed ticket hall and the westbound platform

tunnel at the proposed Tottenham Court Road Station. The Committee heard that at the time of the announcement of Crossrail, *EMI* was in the commencement of major refurbishment of its offices and studios at 12 Goslett Road, which housed recording studios that were acoustically sensitive.²³

43. The Committee listened carefully to the case of *EMI*. We noted that the scheduled refurbishment of the *EMI* building would increase the value of the property and that this increased value would have to be built into any compulsory purchase order negotiation. Therefore, in order to keep the cost to the public purse as low as possible, we insisted that the Petitioners should be subject to a Compulsory Purchase Order (CPO) as soon as practicable after Royal Assent.

44. The Promoter agreed to offer *EMI* an undertaking to purchase their building at a time of *EMI*'s choosing from the date of Royal Assent.

Fairfield Conservation Area Residents Association

45. The *Association* appeared before the Committee in October 2006 because they were concerned about the impact of Crossrail on Grove Hall Park, the only green space in the area. We heard evidence from the Promoter and the *Association* and we were satisfied that the Promoter had taken necessary precautions to minimise the disruption to the park. However we remained concerned about the possible affect on the park. The Committee therefore stated that we would like to see Crossrail have a positive long term impact on this valued green space. We asked the Promoter to liaise with the *Association* and the Community to agree a suitable further enhancement of the park, following the Crossrail works.

46. The Promoter subsequently met with the London Borough of Tower Hamlets to discuss its plans for enhancing the park, and has spoken to and met with representatives of the Fairfield Conservation Area Residents Association to begin discussions on what they would most like to see in terms of enhancements to the park. We are pleased that the Promoter will require the nominated undertaker to work with the Fairfield Conservation Area Residents Association, and the London Borough of Tower Hamlets as the relevant local authority and landowner, in order to deliver an appropriate enhancement to the park following the Crossrail works.

GE Pensions Limited

47. *GE Pensions Limited* is a UK company forming part of the GE Life Pensions and Insurance Group. The company owns the freehold interest of 354 to 358 Oxford Street and 1 Marylebone Lane which was proposed for compulsory acquisition for the construction of a new London Underground ticket hall and congestion relief scheme. The Petitioner wished to enter into an Over-site Development Agreement that would allow the company to use the land over the Crossrail stations or structures in that area.

²³ Paragraph 4639 [Mr Gregory Jones]

48. We agreed with the Petitioners that they should have the option of entering into an Over-site Development Agreement with the Promoter. We were encouraged to hear that further discussion would take place between the two parties on this issue and we asked the Promoter to ensure that such an agreement is offered to the Petitioners.

Great Western Allotment Association

49. The *Great Western Allotment Association (GWAA)* represented owners of the Noel Road allotments in West Acton. The Crossrail Bill made provision for the temporary relocation of the Noel Road allotments. The Committee was told that local people from a wide variety of backgrounds and ethnicities worked side by side in the allotments, growing a range of produce from potatoes to honey. The area has been used as allotments since the war. The Petitioners were concerned about the quality of the provision during the period of the relocation.

50. The Committee asked the Promoter to prepare and till the new site for the allotment. We expected Crossrail to work in liaison with the *Association* to ensure that the location proposed by the Promoter will provide the allotment owners with workable plots with enhanced compensatory service arrangements incorporated. We expected the Promoter to enter meaningful discussion with the *Association* as soon as practicable to agree the terms of such services and facilities.

51. The Promoter told us that the nominated undertaker would be required to provide the replacement of temporary allotments in a condition fit for use as allotments for planting in the next planting season. The requirement would include clearing and levelling of the land, and providing appropriate fencing, paths between the allotments, and a metered water supply under an appropriate supplier agreement. The Promoter would also require the nominated undertaker to provide members of the *Great Western Allotment Association* who were required to move to the temporary allotments, who at the time of the move own sheds or greenhouses at the Noel Road allotments, with new equivalent facilities at the temporary allotments or, where it was practicable to do so, to relocate their existing facilities.

52. Furthermore, following discussions with the *Association*, the Promoter agreed to require the nominated undertaker to provide a temporary access footpath linking the temporary allotments to Churchill Gardens for the duration of the construction period, and to furnish the access footpath with suitable lighting. The *Association* had confirmed that the nature of the services and facilities that the Promoter was proposing to provide at the replacement temporary allotments met with its approval and that it did not wish to be provided with electricity at the temporary allotments. We therefore understand that the Promoter does not intend to provide electricity to the temporary allotments.

London Borough of Havering

53. The *London Borough of Havering* appeared in Committee to highlight their concern that the planned Crossrail works at Romford Station did not provide adequate facilities for mobility impaired people. The Promoter, at the request of the Committee, worked with the London Borough and explored the possibility of:

- a) building a southern entrance through the existing station structure,

- b) widening of the existing mezzanine passageway, and
- c) how the design of the station foyer and treatment of the area beneath the railway bridge could improve access to the station from the south.

54. The Committee invited the Promoter to find a way to provide appropriate access for mobility-impaired people to the developed station in the location of the current ramp. We re-emphasise the need for implementing disability-friendly policies and we remain grateful to the *London Borough of Havering* and Crossrail for the redesign of the station to ensure that passengers can access the building readily. We expect the same level of regard to be shown in providing access for those with disabilities across the entire breadth of the Crossrail operations.

National Council of the Cycling Touring Club

55. The National Council of the Cycling Touring Club petitioned against the Bill to ensure that the views and concerns of cyclists were taken into account throughout the Crossrail project. The Committee required Crossrail to continue its dialogue with the *National Council of the Cycling Touring Club* to ensure that the policy on the carriage of cycles was well informed.

56. The Committee accepts that the train operating company, not Crossrail, will decide the final policy but we expect it to be cycle-friendly and in line with Transport for London and London Underground policy. We asked the Promoter to highlight which stations on the route would be suitable for cyclists to safely enter and exit the Crossrail service and we are delighted that the Information Paper E2, 'Cycle Carriage and Cycle Parking', has been updated to include a map, similar in principle to London Underground's 'Bicycles on the Underground' map, that provisionally shows where it will be possible to take cycles on the Crossrail route.

Paddington Residents' Active Concern on Transport

57. *Paddington Residents' Active Concern on Transport*, known as 'PRACT', was a consortium established in 1986 of four residents' associations. The Committee recognised that the residents of Brewers Court will be affected by the Bill. We therefore asked the Promoter to provide a liaison officer to make contact with the residents and to assist them with issues during the construction phase of the project. We also asked Crossrail to adopt the model recommended by the Committee in relation to the Spitalfields residents, namely to establish a local liaison group which would include local residents and local community leaders who would then be able to liaise with Crossrail throughout the construction period.

58. We welcomed the response from the Promoter which has confirmed that a dedicated community liaison point of contact for the Paddington area would be assigned in due course, and that the local community would be notified of the relevant contact details nearer to the start of construction.

59. The Promoter has discussed the Committee's recommendation on the establishment of a local liaison group for the Paddington area with Westminster City Council, *Paddington Residents' Active Concern on Transport*, and the Brewers Court Residents Association. The

Promoter reported to the Committee that there was a broad consensus on a way forward that fits the needs of the area, and confirmed that such a local liaison group would be established in due course.

The Congestion Zone

60. We were also concerned that the construction of Crossrail and the traffic restrictions in place at the edge of the Congestion Zone would severely restrict the people who live within, or travel through, this area. We asked that the Promoter liaise with the Mayor of London and Transport for London (TfL) to seek a sensible way forward on this matter with a view to the temporary or permanent alteration of the boundary of the Congestion Zone to accommodate a more friendly and sustainable use of the area.

61. The Promoter discussed the possibility of relocating the Congestion Charging Zone (CCZ) boundary at Paddington with both TfL and Westminster City Council as requested. The Committee was informed that the discussions looked at both relocating the boundary temporarily during Crossrail construction, and permanently relocating it. We welcome the fact that TfL has raised no objection in principle at this stage to either the temporary or permanent relocation of the boundary, but we understand that further survey and modelling work is likely to be required by TfL to assess the impacts at Paddington and consequential impacts over the wider area before it can offer an informed view.

62. The Committee accepts that any relocation of the boundary would be a matter for TfL. However, as Crossrail is jointly promoted by TfL we remain firmly of the view that this matter is within the influence of the Promoter. We look to Crossrail and TfL to make a sensible commitment to relocating the Congestion Zone boundary.

Shenfield

63. Shenfield is a major station on the Great Eastern Main Line from Liverpool Street station in the City of London to places in the East of England. It is located in Shenfield in the borough of Brentwood in Essex. The station is served by fast trains on the main line to Liverpool Street and also the stopping services of the Shenfield Metro of which it is the eastern terminus. It is proposed that the Crossrail scheme should terminate there.

64. It is appropriate to note that at the time for receiving petitions against the Bill, the Committee had no power to consider arguments relating to the alteration of the termini as proposed in the Bill. This was clearly set out in the Instruction passed by the House at Second Reading. However, there was some confusion in the debate relating to the interpretation of this Instruction. It is regrettable that the public was not given a clear message and consequently the Committee received many petitions requesting a change of the terminus for Crossrail. We heard the cases of these Petitioners on the understanding that, should we agree that a case had been made, the Committee would have to request that the House amend the Instruction agreed at Second Reading to give the Committee the power to make the necessary changes to the Bill. The Committee agreed that it did not wish to amend the bill on this issue and therefore no further procedural action was necessary. The third Instruction to the Committee, passed on 12 January 2006, allowed the Committee to consider the cases before it, albeit in a restricted manner.

65. The Committee heard extensively from residents on the issue of the terminus at Shenfield and the consequent impact on the area and for individual residents. We were grateful that the residents in Shenfield were able to put these concerns to us. The main concern for residents was that a positive case for the Crossrail terminus at Shenfield had not been made. Residents told us that they lived in an area of great character. They argued that the impact and the long-term effect of Crossrail on the area was uncertain. Petitioners argued that Crossrail would not benefit the town. The Promoter told us that the line could not terminate elsewhere without incurring greater cost.

66. In relation to the effect on the character of Shenfield, the Promoter accepted there could be an impact on the area. However, those impacts would be temporary and the Promoter argued that the area would not permanently lose the character of which residents had spoken.

67. Whilst we have every sympathy with the residents of this town, we are minded to agree with the Promoter that the station terminus should be sited here. We asked the Promoter to demonstrate that they had worked closely with the local community to ensure that appropriate noise insulation would be provided to those who would be affected by the Crossrail works.

Southend Arterial Road Action Group

68. The *Southend Arterial Road Action Group* were the residents of houses built in, a cul-de-sac located alongside the Southend arterial road. Crossrail proposed to carry out works to extend and modernise existing sidings at Gidea Park, close to the arterial road. The Promoter wished to provide road access to the Gidea Park worksite (via Hall Road). We were told that the majority of the railway works in this area would be served by rail and that deliveries would include the rails, the ballast and other supplies of that kind. However, ready mix concrete would need to be brought in by road and the Promoter wished to gain access from the arterial road. The Petitioners were concerned that the amount of traffic and the size of vehicles suggested by the Promoter was not suitable for a cul-de-sac. We understood that at the peak period of construction there would be about 12 concrete lorries a day travelling along the Hall Road.²⁴

69. The Committee agreed with the Petitioner that the cul-de-sac was not appropriate for the level of access proposed. We insisted that the Promoter find an alternative access to this worksite. The Promoter was able, on the re-examination of this issue, to propose a different site access point which did not affect the residents.

Barbara and Tony Wheeler and Emma Jeffery

70. *Mr and Mrs Wheeler* appeared before the Committee on two occasions, concerned about the impact of the Crossrail tunnels beneath their property. They were also affected by the placement of two worksites in close proximity to their house.

24 Paragraph 9149 [Mr T Mould QC]

71. The *Mr and Mrs Wheeler* requested that floating slab track be used in the tunnels under their houses to minimise the noise of trains. The Committee also heard a petition from *Ms Emma Jeffery*, whose property would be located 15 metres above the same tunnel who had similar concerns.

72. We accepted that *Mr and Mrs Wheeler* would be clearly affected by these works and we are keen to see that efforts are made to protect them, in addition to the mitigation offered by the Promoter.

73. The Promoter agreed to instruct the nominated undertaker to install floating slab track as the permanent track support system in the Crossrail running tunnels below these properties. We were delighted to note that the installation of floating slab track under the Petitioners' houses was predicted to reduce the groundborne noise level at 1 Baldock Street (Barbara and Tony Wheeler) and at 48 Wrexham Road (Emma Jeffery) by approximately 13 decibels (dBL_{Amax,S}).

Floating Slab Track

74. To ensure a fair and consistent approach to Petitioners' concerns, the Committee asked the Promoter to ensure that floating slab track was installed in all tunnels which are routed under residential property at a depth of 15 metres or less. We also made it clear that, should a better technology be available before the construction of the tunnels takes place, it should be considered for use as a substitute to floating slab track.

75. The Promoter accepted the Committee's decision, and therefore will require the nominated undertaker to install floating slab track as the permanent track support system in the Crossrail running tunnels below residential buildings, where the tunnel would rise to within 15 metres or less of the building. The Committee was delighted with this commitment and was certain that it would significantly reduce the disruption experienced by those living over the Crossrail tunnels.

76. We were minded also to recommend that the entire Crossrail route used floating slab track, as the permanent track support system in the Crossrail running tunnels. Such a system would offer an enormous opportunity to reduce significantly the disruption experienced by all London residents and workers as trains pass in tunnels below them. However, we recognised that such a decision would have a considerable impact on the cost of the construction of the railway. We therefore ask the Promoter only to consider implementing floating slab track across the route if the track became cost-effective.

5 Petitioners requiring significant protection

Areas of Soho Sound Mitigation: Grand Central Sound Studios

77. The Committee was concerned that the building and use of Crossrail would seriously affect the sound studios in the area of Soho which are regarded as an international centre of excellence. The Committee accepted that the various sound studios in the Soho area were

an exceptional example of British business, talent and ingenuity. The Committee wanted to ensure that such businesses were not seriously jeopardised by the construction or operations of Crossrail.

78. We therefore asked the Promoter to ensure that floating slab track was installed in all the tunnels in the Soho area. As before, we were clear that, should a better technology emerge before the construction of the tunnels takes place, it should be considered for use in substitute or addition to floating slab track. We wished to see floating slab track used as a minimum requirement for such tunnels.

79. We also insisted that every effort was made to provide these studios with sufficient sound proofing. Should Grand Central Sound Studios be affected by the tunnelling process, we expected that the Petitioners would be able to claim compensation under the terms set out in the Bill. We were not minded to increase the provision of compensation in this case, as we wished to ensure that the industry was protected in its current location. However, we agreed that Crossrail would need to take every reasonable mitigation measure to ensure that this important industry is able to continue working in its current location.

80. The Promoter accepted the Committee's decision, and agreed to instruct the nominated undertaker to install floating slab track as the permanent track support system in the Crossrail running tunnels in the Soho area²⁵. The Promoter told us that Crossrail would mitigate potential groundborne noise impacts at the source of the noise. The Promoter argued that the provision of mitigation at the source would be sufficient to control the likely groundborne noise impacts for the sound recording studios concerned, including Grand Central Sound Studios. The resulting predicted reductions in groundborne noise levels indicates that there was no reason why the studios in Soho should not be able to continue working in their current location.

81. The Crossrail operational groundborne noise design criterion for sound recording studios was 30 $dB_{LAmax,S}$. With the standard trackform, the groundborne noise level at those studios that are near to the Crossrail running tunnels in the Soho area is predicted to be between 25 and 29 $dB_{LAmax,S}$. The installation of floating slab track is predicted to reduce the groundborne noise levels to between 10 and 18 $dB_{LAmax,S}$.

82. The Promoter therefore believed that the provision of floating slab track as the permanent track support system in the Crossrail running tunnels in the Soho area was the most effective mitigation measure that can be taken for these sound recording studios. The Committee accepted that the mitigation measures in place would be sufficient to protect the Soho Sound Industry.

Liverpool Street Station

83. Liverpool Street station is one of the Capital's major railway stations. It is also an extremely busy London Underground station in the north eastern corner of the City of London. It is the southern terminus of the Great Eastern Main Line, and is the main departure point from London to destinations in the East of England not served by the East

²⁵ The part of the route that was situated between Regent Street and Charing Cross Road.

Coast Main Line from King's Cross. One of seventeen stations managed by Network Rail, it also serves commuter services to parts of East London and Essex. It is said to be one of the busiest stations in the United Kingdom, with 123 million travellers each year, having exits to Bishopsgate, Liverpool Street and the Broadgate development.

84. The Crossrail scheme connects to Liverpool Street station, enabling passengers travelling from the east to access this transport hub. The Committee heard the petition of British Land who expressed their concern as follows: 'that at Liverpool Street Station, the Promoter is proposing to provide an inadequate ticket hall. Passengers alighting from Crossrail who choose to exit at the eastern ends of the Crossrail platforms underground will be disgorged into, and clash with, those entering and leaving the escalators which serve the Central Line underground in that part of Liverpool Street Station. They will clash with those entering and leaving the Metropolitan and Circle Line, the so-called 'sub-surface lines', as I think the experts call them. They will clash with National Rail passengers entering the ticket gates as Crossrail passengers and exiting London Underground Limited passengers leave the same gates. The gates themselves will remain seriously constrained'.²⁶

85. The Committee was asked to consider a variety of issues at Liverpool Street Station. We were sympathetic to the argument for enhancing ticket hall facilities at the Station. The Committee asked the Promoter to find a way forward that was acceptable to both parties and in June 2006, all parties returned to update the Committee. The Promoter told the Committee that they had discussed a number of options with the City and British Land and had finally narrowed this down to five options. We should state that the options had unusual numbering due to the number of previous versions discarded by the Promoter and the Petitioners. The Committee was asked to consider options: 3b, 4c, 5a, 5b and 7a.

86. Option 3b focused on changing the gateline in the underground tickethall. Option 4c and both of the option 5s, involved moving the works to the east into the existing post office railway vaults. The work would enable an extension of the ticket hall into this area.²⁷

87. Option 5a involved building escalators from the London Underground ticket hall directly up to the street. Option 5b would have involved the same work in the ticket hall as 4c, however, instead of putting escalators into the London Underground ticket hall, two escalators would be added onto the existing Network Rail escalators.

88. Option 7a would involve breaking through a wall into the existing sub-station and building an additional free-standing ticket hall extending up to surface level. It was not directly connected with ticket hall B.

89. We have carefully considered the final options presented to the Committee and asked the Promoter to amend the Bill to enable options 3b and 7a with the extended gate line, removing the necessary retail units, to come forward as an integral part of the Crossrail project at Liverpool Street station. We are not convinced that it was reasonable to pursue option 4c. Equally, we are not persuaded that the implementation of option 7a should be delayed.

26 Paragraph 176 [Mr G Laurence QC]

27 Paragraph 13199 [Ms N Lieven QC]

90. The Promoter accepted the Committee's decision and brought forward an additional provision to enable options 3b and 7a to be constructed. This development will ensure that Liverpool Street station remains a functional transport hub and we are confident that it will help end years of over-crowding in this thriving station, giving London's commuters the space they so desperately need.

Spitalfields

91. The Committee heard a great deal of concern from the people in the Spitalfields area, especially those affected by the Hanbury Street shaft.

92. We were concerned that there has been a lack of clear information about the project in the area and we agree that a certain amount of action is necessary in the locality immediately. We were also concerned by local residents' claims that there were times when they have not been properly informed and were poorly advised during the consultation process. This had led to huge concern and distress in the local area about the extent of the Crossrail project. We have heard a great deal of evidence in Committee and we wanted to reassure the community that the scale of the works and the length of construction in the area have been largely overestimated by some residents.

Local Monitoring Body

93. We believe that the Crossrail project must revisit the problems in the Spitalfields area. We asked the Promoter to set up a monitoring body with Tower Hamlets Borough Council and representatives within the community, especially those from the local schools affected by the works. We expect this body to meet monthly in order to provide up-to-date information to local residents about the project.

94. The Promoter agreed and acted on the concerns of the Committee. However, we were told by Petitioners that the Promoter had not done enough to set up a sufficiently independent local panel. In subsequent evidence sessions, Jil Cove from the Spitalfields Community Association told us that the Association 'did welcome the Committee charging Crossrail with the task of establishing a Community Liaison Panel along with other community groups, and the Community Association at Spitalfields were keen to engage in a positive and fruitful dialogue through this panel'.²⁸

95. It is now our understanding that an independent charity, Planning Aid, had stepped in to facilitate the first meeting of the Community Liaison Panel and as a result of this a panel made up of local people from the Spitalfields area has been nominated. We were delighted that this has taken place and place on record our thanks to Planning Aid for allowing this meeting to happen.

One Stop Shop

96. We also recommended that Crossrail open up a one stop shop in the Spitalfields area for the duration of the works to enable local people to report concerns and help ensure that

the works by the contractor meets with dust and noise requirements set out by the Promoter in the same way as has proved helpful in the Paddington area. In this respect, we would also like this one stop shop, working with appropriate Government agencies, to advertise how local individuals wishing to work on the project may apply for jobs connected with the project in Whitechapel and elsewhere.

Schools in Spitalfields

97. We were told that the Promoter had reached an agreement with Swanlea School regarding the hours the lorries in the area will operate. We insisted that this agreement must apply to any road which a school faces onto in the area. We were particularly concerned with access to Buxton Road and the traffic entering Valance Road. We wanted the Promoter to ensure that it employs staff to enforce access rules 24 hours a day.

98. We expect the safety and health of the children and local residents in that area to be the Promoter's first priority. The Promoter must provide a regular liaison meeting with each school to monitor these arrangements and to support the schools during the full period of the work. The Committee intended the Promoter to look at alternative proposals to avoid seeking access to their proposed worksite through the school premises.

99. The Promoter has accepted the Committee's decision that it should work with the London Borough of Tower Hamlets and Government departments, particularly the DfES, to ensure that the schools in the area are in no way disadvantaged by the works.

100. At our request, the Promoter agreed to work with the London Borough of Tower Hamlets to develop a strategy for lorry routes that take into account the nearby sensitive uses, such as schools. Where a proposed Crossrail lorry route passes any entrance to a school that is not currently subject to heavy goods traffic, the Promoter will restrict the hours during which construction traffic will operate and/or introduce appropriate traffic management measures to be agreed with the Council. These measures will include a 30 minute prohibition of Crossrail construction traffic when pupils are arriving at school and a 30 minute prohibition when pupils are leaving. The exact hours will be agreed on a case by case basis for each school.²⁹

Health in Spitalfields

101. We were concerned that the large number of asthma sufferers and those with other respiratory illnesses in Spitalfields should be protected from the increased dust levels that would surround the Crossrail worksites which we understand to be amongst the highest indication of these particular illnesses in the UK. With this mind, we expected staff securing the roads to ensure that access is only given to lorries properly and securely covered.

102. The Promoter acknowledged our concern in relation to Buxton Street and traffic entering Valance Road and agreed to ensure that appropriate measures are taken in agreement with the London Borough of Tower Hamlets to control vehicular access on a 24

29 Paragraph 16829 [Ms N Lieven QC]

hour basis. We note that the Crossrail Construction Code will require all vehicles carrying loose or potentially dusty material to or from worksites to be fully sheeted. The Construction Code forms part of the Environmental Minimum Requirements that the Promoter will make binding on any nominated undertaker.

Historic buildings in Spitalfields

103. We also heard a great deal of evidence about listed buildings in the Princelet Street area. We asked the Promoter to come back to the Committee in Autumn 2007 and demonstrate clearly that an individual assessment has been made of each listed and historic building in the area and that appropriate mitigation has been put in place.

104. We are happy to report that the Promoter has done a considerable amount of work to ensure that the settlement impacts of the works on all buildings, including listed and historic buildings, have been adequately assessed and appropriate mitigation put in place.

105. The Promoter confirmed that settlement assessment reports had been produced that considered every individual structure within the predicted zone of influence along the route. The results of this assessment process are reported in one of two ways, both of which are described below.

106. Listed buildings were those buildings which are on statutory lists of buildings of 'special architectural or historic interest' compiled by the Secretary of State for Culture, Media and Sport under the Planning (Listed Buildings and Conservation Areas) Act 1990, on advice from English Heritage. The Promoter confirmed that an individual report for all listed buildings in the Spitalfields area had been produced. An individual report was considered appropriate because these buildings are statutorily protected, and because they have been selected by English Heritage as being of national importance. The individual report included a heritage appraisal, which established a detailed understanding of the historic character and significance of the building concerned (in accordance with the criteria laid down in PPG15³⁰) and in particular identified any features of particular architectural or historic interest or sensitivity (for example delicate plasterwork or fine stucco mouldings). Proposed mitigation in this area consists of monitoring and following best practice during tunnelling works to minimise the generation of ground movement at source. During the selection of mitigation measures, due regard was given, and will continue to be given, to the sensitivity of the particular features of the building which are of architectural or historic interest and the sensitivity of the structure of the building to ground movement. Further, these assessments, as explained to us in committee, will continue to be reviewed as the detailed design progresses.

107. All other buildings have been assessed in a series of settlement reports. Whilst presented in a different format from the listed building reports, they calculate settlement and building damage in the same way as the individual assessments. The Promoter confirmed that appropriate monitoring and mitigation for these buildings would also be provided.

30 Communities and Local Government, Planning Policy Guidance 15: Planning and the historic environment (originally published by DoE and DNH, September 1994)

108. We required the Promoter to monitor these buildings throughout the tunnelling process and for a minimum of seven years thereafter, following the completion of the process. Equally, we expect the Promoter to pay for the repair of any damage that occurs due to the tunnelling and associated works. These buildings must be repaired in a manner appropriate to the age of the building.

109. The Promoter agreed to continue monitoring in the Spitalfields area for a fixed seven year period after the tunnelling excavation works and to use the data obtained as a ‘control case’ to validate settlement trends across the scheme as far as it is practicable to do so. The Promoter also confirmed that under the settlement policy any material physical damage arising from ground settlement associated with the nominated undertaker’s tunnelling works will be made good at no expense to those affected, and that, particularly in the case of listed buildings, repairs would be carried out to a standard and quality commensurate with the age and fabric of the building.

61 Princelet Street

110. We considered carefully the case put by the Petitioners who are the owners of flats within the building at 61 Princelet Street in Spitalfields: *Alistair and Eleanor Ferguson, Ms Hamilton, Mr Collins and Ms Hatoum*. We recognised that these people will be extraordinarily affected by the Hanbury Street shaft. We wanted the Promoter to take steps to ensure that these properties were compulsorily purchased and that Petitioners would be provided with individual letters of comfort guaranteeing that the flats would be bought before the work begins.

111. The Promoter accepted the Committee’s judgement that the occupiers of the flats within 61 Princelet Street were likely to be extraordinarily affected by a shaft in Hanbury Street. The Promoter has now recognised the Committee’s continuing concern over the level of comfort afforded to these Petitioners, and on a wholly exceptional basis, has offered the three 61 Princelet Street Petitioners – Eleanor Ferguson, Mona Hatoum and Gerald Collins, and Caroline Hamilton – a revised undertaking that gives them the same level of comfort as was given to EMI. The Promoter has agreed to purchase their properties at a time of their choosing from the date of Royal Assent until the construction of the Hanbury Street shaft has been completed. The Committee is grateful to the Promoter for providing this essential undertaking.

Old Oak Common Depot

112. The Committee has heard cases regarding the revised depot strategy detailed in the third set of Additional Provisions. The revised strategy proposes to relocate the main Crossrail depot from Romford to Old Oak Common in West London. The Committee has carefully reflected on the case of *English, Welsh and Scottish Railway Limited (EWS)* and has agreed that the depot should be located at Old Oak Common.³¹ We wished to ensure that the necessary arrangements are in place to protect freight interests and, therefore, we accepted the undertaking offered by the Secretary of State that he would continue to work with EWS to try and find a way to retain as much as possible of EWS’s activities at Old Oak

31 Paragraph 20551 [Chairman]

Common, if so desired. We asked the Promoter to ensure that if the move to North Pole depot was necessary, that a turning facility would be provided to EWS, if so required.

London Borough of Tower Hamlets

113. The *Borough* appeared before the Committee on 13 March 2006 to raise several issues. The Committee was satisfied with the response given by the Promoter. However, the Committee agreed that the existing Astro-Turf pitch at the Stepney Green worksite was a benefit to the local community and should be kept on a permanent basis if possible. We therefore strongly encouraged the two parties to liaise on this matter to find a solution.

Westbourne Park Villas Residents' Association

114. The *Residents' Association* had requested that Crossrail moved the concrete batching plant in their area. We did not find this necessary and we were content with the Promoter's response.

115. The Committee did accept that the *Residents' Association* had legitimate concerns about the Westbourne Park footbridge. We noted that Crossrail had followed the Committee's request to make the south side of the footbridge compliant with the Disability Discrimination Act (DDA) 1995. Whilst we accept that it was not Crossrail's responsibility to replace the entire bridge, we subsequently asked the Promoter to go further in making the current bridge accessible to those with restricted mobility. We asked the Promoter to develop sensible engineering design solutions and use mirrors and good lighting to enable those using the bridge to view oncoming persons. We also invited the Promoter to explore the use of a traffic light system and suitable signage to show people with restricted mobility if another wheelchair or pushchair user is approaching.

116. The Promoter agreed to require the nominated undertaker to provide appropriate lighting and, if their use was recommended by the relevant local Crime Prevention Officer, concave mirrors at appropriate points with a view to maximising sight lines so that, as far as reasonably practicable, those using the Westbourne Park footbridge would be able to see people approaching in the opposite direction. The Promoter also assured the Committee that if the access issue for people with restricted mobility could not be resolved to allow two wheelchairs to comfortably pass on the southern spans of the footbridge the Promoter would require the nominated undertaker to provide a signal system for the spans concerned that would be manually activated when someone with a wheelchair, pavement buggy or wide pushchair entered the footbridge in order to warn people approaching from the opposite direction.

Marriott Hotels and West India Quay Development Company (Eastern) Limited

117. The Committee accepted that the Petitioners currently face an uncertain level of disruption during the construction of the Isle of Dogs station. We asked the Promoter to clarify at the earliest opportunity which construction scenario they intend to follow. We accepted that Crossrail would take steps to mitigate the disruption to the Petitioners and recognised that if there is a case for compensation, the code set out in the Bill would apply

and we hoped that this matter may be considered by the Committee in the House of Lords when there would be greater clarity over the construction scenario.

Canary Wharf Group PLC

118. The Committee recognised that these Petitioners would also appreciate greater clarity on the future of the construction project. We were not in a position to offer them a great deal of comfort, although we had some sympathy with their arguments. Under Clause 6 of the Crossrail Bill the time limit for compulsory acquisition is set at five years from Royal Assent. Clause 6, subsections 7 and 8, allow the Secretary of State to extend that time limit. We believed that this provision should only allow one extension of a further five years. Furthermore, Parliament should approve such an extension only if it can be demonstrated that it is necessary. We therefore asked the Promoter to amend the Bill accordingly. The Committee was presented with the required amendment.

Trustees of the SS Robin Trust

119. The Petitioners, the *SS Robin Trust*, are an arts and heritage organisation running participatory photography projects onboard the world's oldest complete steamship. The Committee were told that the trustees of the *SS Robin* were in the process of making a bid for a lottery heritage fund grant. We accept that negotiations are still ongoing to settle a suitable location for the ship. In the interim we asked Crossrail and the Department for Transport to write letters of comfort to the Lottery Board explaining the current situation and ensuring that the organisation did not lose out on possible funding due to the uncertainty of its relocation. The Promoter provided the trustees of the *SS Robin* with a letter of comfort for them to use with third parties as they saw fit. The Promoter told the Committee that it was fully committed to using reasonable endeavours to procure alternative moorings for the *SS Robin* within the West India Dock complex during construction. The Promoter also informed the Committee that it was committed to ongoing liaison with the *SS Robin* Trust, and with British Waterways and Canary Wharf Group, to this end.

Residents of Poplar Dock

120. We are pleased that through much hard work and continued negotiation the residents of Poplar Dock are no longer under the threat of being relocated. We were greatly impressed by this floating community and we have strongly encouraged Crossrail and British Waterways to find an acceptable solution. We are grateful to all involved in these discussions. The parties agreed that navigable access consistent with that currently existing will be maintained during the construction of Crossrail at the Isle of Dogs subject to possible temporary restrictions during the construction of the cofferdam.³² We encourage Crossrail to continue meaningful dialogue with the Petitioners.

32 Paragraph 21460 [Ms N Lieven QC]

Citipost AMP Limited and Mr Daniel Albert Charlesworth

121. On 10 July 2007, the Committee heard the case of the only Petitioners appearing against the fourth set of additional provisions. We agreed that the Petitioners' case was unique and that they have been considerably disadvantaged by the new provisions. We welcomed the Petitioners' support of the Crossrail project and noted the positive attitude with which they had embraced the works forced upon them. We also recognised that the Petitioners had experienced financial loss and whilst we accepted that it was usual during the process of hybrid bills that parties paid their own costs, we agreed to make an award in this unique case without prejudice.

122. We therefore asked the Promoter to prepare to pay the Petitioner half the costs they incurred during the negotiations on AP3. We asked the Petitioners to prepare a list of reasonable costs incurred for the committee. We thank the Promoter for confirming that it was prepared to pay half of the reasonable costs that the Petitioners incurred in negotiating the proposals that were incorporated in the third set of Additional Provisions deposited in November 2006.

123. The Committee noted that the Promoter has written to the Petitioners, asking for details of these costs, with a view to agreeing a figure with the Petitioners. In the absence of agreement being reached, the issue could be referred for assessment to the taxing officer of the House of Commons in accordance with the Parliamentary Costs Act 2006.

6 Groundborne Noise and Vibration

124. A railway project such as Crossrail is expected to generate certain levels of noise and vibration. Understandably, many Petitioners were concerned about this issue as they live or work above the proposed tunnels. The local authorities presented a joint case to express their concerns about vibration and groundborne noise and the impact on the properties above the railway. We were keen to establish what measures the Promoter proposed to put in place to control the effects of groundborne noise and vibration that might otherwise arise from the construction and operation of the railway. We spent time with several noise experts measuring the noise levels of the District Line on London Underground to provide us with a better understanding of the issues.

125. Where we thought it necessary, we have asked the Promoter to provide additional measures to protect certain Petitioners from unreasonable levels of disruption. However, it is our view that the undertakings given by the Promoter on these issues will generally provide adequate protection for those impacted by the railway.

126. Groundborne noise could arise from the movement of trains or tunnelling equipment in Crossrail tunnels, during construction of the railway, during commissioning of the railway, or once the railway is operating passenger services. There are no UK legislative standards or criteria that define when groundborne noise becomes significant. Crossrail has therefore drawn upon available experience in constructing new underground railways, for example the Jubilee Line Extension, Thameslink and the Channel Tunnel Rail Link. All of these projects adopted a threshold of significance for groundborne noise in residential properties of $40\text{dB}_{L_{A_{\text{Max},s}}}$.

127. This criterion was therefore adopted to assess the significance of potential groundborne noise impacts in residential properties during both construction and operation of Crossrail. In the case of buildings used as reference libraries, lecture theatres, auditoria, theatres, hospitals, churches, schools and similar buildings, the use of which is particularly sensitive to noise or vibration, either the same or more stringent assessment criteria were adopted.

128. Crossrail has set out a series of mitigation measures which the nominated undertaker would be required to take. The potential impact of Crossrail trains running through tunnels during construction and operation of the railway has been assessed and the findings reported in the Environmental Statement. The running of both the construction and permanent railways is not forecast to cause vibration impacts which will be felt by those occupying the buildings above. Vibration from the passage of the tunnel boring machines may be perceptible. However, this will be a transient effect lasting only a few days at any one location and will not cause damage to buildings.

129. A detailed explanation of the technical arguments can be found in Crossrail Information Paper D10 – (Groundborne Noise and Vibration)³³ and in the transcripts of our hearings.³⁴

33 <http://billdocuments.crossrail.co.uk/80256FA10055060F/pages/informationpapers>

7 Revised Tunnelling Strategy

130. On 30 March 2006 the then Secretary of State announced changes to the tunnelling strategy through Tower Hamlets. CLRL had carried out a ‘fundamental’ review and had concluded that there would no longer be a need to launch tunnel-boring machines from Hanbury Street in east London. It had concluded that by significantly recasting the construction programme it was possible to accommodate the major part of the tunnelling activities from the two tunnel boring machine launch sites already proposed at Royal Oak in west London and between Canary Wharf and Custom House in the Docklands area of east London. Therefore Crossrail would not need to launch tunnel boring machines from Hanbury Street in east London. This was a significant achievement as it would significantly reduce the environmental impacts in Tower Hamlets.

131. We were pleased to learn that there would be no need for the works between Hanbury Street and Pedley Street or the conveyor along the Great Eastern main line. Mile End Park would not be needed as a site for stockpiling excavated material. A shaft would still need to be constructed at Hanbury street for ventilation and intervention, but this will be a much smaller structure, involving less work and so reducing disruption to the local community.

132. The Committee welcomed the revised tunnelling strategy. Tower Hamlets is an area of considerable social deprivation and reducing the railway’s impact on the area was clearly beneficial.

8 Woolwich Station

Issues relating to Woolwich station

133. On 25 July 2006 we announced a series of interim decisions to allow the Government to undertake work with a view to amending the Crossrail Bill. These included a recommendation that there should be a station at Woolwich. The Promoter's response to these recommendations was published on 11 October 2006. The Promoter rejected the Committee's request to bring forward an additional provision for Woolwich Station. We regret that, in response to these developments, the Government insisted that the Committee had exceeded its powers in considering the new station.

134. During the subsequent debate the Committee pointed out that during our consideration of the Bill, the Government had the power to propose an instruction to the House of Commons instructing the Committee not to consider any particular aspect of the project. For example just as we were directed not to consider Reading, we could also have been instructed not to consider a station at Woolwich. The Government could also have challenged the *locus standi* of the Woolwich Petitioners, but chose to give their own evidence. We heard ten days of evidence for and against a station at Woolwich and came to our decision based on the information before us. We urged the Government 'in the strongest possible terms, to reconsider its position on this matter and to respect our views'. In a Parliamentary debate on 31 October 2006, the then Secretary of State maintained his position challenging the financial viability and desirability of a station at Woolwich.³⁵

135. Subsequently the Committee made a Special Report to the House on 1 November 2006, to highlight our dissatisfaction with proceedings, regarding Crossrail and Woolwich. We strongly agreed with the arguments presented to us regarding the addition of a station at Woolwich. We also visited the proposed site with representatives from each party. We noted that the Petitioners' calculations of cost for this station showed that it would provide exceptional value for money and we called upon the Promoter to bring forward the necessary additional provision to add this to the Bill.

136. In March 2007 the Government announced that the station would now go ahead on the basis that the cost could be met by a private company, Berkeley Homes. The key to this has been the *London Borough of Greenwich's* recent proposal for a major revision to its spatial plan, to allow a significantly higher density of development at Woolwich. This, in turn, had prompted Berkeley Homes to offer a means of enabling a station to be built at Woolwich but, crucially, without adding to the current cost of Crossrail. In light of this, agreement had been reached in principle with Berkeley Homes under which they would build the basic box structure of a station at Woolwich and then construct their own development overhead. All this would be done at their own risk, using their own money, to the specification laid down by CLRL, with a payment back to Berkeley Homes equivalent to the saving CLRL would make through avoiding other works at Woolwich, when it constructed the line there. In due course, Berkeley Homes would then arrange for the completion of the station box to full operational status. Both they and Greenwich Council

35 Crossrail Bill Committee, First Special Report of Session 2005–06, The Crossrail Bill: Woolwich Station, HC 1597

recognise that the completion of the station would be conditional on receiving sufficient funding contributions from those developers and businesses that stand to benefit from a Crossrail station at Woolwich. A new Instruction to the Committee to allow for this development was approved by the House on 25 April 2007.

137. The Promoter has told us that they recognised that a strong case has been made for a station at Woolwich. In the light of our decision, the Promoter has looked over the summer at the design of a station to explore ways of reducing its very high cost. A key reason why the station would be expensive to build is the depth of the running tunnels. A shallower station would be possible if the running tunnels in that area were nearer to the surface. This appears, in principle, to be feasible although much more detailed work would be needed to understand the wider environmental consequences. The cost of a shallower station is in the order of £200m.

138. We were pleased that the Secretary of State followed the request of the Committee and brought forward the necessary additional provisions to build a station at Woolwich. However, we have been concerned about the cautionary language used by the Promoter when bringing forward this additional provision. **This Committee has always been firmly of the view that there must be a fully operational station at Woolwich. We have seen the evidence that demonstrates it will provide exceptional value for money and be a valuable transport link in an area of considerable deprivation. Accordingly, we reiterate our view that the station at this site is and must remain central to the project.**

9 Freight

139. Freight services operate throughout Great Britain, carrying products as diverse as cars, chemicals, consumer goods, steel, railway engineering supplies, coal, aggregates, and timber. Some freight train operating companies including *English, Welsh and Scottish Railway Ltd (EWS)*, the largest British rail freight company, petitioned against the Crossrail Bill, arguing that the current proposals would unfairly use up much of the remaining rail capacity within the London area, and did not provide the necessary extra capacity on connecting lines. It was argued that this would make it harder to route freight services from the southern ports to the north and would increase freight transit times.

140. Petitioners from the freight industry asked that the Bill be amended so that their business could not be ‘forced off the railway at the behest of Crossrail when they had made proper arrangements to enter on to the railway’³⁶. They also argued that the Crossrail operating timetable be properly prepared so as to secure a commitment that freight could be carried on the railway.³⁷

141. The Committee is persuaded that the freight industry faces an increasing challenge, with current capacity insufficient for the needs of growth and we believe that the Government should take steps to address this. However, the Committee believes that these issues are largely the responsibility of Network Rail and others rather than that of the Crossrail project. The Committee was concerned about the uncertainty regarding the Access Option. We look to the Committee in the House of Lords to ensure that Access Option and any other remaining issues relating to the freight industry are adequately evaluated.

36 Paragraph 15713 [Mr T Straker QC]

37 Paragraph 15714 [Mr T Straker QC]

10 The Environmental Statements and the Environmental Impact Assessment

142. An Environmental Statement (ES) was published with the Crossrail Bill on 22 February 2005. The publication of the ES formed part of the required process of the production of the Environmental Impact Assessment. The results of the consultation, together with the Environmental Statement itself and any responses from the Secretary of State, will combine to create an Environmental Impact Assessment (EIA) for the project.

143. The Department for Transport invited comments on the main ES when it was published in February 2005. That comment period closed on 10 June 2005, and a report compiling the submissions was presented to both Houses of Parliament and published before Second Reading of the Bill. The Department also invited comments on the four Supplementary Environmental Statements,³⁸ and collated in the four Amendment of Provisions Environmental Statements.³⁹ Comments received by the Department will be compiled into a report that will be presented to both Houses of Parliament and published before Third Reading of the Bill in the House of Commons.

144. Petitioners have been allowed to raise issues relating to the EIA before the Committee, they have been able to call evidence and to question witnesses for the Promoter, and we have been able to request amendments, undertakings and assurances if we deemed it necessary.

145. We recognise that the provision of information on the Bill has been extensive and widespread. The Promoter was required to deposit documents in public libraries and with local authorities and significant amounts of information have been made available electronically via the internet by, for example, the CLRL, DfT and the Parliamentary website.

Issues raised in petitions relating to Environmental Impact

146. We note that the House agreed ‘that the Select Committee, without comment, report to the House for its consideration any issue relating to the environmental impact of the railway transport system for which the Bill provides that is raised in a Petition against the Bill, but which the Select Committee is prevented from considering by the practice of the House’. Accordingly, we detail a summary below those issues raised in Committee in order that the House might give them due consideration. We would strongly recommend that Members referred to the Minutes of Evidence given in Committee to gain a full understanding of the issues summarised below.

38 The first Supplementary Environmental Statement (SES1) was published on 26 May 2005. On 18 January 2006, a second Supplementary Environmental Statement (SES2) for Crossrail was published. A third SES (SES3) was published on 7 November 2006, an SES3 errata was published on 25 January 2007. A fourth SES (SES4) was published on 16 May 2007.

39 On 18 January 2006, Amendment of Provisions Environmental Statement (APES 1) for Crossrail was published. On 9 May 2006 a second Amendment of Provisions Environmental Statement (APES 2) was published. A third APES (APES3) was published on 7 November 2006. A fourth APES (APES4) was published on 16 May 2007.

Petition No. 27 – James Middleton

147. The Petitioner considered that the Crossrail project, as proposed, provided a totally inadequate rail network. The Committee were told that it should be a strategic scheme covering the wider areas of South East and East of England, based on the successful Thameslink and Thameslink 2000 strategy, rather than a slower, all stations, London-only metro operation.

148. The Petitioner believed that although the business case for Crossrail stressed the need for provision of efficient and reliable travel across a wide geographical area and the Promoter's scheme did nothing to provide it.

Petition No. 33 – Christopher Brown

149. The Petitioner informed the Committee that he felt there would be no useful public purpose by terminating at Shenfield in the North Eastern branch of Crossrail. The Petitioner believed public interest would be better served by terminating Crossrail at Stratford, or such other place on the eastern edge of the main conurbation of London as might conveniently serve the principal objective of the Promoter.

Petition No. 34 – LA21 Traffic/Transport Group

150. The Petitioners believed that the South Eastern route should have been extended to Ebbsfleet rather than the proposed Crossrail terminal at Abbey Wood. The Petitioner believed that termination at Abbey Wood would attract even more traffic to over-congested roads in Bexley and that there would be insufficient parking provision in that location.

151. The Committee was informed by the Petitioner that South East London, without an underground or tram, and an adequate rail structure, lacked an appropriate public Transport system. They considered that the lack of a proper extension on this route would not provide a much needed solution to the current problem.

Petition No. 43 – Ms. Minnie Cockell

152. The Petitioner proposed that the North Eastern section should terminate at Stratford, consequently creating links with all existing Great Eastern services, the North London Line, the new Eurostar Station and the Jubilee and Central underground lines and the Docklands Light Railway, that currently served the region.

Petition No. 65 – Martin Salter MP

153. The Petitioner aired concerns that the Bill makes no provision for the funding of Crossrail and observed that no firm target date has been set for the exercise of the powers sought by the Promoter, or for the commencement of the works to be authorised by the Bill. The Petitioners was also concerned that in the absence of funding, and following the successful bid for the Olympic Games in 2012, the construction and completion of Crossrail may be postponed for an indefinite period.

Petition No. 68 – Alistair and Susan Ennals

154. The Petitioner considered that the North Eastern section should terminate at Stratford or London Liverpool Street rather than Shenfield.

Petition No. 69 – Covent Garden Community Association

155. The Committee heard how the ‘liveability’ of the area above and near the proposed route, colloquially known as the ‘West End’ would be affected detrimentally. The Petitioner believed that the West End suffered from chronic overcrowding and that the streets and pavements were never meant to carry the large numbers of people and vehicles which currently existed. The Petitioner considered that the proposed route with its linkage to stations along Oxford Street would achieve an undesirable increase of numbers of visitors to the West End. We heard that the Petitioner preferred a Northern Alignment⁴⁰ that would allow additional numbers of people to be spread out over a greater area, offering alternative shopping and working areas which in turn would relieve some of the overcrowding.

Petition No. 72 – London Transport Users Committee and Rail Passengers Council

156. The Petitioners were concerned about the failure of the proposed railway transport system to serve London City Airport. The Petitioners recognised 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.

Petition No. 87 – Darren Richard Williams and Petition No. 88 – Heath Lionel Sean McArdle

157. The Petitioners objected to the location of the terminus of Crossrail at Shenfield. The Petitioners were concerned that the decision to locate the terminus was based on grounds of cost, alternative options (for example at Stratford) being considered too expensive because they required the construction of a station underground.

Petition No. 88 – Jessica Da Silva and others

158. The Petitioners believed that promotion of the Bill was premature as alternative worksites, routes and tunnelling methodology had not been examined in detail and as a result the best alternative taking all criteria into account had not been selected in breach of the European Community Directive on ‘the assessment of the effects of certain private and public projects on the environment’

Petition No. 106 – Belal Uddin and others

159. The Petitioners considered that the Promoter should have demonstrated proof of the need for and desirability of the proposals in the Bill, as affecting the Properties, and that the

40 The Northern Alignment is an alternative tunnel route taking the tunnels north of the alignment set out in the Bill.

limits of deviation of Works Nos. 1/3A and 1/3B, the resulting powers for the compulsory acquisition of subsoil, the power to construct works and the exercise of works and ancillary powers within the limits of deviation should be restricted in relation to the Petitioners' properties to the extent (if any) to which they could be strictly justified and so as to prevent interference with the Properties. In particular, the Petitioners contended that any interest in their properties acquired by the Promoter (in terms of the area over which it is to subsist, the form in which it was to take at law and any express or implied constraints which may be imposed upon the remainder of the Petitioners' properties) should be strictly limited only to that which was absolutely necessary for the construction, safe operation and maintenance of the proposed works

160. The Petitioners therefore believed that the Promoter should not be permitted by means of the Bill to interfere with private property rights and interests unless, and except to the extent (if any) that, there was no better alternative to the route alignment taking all criteria into account and it can be demonstrated to be necessary for the purposes of the Bill and to be in the public interest.

Petition No. 107 – Robin Tutty and others

161. The Petitioners believed that the Promoter should not be permitted by means of the Bill to interfere with private property rights and interests unless, and except to the extent (if any) that, there was no better alternative to the route alignment taking all criteria into account and it could be demonstrated to be necessary for the purposes of the Bill and to be in the public interest. The Petitioners had not been provided with full justification for the proposals in the Bill affecting the Properties and they were not satisfied that it was necessary or expedient for the other powers of the Bill to apply at all or in the manner or to the extent proposed. The Petitioners accordingly considered that the Promoter should have demonstrated the need for and desirability of the proposals in the Bill, as affecting the Properties and that the limits of deviation of Works Nos. 1/3A and 1/3B, the resulting powers for the compulsory acquisition of subsoil, the power to construct works and the exercise of works and ancillary powers within the limits of deviation should be restricted in relation to the Petitioners' properties to the extent (if any) to which they can be strictly justified and so as to prevent interference with the Properties. In particular, the Petitioners contended that any interest in their properties acquired by the Promoter (in terms of the area over which it was to subsist, the form in which it was to take at law and any express or implied constraints which may be imposed upon the remainder of the Petitioners' properties) should be strictly limited only to that which was absolutely necessary for the construction, safe operation and maintenance of the proposed works.

Petition No. 110 – East of England Regional Assembly

162. The Petitioner supported the principle of providing extra rail capacity to relieve the heavily congested rail and underground network within London, which underlie the Crossrail proposals. The Petitioner also generally supported proposals which would improve connections from stations to the east of London and stations to the west of London via Liverpool Street station and the proposed central London tunnel. However, the Petitioner was concerned that, because the current proposals did not extend beyond

Shenfield, this would not achieve the full potential of the Crossrail scheme and would not fully meet the needs of the East of England region.

Petition No. 119 – Spitalfields Festival Ltd

163. The Petitioners considered that the Promoter should not be permitted by means of the Bill to interfere with private property rights and interests unless, and except to the extent (if any) that, there was no better alternative to the route alignment taking all criteria into account and it could be demonstrated to be necessary for the purposes of the Bill and to be in the public interest. The Petitioners had not been provided with full justification for the proposals in the Bill affecting the Properties and they were not satisfied that it was necessary or expedient for the other powers of the Bill to apply at all or in the manner or to the extent proposed.

Petition No. 132 – Gregory D Hodgkiss and Claire M J M Hodgkiss

164. The Petitioners believed that the Promoter's scheme should cause eastbound Crossrail services to terminate at Stratford and provide suitable inter-change facilities there with the existing fast services from Shenfield and beyond. They considered the requirements of the services for the 2012 London Olympics should be taken into account.

Petition No. 149 – Brentwood Borough Council

165. The Petitioners were concerned about the impact of the construction of the railway on existing rail services at Shenfield station and the operation of the station itself. Shenfield is an important mainline station for commuters travelling into London. It provides a fast non-stop route into Liverpool Street station, and Shenfield station was therefore used by many commuters across the Petitioners' Borough and beyond. The Petitioners had serious doubts about whether Crossrail would provide any benefits at all to residents and businesses in their Borough. They could not see any advantage in the proposed extension of Crossrail to their Borough. They believed that the railway should terminate either at Stratford or Romford; where there would be benefits to those using the line to access London, Heathrow Airport, or the west of England, and that it should not be extended to the Petitioners' Borough. The Committee noted that if Crossrail should extend, as proposed, to Shenfield, that the Petitioners sought assurances and undertakings from the promoter about the effect of construction operations on Shenfield station, and in particular wished to ensure that service patterns are guaranteed.

Petition No. 155 – Robert McCracken

166. The Petitioner objected to the location of the proposed route and believed that an alternative northern route (for many years known as the 'Northern Alignment') should be considered instead. The Petitioner believed that the Northern Alignment would not only bring far greater benefits to residents and businesses than the proposed route, but also that a great number of nuisance issues related to Crossrail would be avoided were it to be built.

