



House of Commons
Select Committee on the
Crossrail Bill

Crossrail Bill

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

Volume III

Oral evidence

28 March to 20 June 2006

*Ordered by The House of Commons
to be printed 18 October 2007*

HC 235-III
[incorporating HC 837-xxi to -xlii Session 2005-06]
Published on 14 November 2007
by authority of the House of Commons
London: The Stationery Office Limited
£40.50

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).

Contacts

All correspondence should be addressed to Private Bill Office, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 3250; the Committee's email address is prbohoc@parliament.uk

Footnotes

During the proceedings, the Committee received 405 memoranda, in the form of Petitioners' exhibits and Promoters' response documents, which have been reported to the House. Many of these exhibits were shown to the Committee on screen, via the PaSS System (Parliamentary Support System), during the evidence sessions. These have, where possible, been cross-referenced and footnoted in the Oral Evidence.

In the footnotes of this Oral Evidence, references to evidence generally submitted by Petitioners are indicated by, for example 'Committee Ref: A18, ...'

References to evidence submitted by the Promoter are indicated by, for example 'Crossrail Ref: P2, ...'

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Tuesday 28 March 2006

Before:

Mr Philip Hollobone

Kelvin Hopkins
Mrs Sian C James
Mr Ian Liddell-Grainger

Mrs Linda Riordan
Sir Peter Soulsby

In the absence of the Chairman, Mr Liddell-Grainger took the Chair.

Ordered: That Counsel and Parties be called in.

5349. **Mr Liddell-Grainger:** Ms Lieven, would you like to kick off?

5350. **Ms Lieven:** Sir, this morning we are dealing with Petitioners from Shenfield and I do not know whether it would be helpful to the Committee for me to make a short opening just to explain what is happening at Shenfield because this is the first time that the Committee has considered anything outside the section of the route, so it would seem helpful just to make a brief explanation.

5351. Perhaps I can start by putting up the map of the line.¹ Shenfield is at the north-east terminus of the line and the Committee is familiar with the route up to Liverpool Street, and then east of Liverpool Street it goes to Whitechapel, which we will return to in a few weeks, and then splits north-east, coming out of tunnel at the point west of Stratford. Then from that point onwards, down the north-east section, the line is taking over the existing, what are known as, 'e-lines', which is what the electric lines are known as, all the way up to Shenfield. As I say, the Petitioners today are private Petitioners from Shenfield. Tomorrow we are having the London Borough of Brentwood which covers both Brentwood Station and Shenfield, but unfortunately the London Borough could not come today, so there will be an element, I suspect, of repetition, though certainly from our side we will try to keep it as minimal as possible.

5352. At the present time, Shenfield is served by both the stopping trains on the e-line and on fast services coming from further to the east, both the Norwich line and the Southend line, and those fast services, which run down the fast lines to Liverpool Street, will continue to serve Shenfield, so there will be no disruption, no effect on the existing fast services. The advantage of Crossrail for the people of Shenfield is that they will be able to get on a train at Shenfield and, instead of going to Liverpool Street and having to change if they want to go further west, they will be able to go straight through to all the other Crossrail destinations.

5353. Before we leave the route map, a number of the Petitioners from Shenfield have raised an argument in their Petition that the line should not go as far as Shenfield and that either it should stop at Stratford or at one of the other intermediate stations, in particular the ones that are mentioned at Gidea Park and Romford. The Committee may recall that that was a matter of discussion at second reading and in the instruction. The position from the Promoter's side is that an argument that seeks to move the termini further to the west does go to the principle of the Bill and, therefore, the Committee cannot amend the Bill to require the line to stop short of Shenfield, but we have made it clear in correspondence that we will not challenge the Petitioners who seek to make that argument to the Committee today; it is a matter for the Committee as to whether they hear the argument or not. We will, either today or tomorrow, call evidence if Petitioners do raise the point as to why stopping at any of the intermediate stations would both be highly disruptive, highly expensive and also very, very poor in transport terms.

5354. Perhaps I can then move on to the works at Shenfield and put up the first plan for that.² This is the plan which is in the Petition Response Document and it is quite useful to show the various elements of the works. In effect, there are three elements. Here we have the existing Shenfield Station and it is just worth the Committee orientating itself. There is Friars Avenue running off to the west where a number of Petitioners live and then Hunter Avenue running to the east, and on the other side of the railway lines is an area known as Hutton Mount which is somewhat elevated, and there are a number of Petitioners from that area.

5355. The Crossrail works fall into three parts. On the western side, we are building a new platform, or it is effectively the extension of an existing platform to the north so that Crossrail trains can come in on both sides of that island platform, whereas at the moment there is only a platform on one side. To build the platform in that form involves extending an embankment and then putting in a retaining wall. We are then creating

¹ Crossrail Ref: P70, The Crossrail Route, Non-technical Summary of the Crossrail environmental statement (LINEWD-NTS62-002).

² Crossrail Ref: P70, Crossrail proposals at Shenfield Station and extent of existing car parks (BRWDBO-14903-001).

three stabling sidings where you can see the train siding modifications to allow the trains to come into the new platforms, so on the one side there are two sidings and on the other side there are three stabling sidings, the east side. The other element of work which happens on both the west and the east side is that there is a considerable amount of remodelling of the tracks in order to allow the Crossrail trains to be fully segregated from other services, which is very important in terms of reliability.

5356. If we could look briefly at the aerial photos so that the Committee can get an idea of Shenfield, this first one is on the Friars Avenue side, the west side, so the new platform is extended along to the west and the embankment beside that.³ Just so that the Committee can orientate themselves, the Friars Avenue car park, which is one of our worksites, is to the south, and Hutton Road, which you will hear referred to and which is the principal shopping street of Shenfield, is running down to the station.

5357. If we can look at the next aerial photo, this is still on the west side, but a different orientation, looking along the tracks.⁴ You can see the platform area to be extended, track works, and there is another aerial photo which we will come to a little later, but it is this area to the north where there will be some tree loss because of the works to the embankment.

5358. If we can then look at the east side of the station on the aerial photo, this is the east side of the station and here shown are the eastern sidings for Crossrail and a loop line has to be relocated on the Chelmsford-Southend line in order to give space for our sidings.⁵ This is the Hunter Avenue car park, which I will come back to in a moment, and Hunter Avenue runs along the side car park to the north.

5359. If I can then turn very briefly to the impacts, there are two principal impacts which are raised, though obviously Petitioners have raised a whole series of other impacts, but there are two which are perhaps particularly focused on. The first is noise and the second is car parking. There are a number of properties which will be affected by noise at this location, and perhaps we could put up the ES Impact Plan.⁶ The Committee may recall this from other parts of the route. One can see the noise impacts coloured in, giving their different levels of severity. There are people along this part of the route who will be significantly affected and some who will be eligible for temporary rehousing and some eligible for noise insulation. Probably the

most appropriate thing is to come back to those for the individual sites, but unsurprisingly it is the properties who are closest to the two areas of work on the west and east side of the station.

5360. There are two points to make on the impacts at this stage. One is that we are doing further work to assess the impacts because it seems possible that they may have been overstated in the ES to some degree, but, perhaps more importantly, of course the Environmental Statement is drawn up at a stage when the design is still not particularly detailed, so as we go through from the moment of starting the work, a far more detailed design will be drawn up. Certainly the experience from the Channel Tunnel Rail Link was that the level of noise impact fell significantly at detailed design stage because at the Environmental Statement stage it is necessary to take a pessimistic view.

5361. Turning then briefly to car parking, there are four car parks around Shenfield Station and it is worth the Committee just noting them. There are two pay and display car parks. The one at Friars Avenue to the north-west of the station will be taken as a worksite by Crossrail in its entirety and the other pay and display car park is at Hunter Avenue which will not be affected at all by Crossrail, so that car park remains in its entirety. There are then two commuter car parks owned by Network Rail. The pay and display car parks are owned and operated by the Council and the commuter car parks are owned and operated by Network Rail. The one at Mount Avenue is wholly unaffected by Crossrail and the one at Hunter Avenue, which has proved to be the most contentious, to the east, in the Environmental Statement it was assumed that the entirety of the Hunter Avenue car park would be taken by Crossrail for the works obviously only during the construction period. We have worked further on that and the position that we are now at, and have offered to the Council in an undertaking, is that we will take no more than 50 per cent of the Hunter Avenue car park in any event, so that is an absolute, with reasonable endeavours to take no more than 35 per cent and we will go further and seek to occupy a lesser amount where reasonably practicable, so 50 per cent is the absolute maximum we can take, we believe we can achieve 35 per cent and we are going, as far as possible, to reduce it even further. Mr Anderson, either today or tomorrow, will give evidence on the car parking situation.

5362. The other impact to mention briefly is vegetation and for this we can show our photo 23 just so the Committee know where the vegetation in issue is.⁷ It is the area I have already shown you on a previous plan. To the north-west of the station there is an area where there will be vegetation lost because of the extension of the platforms and the need to erect the embankment. There will then be a

³ Crossrail Ref: P70, Friars Avenue Car Park and South Western Station Approaches, aerial photograph (BRWDBO-14904-002).

⁴ Crossrail Ref: P70, Shenfield Station South Western Approaches (BRWDBO-14904-003).

⁵ Crossrail Ref: P70, Hunter Avenue Car Park and North Eastern Station Approaches (BRWDBO-14904-005).

⁶ Crossrail Ref: P70, Shenfield Station Project Works and Impacts Map NE17 (ii) (LINEWD-ES117-102).

⁷ Crossrail Ref: P70, Figure 1: Shenfield Station—Approximate Impacts on Trees (BRWDBO-14904-023).

The Petitions of Minnie Cockell and Mr Frederick and Mrs Lilian White

much larger area where there is existing vegetation which will not be affected. It is worth saying on vegetation at this point that the land is currently owned by Network Rail and there clearly has been some removal of vegetation there already and the Committee may have noticed in its own travels around the country that Network Rail seems to be carrying out quite extensive tree-cutting work in any event. That of course has nothing to do with us at the moment and may well happen anyway.

5363. Can I then finally say on evidence that to a great extent we are in the Committee's hands on evidence today. I have four witnesses available: Mr Berryman to talk about works and the engineering; Mr Anderson to talk about the general environmental impacts and car parking; Mr Taylor on noise; and Mr Smith on compensation and purchase policy which arises from a number of Petitioners. I do not want to repeat evidence today that I need to call tomorrow, but equally I do not want to disadvantage Petitioners by not giving them the opportunity to hear evidence today. What I would suggest is that perhaps we hear the Petitioners first, some of whom are represented by counsel, some of whom are representing themselves, and then perhaps at lunchtime or sooner the Committee might give an indication as to what evidence would be useful for the Committee to hear or I can give an indication.

5364. **Mr Liddell-Grainger:** Yes, thank you, Ms Lieven.

5365. **Ms Lieven:** That was all I was going to say at this stage.

5366. **Mr Liddell-Grainger:** Thank you. Mr Jardine?

The Petitions of Minnie Cockell and Mr Frederick and Mrs Lilian White were read.

Mr Christopher Jardine appeared as Agent.

5367. **Mr Jardine:** Thank you, Chairman, and Committee members for listening to me. Perhaps I can just say that, unless there is something counsel knows that I do not, we are firmly outside the London boroughs and I hope that we are going to remain so!

5368. My name is Christopher Jardine and I am acting for Minnie Cockell, my mother-in-law, under Petition 43, and I am also acting for the White family under Petition 253.⁸ I am going to deal firstly with the points that have been accumulated in respect of my mother-in-law.

5369. Mrs Cockell resides in Hunter Avenue and has done so for 49 years. The front of her house faces the end of the commuter car park furthest

from the station, in other words, the northerly end. Your Petitioner, despite the information contained within the Promoters' Response Document, remains concerned about the specific plans for Crossrail and the effect that construction work will have on her quality of life. If I may, I will comment upon some of the points raised in Petition 43 and, where appropriate, the Promoters' Response.

5370. Looking first at paragraphs 5 and 12, these relate to noise and visual impact. The Promoters are offering sound insulation in the form of secondary glazing, additional ventilation, blinds for south-facing windows and insulation treatment of external doors. I am surprised that additional loft insulation or even cavity wall insulation are not included. Whilst these forms of insulation may be primarily to retain warmth, they must also help to deaden noise, especially in the case of a well-ventilated roof where the only remaining barrier to noise is a thin, plasterboard ceiling, plus any insulation that might already be there.

5371. Moving to the visual impact, the Promoters' plans are to form a temporary access road from the Hunter Avenue car park, and counsel has demonstrated where that is, and that is going to lead up to the embankment to rail level. It seems inevitable that a large number of mature trees together with other vegetation will be removed in connection with that access road and works generally. The Promoters have responded to the effect that the vegetation will be reinstated. They also state that the mature trees at the foot of the embankment will be retained. Whilst all of this is welcome, I am afraid it is not enough. The current vegetation forms a natural and welcome barrier between the housing and railway and obviously in the form of that barrier it takes away some of the noise of the general railway operation. In future it seems there will be a view of a retaining wall and, because of the reason for the retaining wall, there will be less room for vegetation and any replanting will take years to mature.

5372. I move on to paragraph 6 of Petition 43. This relates to the acquisition of land. Your Petitioner refers to the temporary occupation of the Friars Avenue pay and display car park. This would mean a loss of 50 parking spaces and result in the displacement of vehicles on to the highway where on-street parking would be sought by drivers. This would result in many more traffic movements during the day while people search for spaces to park, causing congestion, particularly in the main shopping area on Hutton Road. Additional inconvenience would also be caused to residents by on-street parking in side roads during unrestricted hours.

5373. The Promoters, in their Response Document, refer to the possibility of phasing out spaces reserved for season ticket holders, as in each of the Council and other car parks there are spaces currently reserved for season ticket holders. If this

⁸ Crossrail Ref: P70, Location of Petitioners based in Hunter Avenue, Alexander Lane, Herrington Grove, Mount Avenue and Pine Croft (BRWDBO-14903-008).

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happens, I agree that the other pay and display car park in Hunter Avenue will provide some relief for shoppers, but the fact is that workers currently using the season ticket spaces still have to go somewhere. If the idea is to force people on to buses, then someone has got to provide a decent bus service.

5374. Paragraphs 8 and 9 of the Petition relate to the need for Crossrail in its currently proposed form and, whilst I recognise the comment made by counsel in her opening address, I will bow on, if I may. Anyone wanting to cross London, particularly to, or near to, the western extremities of the proposed route would wish to do so far more quickly than is likely to be possible under the existing proposal, which I understand is likely to save six minutes typically on a journey to Heathrow.

5375. In the Response Document, the Promoters include information paper A7 which relates to the selection of the north-eastern terminus.⁹ One of the points made is that the existing national rail services into Liverpool Street already operate above capacity in the peak periods. Well, if Crossrail propose a five-minute-interval service, why cannot one Great Eastern, the existing operator, upgrade their existing ten-minute-interval service to a five-minute service?

5376. The Promoters make the point that if the Crossrail service terminated at Stratford, the only possible option would be a deep underground station which would be expensive. I feel that there are areas adjacent to the existing station that could well be redeveloped. I accept, however, that either a deep-level station or a surface-level station requiring land acquisition and alteration of the existing rail tracks would be expensive, but it would be a drop in the ocean when compared to the overall cost.

5377. I would just like to revert to paragraph 12 of the Petition where it is suggested there that, if Crossrail must progress broadly in its current proposed format, then another site should be found for the eastern sidings at Shenfield. Within the Petition, we have suggested the small industrial area located in the 'V' formed by the divergence of the Southend and Chelmsford railway routes, known as 'Whitegates'. This was slightly incorrectly described in the Petition and it should have been more correctly described as the area between the Southend loop line, which is shown after it leaves Shenfield Station and dives under the main Chelmsford line. At this point I did supply a map of the area.¹⁰ On the map there is a position marked 'A' and that is the area known as Whitegates. The map reference is J7. As you can see, 'A' is between two tracks. It is an industrial area. I do not know who owns it, though it might

still be owned by Railtrack or Network Rail. An alternative would be the embankment to the west of the Southend route which is marked 'B' on the map. That is well away from all the housing. There is housing in Alexander Lane which is just below that mark, the point marked 'B', but there is room for sidings parallel to the loop line railway well away from any existing housing and, in this case, a temporary access road could be laid across the field from the A1023 which is to the left of the point and I have marked it 'temporary activity track'. That could come off the Chelmsford Road, thus not only removing the worksite from the residential area, but also keeping the supply lorries on the main road until reaching that access road, and immediately freeing up the commuter car parks for continued use in that capacity, not to mention removing the work from the area of Shenfield altogether, the central area.

5378. In their Response Document, the Promoters discount the possibility of using the Whitegates estate because the railway is elevated on an embankment and, with respect, I have to pose the question as to what the difference is between that embankment and the embankments adjacent to Hunter Avenue. In addition, the Promoters refer to a blind access on to Alexander Lane where the loop line joins the main line and it is just at that point that the Whitegates estate comes out on to Alexander Lane. They make the point that there is a blind access, and I agree, but this can easily be resolved with temporary control traffic lights.

5379. The Promoters also state that a new bridge would be required over Alexander Lane, and maybe that would be ideal, but I do believe that the point needed to access the new sidings could be immediately to the north of the existing bridge with a two-way or bi-directional working over that part of the Southend loop line. In fact although the work adjacent to Friars Avenue in connection with the provision of a new platform at the station is not my primary concern, I believe that by providing sidings at either of points 'A' or 'B' on the map, there would then be no need for any of the work currently proposed near to Shenfield Station. Instead, if there were not sufficient platform capacity for a train to remain in the station, then trains would move to the sidings and simply roll into the platforms at, or just before, the scheduled departure time. I believe that any problems previously raised by the Promoters about this option would be capable of being surmounted. There may be additional costs, but I believe that these would be negligible in comparison with the overall cost.

5380. I am moving on to Petition 253 now and this is in the name of Frederick White and Lilian White, who are husband and wife, and their son, Kenneth White. Mr Frederick White is aged 80, Lilian White is 77 and both suffer from very poor health. Mr White has heart problems, including two leaking valves, but, more importantly, Mrs White suffers

⁹ Crossrail Ref: P3, Information Paper A7—Implications of Terminating Crossrail at Stratford (LINEWD-IPA7-001).

¹⁰ Local area map of Shenfield (BRWDBO-4305-002).

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from something called 'COPD', a serious asthma and bronchitis condition, which has previously necessitated having her heart stopped and being resuscitated on three occasions. She has only one functioning lung. Bearing in mind the oath I swore before I came in, I should say that I do not know these people tremendously well and I have to accept their word on that. Their son Kenneth is aged 57.

5381. They all live at 14 Hunter Avenue which faces the Hunter Avenue commuter car park and they are at the other end from my mother-in-law. My mother-in-law lives at 43 and 253 is at the other end of the car park. They have resided there for about 13 years, just under 13 years. These Petitioners have similar complaints to those already outlined in respect of Mrs Cockell's Petition 43.

5382. Because of the health problems of Mr Frederick and Mrs Lilian White, in particular the latter, they have grave concerns about the likely effect of the resultant pollution, especially dust, upon their wellbeing. At their age, the stress may also be harmful.

5383. Whilst not looking forward to upheaval and recognising that there is the possibility that they will be able to move house under the published hardship scheme, this will not be until within nine months of works commencing in the vicinity. It is felt that where a move is justified because of an existing medical condition which will be severely aggravated by the works, then, if the Bill is passed and once an announcement has been made to the effect that funding is in place and work is due to commence generally, the relevant clause of the hardship scheme should become immediately effective.

5384. The Whites are concerned about the adverse effect that Crossrail will have upon the value of their house and also about the damage to their property as a result of the movement of heavily laden lorries and vibration from the works.

5385. Whilst my address concerning Petition 253 has been fairly short, may I remind you that the Whites also have similar concerns to those I outlined earlier.

5386. In summary, there is a large swell of public opinion against the Crossrail proposals in Shenfield. This is reflected by the high number of Petitions, in the order of 50, from the Brentwood area. From my conversations with other Petitioners and Shenfield residents, the overwhelming desire appears to be that the eastern terminus is located at Stratford where there are good connections to the existing services. The existing Great Eastern line, that is, the suburban line or, as Ms Lieven stated, the electric line, those trains would then continue into Liverpool Street. However, I believe that the concerns have been raised because of the total lack of sympathy for the plight of Shenfield residents on the part of Crossrail planners. Not

enough thought has been given to alternative sites for new sidings. Insufficient consideration has been given as to whether a combination of new sidings at one of the locations I previously indicated, together with the existing eastern sidings, might provide an adequate turnaround facility for trains, thus removing the need for an additional platform and, in turn, the need to disrupt the entire central area of Shenfield.

5387. If the Committee has not already visited Shenfield, then I do hope that they will be able, and minded, to do so when I believe they will see what havoc will be caused and how my alternative suggestions might be worthy of further consideration.

5388. Chairman, and members of the Committee, thank you for listening.

5389. **Mr Liddell-Grainger:** Thank you, Mr Jardine, very much indeed. Ms Lieven?

5390. **Ms Lieven:** Well, sir, I certainly do not intend asking any questions. I have picked up a few points to add to the questions I was going to ask my witnesses later and perhaps that is the best way to deal with it.

5391. **Mr Liddell-Grainger:** In that case, can I call Stuart and Tamsin Owens.

The Petition of Mr Stuart and Mrs Tamsin Owens was read.

The Petitioners appeared in person.

5392. **Mr Owens:** This is Tamsin and I am Stuart Owens, Petition 278, representing Tamsin, Stuart and Samuel Owens.¹¹ The first point I would like to make is that we are not opposed to change; we are dynamic and we have lived in London. We are not opposed to change even if it is in our backyard, which in this case it is, if we believe that it actually will benefit Shenfield as a whole.

5393. Our house backs on to the embankment which rises to the railway line, number 29 Friars Avenue, and we believe we will be significantly impacted by Crossrail, both from noise and visual impact, and also by the detrimental effect that Crossrail will have on Shenfield as a whole.

5394. To give the Committee some background, we moved to Shenfield just over two years ago after we had a baby. As I said before, we lived in the centre of London and we wanted a change of lifestyle, or a breath of fresh air, you could say, but we needed somewhere with good transport links for travel into the City for my employment. We, therefore, chose Shenfield because it had all these things: transport

¹¹ Crossrail Ref: P70, Location of Petitioners based in Friars Avenue, Herrington Grove, Greenway, Mount Avenue, Pine Croft, Kingfisher Close and Hutton Road (BRWDBO-14903-007).

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links; excellent schools; and, most importantly, a community atmosphere. My wife, Tamsin, is a full-time, stay-at-home mum and the shops and the community atmosphere were a big pull for us to move to Shenfield.

5395. If I can address the noise impact, the initial maps we were provided showed that there was significant construction noise up to 27 Friars Avenue, but not to 29 Friars Avenue where we live. On questioning, Crossrail provided a new map, map NE17(ii) which was shown earlier, stating that actually there would be significant noise impact during at least the construction phase.¹² As I have mentioned, my wife and son are at home during the day. As a small child, my son has a daytime nap which we think is likely to be severely disrupted, especially through the construction work. We also like to spend a lot of time in the garden and again we see how this is going to be much more difficult, especially during the construction phase, and quite clearly there will be significantly more noise once it is operational with the additional services that are going to be on offer.

5396. At the moment there are current sidings to the back of our property which are very rarely used. In fact, we can only remember one time when they were ever used, but clearly with the extra construction work they will be used quite significantly. Despite all of this, we have been offered neither compensation nor noise insulation from the Promoters.

5397. Secondly, the visual impact. Based on the maps provided by Crossrail, again the houses up to, we believe, number 27, our next-door neighbours, will have both significant temporary and permanent visual impact. The Petition Response, when we queried this, stated that “vegetation will be substantially retained during construction”. We have now seen some maps and pictures which we had not seen before and we still do question whether that is actually possible. These trees and the vegetation are important as they do screen our view and are part of the property which we bought at the time.

5398. We have been given no information as to what our property will look like at the back of our garden once work is completed and we have heard today about the embankments being built, but again no information has been given to us. All we have received in response to our Petition was: “The visual impacts of the works both during construction and after the works are complete is assessed to be not significant”. In whose opinion are they not significant? No evidence has been provided to us in support of this assertion.

5399. The next point we would like to raise which we give in our Petition is the impact on the value of our house. There will be a blight on the sale both

from the uncertainty around Crossrail, when it will start and when it will happen, but also once the work is undertaken and also when the extra services are there. There is no benefit to Shenfield from this and we do believe that our house will be impacted by that. Yes, there was a train running when we bought, we understood that, and in fact that was one of the attractions for us, but it was not in the state that Crossrail is suggesting.

5400. The next point I would like to raise is the impact on the Shenfield community. One of the best features of Shenfield is that it has a small village feel, but is very close to London and it is on the fast train line which I think is quite unique for south-east London. We feel that Crossrail will change all this.

5401. Other Petitioners have talked about parking in the area. Parking is already a problem in the Shenfield area and this will make it more acute. I also ask whether Crossrail has considered what impact this will have on the local shops and businesses during this period. As an example, Shenfield came to a standstill recently when Alexander Lane was closed for bridge supporting work. I only can guess what will happen when Crossrail is under construction. Congestion is already quite high in the area near the train station and this will be much worse during the construction phase and possibly worse afterwards. How can Crossrail put Shenfield into so much upheaval and not expect the atmosphere of the community to change and yet provide no benefits for Shenfield at all?

5402. Finally, I would just like to close by saying that whilst we understand that the Committee has no authority to recommend a change to the terminus of the cross-London link, we would like to note for the record that we believe that: (a) there is no benefit to Shenfield from the proposed Crossrail scheme; (b) that Shenfield has only been chosen because it is the cheapest option to implement; and (c) the fact that the public consultation exercise does not include the ability to petition against the terminus being at Shenfield, I would like to ask where the democracy is in this process. Thank you for your time and patience.

5403. **Mr Liddell-Grainger:** Thank you, Mr Owens. Could I call Mr Sabin?

The Petition of Mr Michael Sabin was read.

The Petitioner appeared in person.

5404. **Mr Sabin:** Thank you, Chairman, for hearing my Petition. My name is Michael Sabin and I am a former Executive Director of Bass Charrington's, now retired, but I continue as a part-time consultant. My wife and I have lived in Hutton Mount for 26 years. It is only a short distance from Shenfield Station and in close earshot to all the

¹² Crossrail Ref: P70, Shenfield Station Project Works and Impacts Map NE17 (ii) (LINEWD-ES117-102).

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railway sounds that come from there, and even the strange and unintelligible station announcements can be heard.

5405. In order to save time and repetition, I confirm that following Crossrail's detailed response to my Petition, I sent them a letter as a counter-response highlighting my continuing concerns and that letter dated 2 March was copied to your Clerk and Winckworth Sherwood. That summarises my points and, with your agreement, I would like to use this as my reference.

5406. May I also say at the outset that I am wholly supportive of the need for much better public transport. We desperately need to have a long-term visionary scheme to avoid the snarling up of our roads, to conserve energy and to reduce pollution. I am not against that sort of development. Unfortunately, Crossrail does not seem to have that vision and offers little or no benefit to those of us who live in the east, merely replacing the excellent service we currently enjoy and causing enormous upheaval and disturbance in the process.

5407. I turn to my concern about the noise. The assessment made by Crossrail is not conclusive. They use the words, "7 Pinecroft", my address, "is unlikely to experience significant noise and vibration during construction". It shows that they are not really sure about this problem and they have not taken into account the continuous noise that we will suffer going on all day long and into the evening. In my view, it will be very debilitating and detrimental to my wife's health, which is pretty poor, and she has a need to sleep during the day. We are higher up on the Mount, level with the rail lines, and the noise rises up to us. I do not want to wait for decibel tests and consequent delays in sorting out this problem. I shall be forced obviously to install sound-proofing myself, but I do expect Crossrail to reimburse me and to give greater consideration to elderly and infirm people, residents, who will undoubtedly suffer from 18 months of continuous noise. I seek your support in this matter.

5408. I turn to the problem of the loss of car parking. In one breath, Crossrail state that this will not inhibit business in Shenfield, yet in their Environmental Statement they say that the loss of the car parks for most of the construction period will have a significant impact. They must really believe their first statement as they take four pages and 27 points, no less, to explain matters in their response to me. The loss of the Friars Avenue shoppers' car park and the increased pressure from loss of commuter parking will cause very serious problems for shoppers and shopkeepers. Finding a space even now in Shenfield is a real problem in the very popular and busy shopping area with many banks, service providers, specialist shops and food stores as well as a busy post office. The recent bridge works in Alexander Lane, which was closed for months at the southern end, caused vastly

increased traffic through Shenfield and this demonstrates to me how much extra pressure can be caused by even a partial road closure.

5409. Crossrail have criticised the Council for having car parking season tickets, but they should be aware that shop and office workers have to park somewhere and you cannot run shops without workers and employees. I made the suggestion to Crossrail that they should consider a park-and-ride scheme, using vacant land in Shenfield. This would be ideal for commuters and if it was a low-priced parking situation or even free, commuters would easily get to and from the station using taxis which are plentiful. I am told they have abandoned this idea, but I believe it should be reviewed again. Commuters do not want to drive further, as suggested, to Brentwood, particularly during the rush-hour, even if there are some spaces apparently available there. In the past week, Crossrail have stated that they are prepared to limit their space requirement in the Hunter Avenue car park for commuters. This would release, they say, possibly up to two-thirds of the car park back to commuters. Now, it seems to me that if Crossrail use the centre section of that car park for access or equipment, it would ease the pressure on those houses adjoining the northern end, and then if Crossrail could negotiate with Network Rail and Brentwood Council, surely space could be released to be made available to shoppers who are really suffering the most, with perhaps the northern section used for commuters as it immediately adjoins the existing commuter car park by the Council. This will be a much more balanced solution. For some reason Crossrail have continuously undervalued the quality of Shenfield and Hutton Mount, which is probably the most desirable residential area in South Essex. It is a unique place with a semi-rural atmosphere served by very high quality specialist shops.

5410. Significantly, Shenfield's developments and attractions over the years, since as far back as 1910, have been mainly due to the excellent existing train services to the City and to London. This very fact brings me to my final points as shown by Petition number item 6, (a) to (g) and item 7, 8 and 9. It is unfortunate that there has been confusion over what was said by the Secretary of State because a number of people have been led to make petitions which they now believe may not result in the recommendation to change the route or terminus. However, the reason that so many residents object to the terminus at Shenfield is because they cannot see any benefit in wasting money on a line that already offers a first-class service.

5411. They cannot see why they should end up with longer journey times than at present from the poor station service. There are many residents who are highly intelligent business executives working in London. Why would they object to Crossrail if it

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was so beneficial. There is no demand in Shenfield for Crossrail and it appears that it cannot be justified financially or in revenue terms.

5412. Crossrail themselves originally forecasted in an environmental statement that only a small increase in passengers would result using Shenfield. Although I have no connection with the alternative Superlink scheme, which some of you may have seen and for which I have provided a complete drawing, this is a more radical and visionary scheme producing much better returns. I have studied their plans thoroughly. As you will see from the copy, I would like to point out that this scheme, even though more ambitious than Crossrail, does not even touch the Shenfield to Liverpool Street Corridor, it does not use it all. It rightly accepts, in my view, that the Shenfield Corridor is a mature and efficient line.

5413. Superlink does have a junction at Ilford because it comes from Stratford via Canary Wharf and then to Ilford at a junction. It then goes north and, secondly, it sensibly has regional lines up to Harlow and Stanstead Airport, picking up the new housing expansion which is proposed by John Prescott's Department, we are due to have 6,000 new houses on the North Weald aerodrome site. I am sure this is an area that could be considered for the future, even though not at this present time.

5414. There are many other regional lines in the Superlink scheme, and the core of the cross London route is retained right through to Maidenhead, so why if Superlink can see no need for the Shenfield Corridor, does Crossrail wish to pursue it. It is unsuitable and uneconomical. What I would not give to be able to go North without travelling to Central London every time in order to get to places like Stanstead and maybe even Cambridge.

5415. Chairman, that, I hope, covers all the points I wish to make. I do hope your Committee will be able to visit Shenfield and see the situation for themselves. Thank you.

5416. **Chairman:** Thank you Mr Sabin. As you yourself acknowledged, the final part of your submission of evidence was beyond the terms of reference of the Committee, but, nonetheless, it is useful and it gives you an opportunity to put them on the record. Next we have Maxine Fanning.

The Petitioner of Mrs Maxine Fanning

The Petitioner appeared in person.

5417. **Mrs Fanning:** Mr Chairman, ladies and gentlemen, my husband and I have asked to appear before the Select Committee today to put forward our case against the Crossrail initiative. We will, if we may, initially comment on the personal aspects of the initiative which have had, and will continue to have, a further impact on our lives.

5418. We believe that you will already have been provided with and have read our petition. In addition, we hope you have also been provided with a copy of our Hardship Application, Crossrail's rejection and the ensuing correspondence between Mr Tim Neate and ourselves. We had hoped that a response to our last letter would have been received from at least one of the addressees prior to our appearing before you, but regrettably this has not been the case.

5419. We believe that by providing you with a copy of this personal correspondence it shows quite clearly that Crossrail do not appear to have got their act together even at this early stage of the proceedings. One of our main concerns is if they are not following their stated procedures at the outset, what problems are we, the public, going to be faced with in the coming years.

5420. House owners in Shenfield, including ourselves, are effectively being asked to put our lives on hold for well in excess of seven years while Crossrail sorts itself out, negotiates its required funding and eventually begins the work threatened. Because of their documented intentions, they have blighted acres of land. Thousands of householders, like us, have seen the value of their main asset, which for many represents years of hard work and sacrifice, substantially diminished. Absolutely no thought has been given to the effect this will have on thousands of people which Crossrail are inflicting their dream upon.

5421. In July 2005, we invited representatives from Crossrail to visit us at our home in an effort to show them how we particularly were going to be affected by the works. In all, four employees of Crossrail visited us and spent time with us going over the proposed works and answering our various questions, for which we were grateful.

5422. At that time, we were assured by those representatives that once the go-ahead for the proposed work was given, such works would commence at Shenfield. This has now changed. We were also advised that under no circumstances would compensation in any way, shape or form be payable to householders like ourselves whose property has been blighted by their intentions. This has now changed and we are advised that the National Compensation Code will apply. However, as stated in the information paper provided with Crossrail's formal response document, applications can only be made: "following the exploration of 12 months from the opening of the works".

5423. Indeed, when we advised Crossrail's representatives that we were attempting to sell our home and that Crossrail's plans had a detrimental effect on the properties in Hunter Avenue, we were told we could either (a) make an application to Crossrail under their Hardship Policy or (b) wait until after their work had finished to sell our property. We are sure you will agree that we were

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hardly spoilt for choice. We were told that staff at Crossrail would assist those people, like ourselves, who have compelling reasons to move home. This has changed, as is evidenced by our Hardship Application having been presented to the Crossrail Discretionary Purchase Panel, is incomplete and in need of further and better particulars.

5424. We are constantly having to tread on shifting sands in an effort to keep up with the revisions Crossrail are making on what appears to be a daily basis. Luckily, we were in a position where we were able to gain access to the internet for up-to-date information and between our family members are able to read, digest and act upon any matters which directly affect us. This is not the case for many residents of Hunter Avenue who are elderly, who do not have access to the necessary information and who do not have family support. We believe it will be vitally important in the future for these vulnerable residents' rights to be protected.

5425. We consider that an independent body should be selected to undertake this task. In this regard, we have a particular concern where in future there may be a necessity to make claims under the National Compensation Code. Having briefly perused the content of same within the Land Act documentation, it would appear to be a veritable minefield where legal input will undoubtedly be required. We are obviously concerned that legal advice will require to be sought and, as such, legal fees to protect our homes will be payable.

5426. Within our Petition, failing Crossrail to purchase our property, we sought confirmation that our home, which, as you are aware, is situated opposite Crossrail's proposed work site at Shenfield, would receive the benefit of triple-glazing throughout. This is to be provided in an effort to protect us from the already stated noise and dirt intrusion which we can expect.

5427. Crossrail's response within their formal response document states that they will provide secondary-glazing which we believe is inadequate, unsightly and would damage our property. We are told by Crossrail representatives that this is what is on offer, effectively "Take it or leave it". Again, we requested in our Petition that we are provided with air-conditioning units for our living accommodation within the property. Crossrail have offered fans which will be required to be installed via holes in our walls, which, we believe, will be inadequate, unsightly and will damage our property. Again, we are told by Crossrail representatives that this is what is on offer, take it or leave it. To add insult to injury, Crossrail's formal response document informs us that they believe this running cost of these fans, and we quote: "... is likely to be insignificant". We would respectfully suggest that they have not looked into the actual running costs and these will certainly not be insignificant.

5428. It also has to be borne in mind that, as previously stated, many of the Hunter Avenue residents are elderly pensioners. Not only will they have to worry about how they will meet their heating bills in winter, but they will also have to suffer the angst of worrying about meeting the increased electricity bills for running fans, which in the summer months will not be insignificant.

5429. The above two items show exactly what is in store for house owners who will be affected by the intrusion of Crossrail's initiative. There appears to be no room on the part of Crossrail for negotiation. We will be required to take exactly what is being offered by them, despite it being inadequate. In other words, they will dictate the rules. We live in a democratic country and Crossrail should be put on notice that they are not exempt from following the rules.

5430. Our Petition also highlighted the fact that Hunter Avenue is a through-fare for children attending Shenfield High School. Hunter Avenue is a small suburban avenue which, for the most part, only has pavement on one side of the road by virtue of the railway car park. At the western end of the avenue is a sharp bend which has seen, over the years, a number of accidents. Hunter Avenue was not built to take heavy plant lorry loads and yet, despite this information being available to them, Crossrail tell us that they have no alternative site to use for this purpose. What price do they put on the safety of the public and, in particular, the 100 or so children using Hunter Avenue daily.

5431. The response document states that they will now only be using the eastern end of lorry route. This does not detract from the fact that pedestrians will still be at risk from two-way heavy plant lorries negotiating a sharp bend which sees, on a daily basis, endless near misses involving cars, let alone lorries.

5432. Hunter Avenue is a small suburban avenue which in places barely has enough room for two cars to pass each other safely.

5433. Crossrail's decision to use only part of Hunter Avenue for lorry movement has exacerbated the risk of queuing lorries, accidents involving those lorries and the risk to pedestrians. In addition, they have not taken into account that nearly every resident owns at least one car and trying to get their cars on and off of their drives will become precarious.

5434. As a side, we would draw the Committee's attention to the fact that within Crossrail's formal response document a relevant drawing, F5001, showing the location of the Petitioners based in Hunter Avenue, is incorrect. 20 Hunter Avenue

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(marked 262 on the drawing) should be moved one position to the right.¹³ So much for detailed analysis.

5435. In addition, whilst we appreciate that the Select Committee has no power to seek the de-selection of Shenfield within Crossrail's master plan, we truly believe that the residents of Shenfield do not deserve the misery Crossrail's stated intentions will cause in an effort to appease and I quote: "... about 100 additional passengers who would enter the station ... ?

5436. We would suggest, as many before have no doubt done so, that travellers to Heathrow should look no further than using the current facilities available. On average, the journey time from Shenfield to Liverpool Street is 23 minutes. From Liverpool Street to Paddington is another 19 minutes, with the final Paddington to Heathrow taking an average of 16 minutes, a grand total of 58 minutes' journey time.

5437. Ladies and gentlemen, we are sure that over the past weeks you have heard many heartfelt cases, no doubt better presented than ours, against Crossrail going ahead as outlined. You have no doubt heard more pressing arguments against its intrusion into people's lives. Indeed, we understand that Brentwood Borough Council will be presenting their case to you tomorrow and will no doubt raise far more reasons than we for opposing Crossrail within the borough.

5438. In closing, we can only add our plea to those already put to the bodies responsible for Crossrail to rethink their plans and to release us from the threat of their invasion into our lives. Thank you.

5439. **Chairman:** Thank you very much indeed. It is now 11.35. This would seem to me to be a convenient time for us to break for 15 minutes for a coffee break.

After a short break

5440. I think it might be helpful if I say a little bit about the way in which I suggest it would be helpful for us to proceed. In a moment, we are going to hear Mr Kenneth Cork, and after that I would suggest, for the benefit of those Petitioners who only decided this morning to be with us, Ms Lieven, if we hear from you to briefly respond to some of the issues raised by the Petitioners. It gives them an indication of the issues you might wish your witnesses to respond to later on. I would then seek to hear Mr Welfare on behalf of the other Petitioners and then give some guidance as to which witnesses might be helpfully heard.

5441. **Ms Lieven:** Chairman, when you said I respond, you did really mean I respond?

5442. **Chairman:** Yes, that would be helpful. That is so you can give us some indication of the areas in which to explore with your witnesses later. That is to enable those Petitioners who have been here just this morning to get some appreciation of what might be covered later in the day. That is giving you some warning of that. In which case, let us proceed to Mr Cork.

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The Petitioner appeared in person.

5443. **Mr Cork:** Thank you for hearing my Petition and listening to us. My name is Kenneth Cork. I am Petitioning on behalf of myself and my wife. I am a self-employed professional accountant. I live at 26 Herington Grove in a four-bedroom house situated on Hutton Mount Estate. It is adjacent to the rail track car park off Mount Avenue and we are right opposite the works that are being carried out.

5444. I am a self-employed accountant, and I do work from home. I agree with most of the points raised by the other Petitioners so far, and I hope so far you are impressed by the strength of their opinions. What I am about to say is not a complete list of the queries and comments, but some of the things that I think are important and which perhaps other people are not raising.

5445. Shenfield and Hutton is a prosperous well-educated area with a strong business community. I can attest for that because I am an accountant and I work with these people locally. There is a mainline station and a shopping centre to be proud of. It is, in short, one of the best places to live in the South East of England. It is also a commuter area where many travel to the City and many influential business people live in the area. I am concerned that the proposed levels of site works, and the extended time period for the works, may ruin Shenfield forever. I am not sure that I will be able to continue to live and work there during the construction period.

5446. I wish to emphasise the frustration of the people of Shenfield and Hutton who feel that they have lost their democratic rights to protest about Crossrail and the use of Shenfield as the terminus.

5447. The original plans for work at Shenfield Station were minor, mainly being an extension of the platform. Some of the last amended plans to be issued by Crossrail related to Shenfield, including a new platform, extending a platform and an additional rail close to houses and shops. This was to be done by utilising half of the car parking spaces at Shenfield, the building sites, creating havoc for one to two years.

5448. Because of a slight of hand by Crossrail, the delay of the publication of drastically amended plans very late in the day and seemingly the council

¹³ Crossrail Ref: P70, Location of Petitioners based in Hunter Avenue, Alexander Lane, Herington Grove, Mount Avenue and Pine Croft (BRWDBO-14903-008).

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and MPs taking their time to pick up what was happening, a public meeting was not called to disseminate the plans to the public until far too late in the day to effect a sufficiently major objection from the public.

5449. We have been told that if we Petitioned we could have our democratic say in disputing the details of the plans and propose that the line be truncated at Stratford.

5450. The Bill was then published including Shenfield as the terminus in the name of the Bill. We are now told that because Shenfield is in the name of the Bill, the terminus cannot be changed, although the Transport Minister promised in the House that we could make full objections, including the truncation of Stratford via Petitions to the Bill.

5451. We all spent hours and hours on our Petitions. I think there were 48 from Brentwood. We were advised that we can make our points about the truncation of the line at Stratford to the Select Committee and they will listen politely. However, we were advised that the Select Committee have not been given any powers to make any recommendations to change the route. The people of Hutton and Shenfield feel very angry and completely let down by the parliamentary process. Given our democratic rights, we could make a substantial case for the truncation of the line at Stratford or shortly after that on the line. We have never been given our democratic rights to put our cases forward. We would beseech the Select Committee to consider the position and consider righting of the wrong or requesting powers to recommend amendments to the route if they feel this is the right course. Obviously that would be up to you and whether you felt that we had made our case.

5452. The construction works at Shenfield are to be carried out over an expensive period and it is feared that the impact on Shenfield will be destructive and a great burden. We are talking about extensive works for a year to two years from 8.00 pm to 6.00 pm. It is then feared that the relaying of the track will take place when the line is not being used, presumably at night, so we could be faced with an almost round clock situation. Many people will be re-housed for up to three months and a great deal more will need to have their houses and shops insulated. Half the car parking space in Shenfield will be utilised as construction sites for up to two years. Approximately two years ago there was an uproar from the business community in Shenfield—this is very important—and this happened when paid-parking was introduced. There is a constant parking problem in Shenfield and the changes led to businesses suffering from loss of business and the outcome led to a change in the control of the council.

5453. The destruction of the parking system will be nothing to losing half of all the car parking space in the two municipal car parks, plus the vibration, the noise, the dust and the traffic jams. I wonder if Shenfield as we know it will continue to exist, I really think it may not. I think a lot of those shops may be closed. It is a very unusual centre. I cannot stress it more. It should be preserved and it should not be destroyed.

5454. The personal impact on my own house: originally not listed at all, but my neighbour's house was listed twice both for re-housing and noise insulation. Now we are told that we should be listed for noise insulation, but I still dispute that they have got that right. The point of me saying that is to say that in so many things in the original rail track proposals were wrong. There were so many errors and yet they are talking about destroying our lives. Surely they should get it right.

5455. Please examine all the work to be carried out in Shenfield in depth. Is it necessary to build a separate platform? Why can alternative car parking not be provided? Please limit any necessary work to a minimum.

5456. I contend that the main reason for Crossrail is to help decongest London and not congest Shenfield. I can see little or no reason for containing the line from Stratford to Shenfield. This is of no benefit to the people of Shenfield or most of the people of the other stations in between. We are happy with our current system, it works well. If we want to go anywhere, we get a fast train to London and change. You learn that very quickly if you go to work in London. You do not catch a slow train, it is far too ponderous a situation. All of the Crossrail trains will be slower trains stopping at every station. To use Crossrail will take longer. To go across London, it is my understanding that you will have to change. I noticed the brief at the beginning said that you could catch a train at Shenfield and go right the way across. I would like clarification of that because there was something in the original notes which suggested changing near Whitechapel. People are not sure because I asked a number of people earlier. It may be right, but I would like clarification.

5457. It is difficult to see any real benefits for anyone passing through Stratford. Rather than building a depot at Romford, why not consider using Northpole near Paddington to be vacated by Eurostar or Old Oak Common and switch the Heathrow trains to Northpole. If the Romford depot is not necessary, it undermines the whole costing structure of the extension line to Shenfield. The cost of the depot that could be saved, I am told, I cannot be sure of this, is something like £500 million. Apart from all the costs of extending all the platforms all the way up from Liverpool Street right down to Shenfield, it is all the disruption at every station in the form that it is. No one would lose out service-wise if the Crossrail extension from

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Stratford was cancelled and time and money could be saved. Also, I am concerned about the cost and finance aspect of the project.

5458. The size of the project and that of the Olympic Games means that it is unlikely that both projects could be carried out simultaneously. Crossrail would be delayed and this could well have the effect of blighting house prices and undermining businesses in Shenfield on a long-term basis. I am talking about perhaps ten years. It is necessary or sensible? Are there alternatives? In personal terms, my main asset is my home. I am 61 at the present and if Crossrail is delayed and not finished until 2014, which is a possibility, my house will be probably blighted until 2014 and I will be 70. I do not consider that fair or right. I think those are my main points. Thank you very much for listening.

5459. **Chairman:** Thank you, Mr Cork. Again, in case it is not entirely clear, can I make a few remarks about the whole question of the Shenfield terminus. As I hope is clear, the instructions from the House of Commons were very clear to the Committee. We do not have the power to change the Shenfield terminus. When the additional instructions were agreed by the House in January, some scope was given to us for consideration of alternatives at other terminals, but not for the Shenfield terminus. That is probably well known to the Petitioners. As Mr Cork has indicated, the Committee can listen to the arguments.

5460. I hope what we have been doing throughout the morning, as Mr Cork indicated, is more than listening politely, but listening with some interest and noting the points that are being made. We do not have the powers to raise this issue in our report. There is, with the Committee minded, a facility for us to make a special report to the House requesting the House to consider the issue. Thank you very much indeed, Mr Cork.

5461. I would like, as I indicated, to turn to you, Ms Lieven, perhaps comparatively briefly, for the benefit of the Petitioners who have appeared in front of us already. I think it would be helpful for the Committee and the petitioners briefly to hear from you outlining the promoter's response to the issues raised by the Petitioners who we have heard so far.

5462. **Ms Lieven:** I will do my best, Sir, in brief time. The points that were raised were the very big picture and the very small picture. I will try and pick up a series of them.

5463. The first witness who I would intend to call would be Mr Berryman, who is the engineering witness. The topics which he would cover, and our brief response to them, are logically first why are we going to Shenfield. There are considerable benefits to Shenfield in terms of providing through-services west of Liverpool Street. In answer to Mr

Cork, there is no question of people having to change if they want to go to Tottenham Court Road. We appreciate that the fast services provide a faster route into Liverpool Street. We are not changing the fast services. That is an important point to emphasise because it is one a number of petitioners have raised, both orally and in writing, and perhaps have been a bit confused about. The fast services will continue to operate from Shenfield. People will have a choice, but the other important benefit to Shenfield is that there will be a very significant reduction in congestion on the lines going to Liverpool Street which will mean that literally the trains will be less crowded but also the Committee will remember from the discussions in the City's petition at Liverpool Street a major benefit from Crossrail is that we free up capacity going into Liverpool Street itself, both in terms of platforms and train paths. Trains going into Liverpool Street will have the opportunity to be more punctual but also, importantly, there will be scope for new different, additional services to use Liverpool Street overground station. That is why the proposal that Mr Jardine put forward, which is if they are going to spend all this money on Crossrail why do they not just put in double the services on the one line, is not possible because it would not be possible to get that number of trains into Liverpool Street overground station.

5464. The argument as to why Shenfield and not Stratford or one of the intermediate stations is set out in one of our information papers, A7, in detail.¹⁴ Mr Berryman will speak to it more if necessary but in very brief terms it can be summed up in two ways.

5465. We have looked at Stratford closely. It would be impossible to terminate the trains at Stratford at an extension to the overground station. If it terminates at Stratford, it can only be done underground and that would be enormously expensive. The very rough cost estimate is something in the region of 300-400 million.

5466. If the trains are terminated anywhere east of Stratford—Gidea Park and Romford have been proposed—first of all, extensive works, more extensive than at Shenfield, would be required at both stations but equally importantly there would be the residual services between, say, Romford and Shenfield which would have to be incorporated onto the same lines. In operational terms, it simply would not work. The transport arguments for terminating at Shenfield are overwhelming.

5467. The other thing which Mr Berryman will cover which I touched on in opening and I do not need to go through in much detail now is why these particular works are needed at Shenfield, why the platform needs to be extended, why the sidings have to be built and why different train tracks have to be moved. Fundamentally, it is all in order to

¹⁴ Crossrail Ref: P3, Information Paper A7—Implications of Terminating Crossrail at Stratford (LINEWD-IPA7-001).

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ensure the best possible operation of Crossrail and the continuing efficient operation of other services. The last thing we want is for Crossrail to come along and mess up the other services on the Great Eastern Line.

5468. The additional works that have been worked up over the last year or two at Shenfield are all about segregating Crossrail in order to maximise its and other services' operational efficiency.

5469. Mr Jardine suggested alternative locations for the sidings as he showed on his plan. Mr Berryman can deal with that in detail. We did respond to it in the petition response document. It is a different level so there would be very significant earth movements that would be required and it would also require additional engineering to get the trains back into the right place. Both operationally and in construction terms it would not be a desirable option.

5470. Before I leave the subjects that Mr Berryman will deal with, can I just touch on something Mr Cork raised which is Romford? I am not intending to deal with the depot at Romford today. Mr Cork raised it while the Chairman was out of the room. It is not a matter for today's petitions and we will deal with that separately.

5471. The second area in no particular order that we will call evidence on is for Mr Thornley-Taylor on noise. The Committee has already heard some evidence on noise impacts and how they are assessed but this will be the first time in this type of residential location. There will be evidence on the assessment of noise which is really a matter I leave for Mr Thornley-Taylor. I am not going to explain it now.

5472. Also importantly, the Committee already knows about our approach to the control and mitigation of airborne noise through the environmental minimum requirements and the code of construction practice. There is a very significant suite of controls to ensure that construction noise is kept to a reasonable minimum. There is no point pretending that there will not be a noise impact on some of the people you have heard from this morning. What we have to show the Committee is that in engineering terms what we are proposing is appropriate and that we are doing everything reasonable to mitigate that noise. Mr Thornley-Taylor can give evidence on that.

5473. He will also give evidence on the other part of mitigation which, assuming we have done everything reasonable to mitigate the noise at source, there are ways to mitigate it at receptor—i.e., by noise insulation and temporary rehousing where appropriate. As far as noise insulation is concerned, it is covered in an annex to the code of construction practice as to precisely what it means and the terms of it. If the assessment shows that

noise insulation will not produce an acceptable environment for the person living in the house, then we move to temporary rehousing.

5474. The other thing to touch on here which the Committee already knows about, largely from the Smithfield Traders' Association Petition, is the very significant role of the local planning authority, as Mr Jardine quite rightly pointed out, Brentwood Borough Council.

5475. The Committee will remember that through the mechanism of section 61 of the Control of Pollution Act the local planning authority has considerable power over the hours of operation, the lorry routes and the best practical means of construction, all of which gives them a great deal of control on how noise and dust are mitigated. That is probably all it is appropriate for me to say on that. There is a method for mitigation both at source and at receptor. Nobody can deny that there will be people who will suffer noise and for whom it will be sometimes a significant inconvenience, but there is a well worked out structure for dealing with that to a degree which has been found to be acceptable.

5476. The next area is compensation. Mr Smith will go through again with you briefly what compensation may be available but probably the most important issue for the petitioners we have heard this morning and indeed many of the others is to explain that the service of blight notices which occurs if land is to be acquired and the hardship policy which Crossrail has which is set out in information paper C8, the criteria that apply and the timing.¹⁵

5477. The point I would like to stress now is that the hardship policy is already in operation. If there are people now who meet the criteria, they can apply now. In the case of Mr and Mrs Fanning, they did apply. They were tested against the criteria and it was found that the criteria were not met, but the policy is already in effect. For people who fall into that category and meet the criteria—Mr Smith can explain the criteria in detail—that possibility does arise now.

5478. Finally, on car parking, Mr Anderson can give evidence. Car parking is an issue that the council will undoubtedly come back to again tomorrow so Mr Anderson will have to give evidence on this tomorrow as well. In terms of a very brief response on car parking now, there has been from the council a particular concern about pay and display parking and the impact on the shops in Shenfield. That is a point that has been raised by some of the petitioners this morning.

5479. Mr Anderson's evidence, based on surveys which have been shown to the council, shows that a large amount of the current pay and display

¹⁵ Crossrail Information Paper C8—Purchase of Property in cases of hardship (LINEWD-IPC8-001).

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parking is being let by the council on annual permits to local businesses so it is not available for use by shoppers. Mr Anderson can show you in the figures that if the permits were not given out and the pay and display car parking was used for pay and display there would be no overall reduction in the amount of available pay and display parking. That specific problem, the lack of pay and display parking for shopping in Shenfield, can be dealt with. It is in the council's own gift to reorganise the use of its two car parks.

5480. So far as the commuter car parking is concerned—that is the Mount Avenue and Hunter Avenue car parks—the important point to bear in mind is that we are now only proposing to take a maximum of 50 per cent of the Hunter Avenue car park and, even there, we are saying with reasonable endeavours we should be able to bring it down to 35 per cent. Yes, there will be an impact but it is my submission that it will be a wholly acceptable impact. If the council really thinks that 35 per cent of Hunter Avenue is unacceptable, there are other ways to provide more car parking—for instance, by allowing more spaces on the local, residential roads, not something which will necessarily be popular with the local residents in the short run, but we are only talking about a construction phase; we are not talking about the rest of time. There is space, as Mr Anderson will show, if necessary to allow more parking in residential streets for that period if that is considered to be a very significant problem.

5481. Mr Mould reminds me the overall construction phase is 21 months so even if there is a bit more parking in people's streets one has to bear in mind that will only be for 21 months. It may not be popular, but these things are all balances.

5482. One detailed point I should come back to—I am afraid I will have got the petitioner wrong—is that Mr Jardine on the Hunter Avenue side made reference to a retaining wall and an embankment. There is no retaining wall being built by Crossrail on the Hunter Avenue side. The retaining wall is on the Friar Avenue side, the west side. It was in relation to Minnie Cockell's petition and she lives on the Hunter Avenue side.

5483. As far as the loss of trees is concerned, there will be a loss of trees. We will do our absolute utmost to keep it to a minimum but on the west side behind Friar Avenue, where the embankment is being extended, there is an unavoidable loss of trees and there is nothing one can do about that except for not expanding the embankment. That has severe operational ramifications for Crossrail.

5484. Mr Mould reminds me that the construction code provides for particular standards in British Standards to apply for protecting trees that are retained. As far as the ones on the embankment are concerned, it would be wrong to suggest to the Committee that they were going to be retained, but

there are trees at the bottom of people's gardens in Friar Avenue and, if appropriate, we will take action to protect those because the Committee may be aware that even if you are not working right on top of the trees you need to protect their roots in order to ensure that the construction work does not jeopardise their future existence.

5485. I hope that covers the kind of points that you wanted. I have those four witnesses. I leave it in the Committee's hands for the moment as to which, if any of them, are called.

5486. **Mr Hollobone:** What is the total cost of constructing the terminus at Shenfield?

5487. **Ms Lieven:** I do not know but I will find out.

5488. **Mr Hollobone:** What is your estimate of the total cost of the remedial measures that are likely to be in place?

5489. **Ms Lieven:** Again, I do not know the answer to that but I will find out.

5490. **Mr Hollobone:** Presumably those two numbers are likely to be considerably less than undergrounding the terminus at Stratford? Otherwise, the Shenfield terminus would not have been advanced.

5491. **Ms Lieven:** Yes, very considerably less. The assessment of the cost of undergrounding the terminus at Stratford is between 300 and 400 million. The works at Shenfield will be nowhere near that order of magnitude. I am not going to advance a figure because I would be guessing but they will not be in that ballpark at all.

5492. **Mr Hollobone:** Is the amount of disquiet in the Shenfield area of concern to you because of the terminus arriving in Shenfield?

5493. **Ms Lieven:** Absolutely. From our point of view, we would like it if we were welcomed everywhere but it is an inevitable reality that people who are most directly affected by construction works are unlikely to be as enthusiastic as those who are a few streets away and get a better service. We are taking all reasonable measures, both in terms of limiting construction and in terms of mitigation, to try to make the works as acceptable as possible.

5494. **Mr Hollobone:** For most of the stations on the route, the evidence we have heard so far is that Crossrail has been welcomed as a benefit to the local area, giving access to the capital and so on. In Shenfield's case, it appears that local residents are concerned that it will not give them access to London at all and there are very few, if any, positive reasons for having the terminus in Shenfield and having Crossrail in Shenfield at all. Indeed, it would seem that in many respects the reason that you are advancing for the terminus

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being at Shenfield is that it cannot be sited anywhere else, which is not exactly a positive endorsement of its location on this spot.

5495. **Ms Lieven:** There are two answers to that. First of all, there is a positive case for going to Shenfield. There are real benefits to the people of Shenfield. They may not feel it at this moment but there are benefits in terms of being able to get on trains and go straight through into the West End, for instance. The timings that you have been given do not appear to have included both the time and also the difficulty of changing trains. For instance, if you are a passenger who wants to go to Heathrow, yes, it might be almost as quick to get off at Liverpool Street, get on another line, get yourself to Paddington, get onto the Heathrow Express but at each stage you have had to get off one train and onto another with baggage or whatever. Those through routes are a positive benefit to people at Shenfield. They will also get a greater frequency of service. Some of them may choose to continue to go on fast lines but others—for instance, going to Stratford to work or going, importantly, to Stratford and then on the Jubilee Line to the Isle of Dogs which is quite an important line of work—will now get a more frequent service to Stratford.

5496. There are also benefits in terms of the ease of congestion which to some people is a very important consideration. I do not accept at all that there are not benefits. It has to be said that what the Committee is now doing is moving from the central section, where the time benefits of Crossrail are easy to see, to the limbs. You will find the same argument at Maidenhead on the western limb. When one gets to the extremities of Crossrail, because it is not a high speed service, the time gains will be less. That is the nature of the service. Unless one did nothing but the central section, which would be enormously expensive and not have the passengers, I am afraid that is just the nature of the railway.

5497. There is no getting away from the fact that the time benefits are less, for instance, than somebody coming in from Stratford, who is going the same distance further in. On the other side of the equation, the line does have to terminate somewhere. Yes, to some degree, we are saying it cannot terminate at Stratford. I have been handed a note by Mr Berryman who says that his assessment is that Stratford underground would cost something like £500 million. We have not costed it out in detail. It is just too large a figure to contemplate.

5498. Stratford is not a possibility. If one terminates at any of the other options, as Mr Berryman can explain, the engineering difficulties are great, not as great as Stratford but great; the costs are not as great as Stratford but significant and, most importantly, it completely messes up the operation of the stopping services on the Great

Eastern Line because you get a cohort of people who are not any longer getting the electric line One service because that has been taken over by Crossrail, but Crossrail is not getting to them. They are positively disadvantaged in a way that we consider to be unacceptable. Again, there are balances and there will be sufferers at Shenfield who suffer construction impacts close to the line and whose own journey patterns mean they do not feel they will benefit.

5499. **Mr Hollobone:** Originally the route was going to stop at Stratford—is that right?—and only at a late stage was it extended to Shenfield?

5500. **Ms Lieven:** I do not understand that to be the case. It has always been the case that it would go to Shenfield. There have been consultations which have put different ideas forward but the scheme has always been to go to Shenfield.

5501. **Mr Hollobone:** With regard to Romford, I do not understand the technical point about why it would not be possible to have the terminus at Romford.

5502. **Ms Lieven:** The point at Romford that was being raised by Mr Cork was about the Romford depot. There are particular issues about the Romford depot that I do not wish to discuss today. It is to be dealt with after Easter and it is to be the subject of further discussion.

5503. So far as stopping at Romford is concerned, first of all, there was the operational problem that I have already touched on. If we look at the map of the north east route, there is Stratford, so the central section is here, to the left.¹⁶ If you stop at Romford, there is a problem about the stations between Romford and Shenfield—Gidea Park, Harold Wood, Brentwood. These stations do not have fast services so they would have to be served by some form of residual service to pick those people up. Crossrail, as I explained, on the north east section takes over the E lines, the slow lines. There is a small amount of residual service but it is very minimal on those lines. If you had to pick up people from these stations up to Shenfield, the intermediate stations, there would have to be a further residual service which would serve in peak times or those people would be very severely disadvantaged by Crossrail. That service would then also have to run on the E lines. Mr Berryman can explain to you that effectively there is not the capacity on those lines to do that and operationally you are going to end up in a position where you severely compromise the efficient operation of Crossrail.

5504. You also have the problem that if there is a peak level residual service serving these stations one has to run all the way into Liverpool Street and the

¹⁶ Crossrail Environmental Statement—Overview of Crossrail Works in the North Eastern Section Route (LINEWD-ES13-003)

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benefits at Liverpool Street in terms of freeing up capacity are completely lost. It just does not make sense in transport planning terms. Mr Berryman can explain that much better than I have but that is the essence of it.

5505. The other problem with Romford specifically is that as we explain in A7, which deals with the issue of selection of the north east terminus, terminating at Romford would require extensive station and track reconstruction to allow Crossrail to terminate.¹⁷ The existing Romford Station has five platforms with four located on the main running lines and two additional terminating platforms would be needed to accommodate Crossrail. You would be doing significantly greater works at Romford than you are at Shenfield. To achieve that solution, Romford Station would have to be substantially rebuilt as there is little space for new platforms at the existing site. I do not know whether any of the Committee know Romford Station but it is right in the town centre. Romford is a much bigger town centre than Shenfield. It was certainly our view that substantial demolition would be required if the terminus was to be built. That would have very significant impacts and we would not be able to justify doing it in terms of train operation.

5506. Mr Berryman will explain it far better than I, but my understanding is that it would be an unacceptably adverse impact for relatively little benefit.

5507. **Kelvin Hopkins:** Have termini to the east of Shenfield, beyond Shenfield, been considered at any time?

5508. **Ms Lieven:** They have. A1 deals with that. The Committee may remember A1 deals with the much wider eastern route selection options, running, for instance, way out to places on the Tilbury line and much further east. A7 deals with other eastern termini specifically. "A Crossrail option was examined that involved operating over Great Eastern Lines through a range of locations in Essex and Suffolk, including Southend, Victoria, Colchester and Ipswich. Such a Crossrail service would have replaced a range of Great Eastern services that currently operate into Liverpool Street and would have operated non-stop between Stratford and Shenfield. Analysis of this option raised a number of serious concerns particularly on operational reliability." I am sure you will understand that the further out you get and the more you have to inter-run with other services, the more you compromise the efficiency of the Crossrail operation. Running to Southend and Ipswich would have those kinds of significant problems.

5509. **Kelvin Hopkins:** I was thinking more in terms of the smaller stations which might have provided suitable termini just beyond Shenfield.

5510. **Ms Lieven:** The difficulty is that Shenfield is the point at which the Ipswich/Norwich line goes off to the north east and the Southend line goes down to the south east. Beyond Shenfield to the east, what had been a four track line becomes a two track line. That is the ultimate problem because you would either have to build two extra lines the whole way along or you would have inter-running between the fast Intercity services and Crossrail.

5511. **Kelvin Hopkins:** You have answered my question. Thank you.

Mr Damien Welfare appeared on behalf of the Petitioners.

The Petition of Derek Hurst.
 The Petition of Elizabeth Jane Young.
 The Petition of Roy and Dorothy Wise.
 The Petition of Jean and Frank Austin.
 The Petition of Steven Abbott.
 The Petition of Michael and Janet Kingshott.
 The Petition of Owen Southcott.
 The Petition of Robert and Pamela Bangert.
 The Petition of Diane and Dave Dunsdon.
 The Petition of Phil and Karen Davies.
 The Petition of Doreen Headon.
 The Petition of Peter and Queenie Cross.
 The Petition of William and Colina Watt.
 The Petition of Ian and Doreen Marshall.
 The Petition of Peter and Marjorie Best.
 The Petition of Mrs A Gibbons.
 The Petition of Mrs K J C Tattersall.
 The Petition of Nicola and Chris Ashton.
 The Petition of Jan and Michael Pointer.
 The Petition of Hutton Mount Association.
 The Petition of Michael and Maureen Ross.
 The Petition of Brentwood Chamber of Commerce.
 The Petition of Daniel and Gillian Heartshorne.
 The Petition of John and Deborah Whitfield.

5512. **Mr Welfare:** I represent those residents of the Brentwood area who wish to be represented this morning by someone on their behalf. You have heard from a number of individual residents and I believe you have some more to hear after me. You should have a summary of issues which I have circulated.

5513. **Mr Liddell-Grainger:** A64.¹⁸

5514. **Mr Welfare:** What that consists of is a series of short summaries or bullet points by those residents whom I represent at pages 1-25 and on the back of it are pages 26 and 27, a short summary that I have prepared grouping the issues and indicating where those issues are to be found within the separate representations. I hope they may be of assistance to the Committee.

¹⁷ Crossrail Ref: P3, Information Paper A7—Implications of Terminating Crossrail at Stratford (LINEWD-IPA7-001).

¹⁸ Committee Ref: A64, Brentwood Petitioners—Summary of Issues (SCN-200603028-001 to 004).

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5515. What I propose to do is briefly to talk about those headings, looking therefore across the issues that have been raised, to describe those key issues and also briefly to go through the summaries that the petitioners have provided.

5516. Sir, you will have heard this morning already some very eloquent expressions of view on behalf of the individual residents who have appeared. It may well be the case that they have made a number of points which I am now going to make too, although I hope not to exhaustion.

5517. **Mr Liddell-Grainger:** If you repeat yourself, I will stop you. If you could try to avoid that, it would be helpful.

5518. **Mr Welfare:** Of course. There are very strong feelings and fears amongst residents in this area. Mr Hollobone's question particularly reflected that just now to my learned friend. I represent 23 residents and two organisations in the area, of whom 18 residents live in close proximity to Shenfield Station. It is essentially around Shenfield Station that we are concerned. We have just been discussing and hearing about the issue of the terminus at the east end. I should mention that a fair number of the residents that I represent are elderly. There has been quite a lot of discussion about travel into London. It is undoubtedly the case that this is a commuter area, and we will hear more about those who use the trains as commuters from this area. One of its attractions is undoubtedly the non-stop service into central London that can be travelled across very quickly from Shenfield.

5519. That fact is also that there are some very elderly people in the immediate vicinity of the station, and as I think the Committee has recognised there are some particular concerns and fears—very strong concerns and fears—in this area that may not be shared elsewhere and which, I would submit to you, invite your inquiry as to what is happening in this area and whether it is justified.

5520. On the question, therefore, first of all, of the terminus, you have made, sir, I think, reference, as has Sir Peter, to the background to the debate concerning the set of instructions decided by the House on 12 January. I am not in any way seeking to re-open that question and I note the announcement made by the Chairman, Mr Meale, on Day One. However, because residents have strong views, the Committee has enabled them to present them today. I would, if I may, like to raise something that Sir Peter said, I think, before you resumed the Chair, in that I understood Sir Peter to say, at the opening of this session, that it was not open to this Committee to report on, I think you may have said, the matters that are raised in relation to the terminus. May I seek your guidance on that question, sir?

5521. **Mr Liddell-Grainger:** You are absolutely right we cannot, although we can ask for dispensation. In fact, we can make a special report. We will look at that and we will make our decision as a Committee on that. We will listen to what you have to say but given the proviso that it is up to us to make that decision.

5522. **Mr Welfare:** Thank you, sir. Clearly, it is open and absolutely up to the Committee as to what decision it wishes to reach on any matter within the terms of this instruction. What I am seeking to pursue is that I understand the instruction to say that the Committee cannot recommend an alternative terminus to Shenfield. That, I think, is understood by everybody in the room.

5523. What I was unclear about was what Sir Peter said, and whether if, as a result of residents' submissions to you this morning, you wish to report to the House that there are these views and what they are, and what you have uncovered in relation to them (whether or not you reach a view in relation to those views, and whether including that material, or those questions, and reporting on what has been said here, which we see in the transcript), that is open to you? I have not understood the instruction or anything I have seen to date to preclude you from that possibility.

5524. **Mr Liddell-Grainger:** Mr Welfare, I will try and clarify the position. At the moment, we are not doing a special report because we have been given strict guidance on what we can and cannot do as a Committee. Unless you can convince us that we should, we will not do so. The instructions we have, and which Sir Peter has read out to you already, are quite straightforward: it is up to us to make that decision. We will make it if we feel it necessary but at the moment we are not minded to do so.

5525. **Mr Welfare:** Thank you, sir. I am not asking you to express a view as to what you are minded to do at this stage, nor was I really asking you to propose a special report. It seemed to me that, in the course of reporting to the House what has happened in this Committee, you might think it proper (and I do not invite you in any way to express a view on that at this moment) to record and report to the House so the House is aware of the strong views that have been represented to you today.

5526. **Mr Liddell-Grainger:** I think you should carry on, Mr Welfare, with your evidence and we will make that decision. Thank you very much for bringing it to our attention.

5527. **Mr Welfare:** Thank you, sir. As you said, sir, it is obviously for the Committee to determine what it does with those representations. On the question of the terminus, we have had outlined to us by Ms Lieven that we are talking about additional sidings, a new platform—a sixth platform—and alterations

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to the Southend and Colchester loop lines. There has been little detailed justification (we have heard a little more just now than, in fact, has been heard previously) for using Shenfield. Corridor A, as it is called the Great Eastern Corridor, performed less well than the other eastern corridors known as B to E on the achievement of wider economic beneficial impacts, for example. Nor is it understood from Crossrail, from correspondence, has there been a feasibility study by Cross London Rail Links Limited on terminating west of Shenfield. We have heard a little more about this consideration today and it may be that the evidence reveals more on that question, but in terms of what has been put in front of residents, or indeed put in front of the House today in terms of reaching a decision from the instructions given to this Committee, there has been very little in the way of justification for a terminus at Shenfield.

5528. You have heard already from certain residents, and I would outline briefly their concerns in relation to this, there is little benefit, in terms of two residents, in terms of journey times. To spell that out, going out to Shenfield, there is no saving from Heathrow, Farringdon or from Canary Wharf; there is a three-minute saving from Tottenham Court Road. From Shenfield into London, across London, there is no saving to Canary Wharf, there is a six-minute saving to Heathrow and Farringdon and a seven-minute saving to Tottenham Court Road.

5529. These are described by Crossrail as “significant savings”. In terms of the overall journey—70 or 75 minutes, at the moment, to Heathrow, for example—one can argue about whether a saving of six minutes is in itself significant. When you have to balance that against the disruption to these residents in this area, people whose gardens end at the station, people who live opposite the station, people who are going to face very substantial disruption over the construction period and the additional disruption as we will hear from the station itself, we have to ask whether Crossrail’s simple statement that these are significant savings is something that can be taken as read.

5530. What is not so obvious from those timings is that the comparisons chosen are not necessarily those that commuters are going to make, because as has been said commuters use the fast line from Shenfield to Liverpool Street, stopping at Stratford, sometimes stopping at Longford, which takes between 22 and 31 minutes. Putting it bluntly, to get into Liverpool Street commuters will not use Crossrail from Shenfield because it is the slow service. To get across London from Shenfield passengers would be much quicker to get a fast train and change at Stratford or Liverpool Street and get on to Crossrail at that point. The whole sense of the submissions the residents have made to you is that anybody in Shenfield knows that is true: anybody in Shenfield who has moved there or

lives there because of the railway uses the fast line if they go into central London, and they will continue to do so to get on to Crossrail, if that is what happens.

5531. Therefore, Crossrail in itself brings no benefit to those residents. That is one of the reasons why, as I say, they see no benefit. That is reflected, I think, in the very modest increase which Crossrail predict for the number of passengers expected to use Shenfield Station and go on to Crossrail. The figure proposed is in the order of 100—100 extra passengers expected to use Shenfield Station as against the disruption and the adverse environmental impact of an enlarged station to terminus in a residential area. That, really, is the choice that is put before the Committee, in a sense the position the Committee is put in by the terms of its instruction, but it is a very unwelcome choice that is put in front of Shenfield residents since they see no benefit to them arising.

5532. Can I turn now to noise. There are a very large number of concerns. If you look at the summary, you see a considerable number of representations on that question—and with good reason. I was going to refer to the map NE17 (ii).¹⁹ It may be possible to put that on the screen again. It has been referred to a number of times. Indeed, Ms Lieven outlined this point so I shall not dwell on it at length.

5533. Sir, you will recognise this plan that has been in front of you a couple of times this morning. Friars Avenue, to which Ms Lieven drew attention, is towards the northwest, if I can put it that way, of Shenfield Station and will have a significant noise impact, temporarily, shown by the blue lines that you may be able to see alongside the houses in large parts of that road. Sir, you can see northwest of the station those blue lines where the Committee, helpfully, is being directed. That street will also suffer temporary and permanent significant visual impact. That is the pink and dark pink colours that you see against some of the houses there.

5534. Hutton Road, which passes diagonally above Friars Avenue, will have significant noise impact, as shown by the blue markings. Going to the east of the station, Hunter Avenue, will suffer significant permanent visual impact and some noise impact, as shown by those purple lines, the broad ones showing where there may need to be temporary re-housing. In Herington Grove, to the southwest, may be eligible for noise insulation—the thin purple line—or re-housing temporarily—the thick purple line—and the same with Alexander Road. On the developer’s estimates, therefore, moving from the plan, 252 residential properties in the neighbourhood of this station will be affected by significant noise impact, of whom 144 are likely to qualify for noise insulation, 35 of the 144 will also qualify to be re-housed temporarily and the

¹⁹ Crossrail Ref: P70, Shenfield Station Project Works and Impacts Map NE17 (ii) (LINEWD-ES117-102).

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remaining 108 residents will experience significant residual construction noise impact without any mitigation measures. So a very substantial number of people living in those houses, 250 houses affected, and measures in relation to little more than half of them and no measures in relation to, perhaps, 40 per cent of them.

5535. Then, sir, briefly, looking at the headings in the summary on page 26 of the submissions, there are a range of other concerns. Environmental impact and pollution. The Promoters, Crossrail, say there will be no significant dust impact with the mitigation measures that they propose. That is not accepted by a number of the residents, you will hear. Visual impact, particularly in Friars Avenue and Hutton Road, is not actually disputed by the Promoters. On impact on businesses and loss of parking, which have been linked together in many cases, we have heard that there is to be a long-stay car park in Hunters Avenue instead of the two car parks; the long-stay one will now be taken away and 50 per cent by Crossrail. The short-stay car park at Friars Avenue which serves on-road shops will be wholly taken.

5536. I do not want to anticipate what is said this afternoon by Mr Berryman, but Ms Lieven has suggested to you one way round these parking difficulties that are likely to occur, which is that season ticket holders should have their season tickets withdrawn by the council so that the local residents have more of a chance to get a place in the car park spaces that remain. Yes, it is possible to say—I do not speak for Brentwood Council—that if you withdraw a benefit from someone else then the benefit can be withdrawn from the same person who is not so seriously affected, but what is being proposed by Crossrail is that one person should suffer rather than another. Those who have those season tickets at the moment will have to park somewhere. Crossrail has attracted them from the loss of car parking spaces by neatly arguing that Brentwood ought to withdraw their parking permits. They will continue to park in the area, clearly.

5537. That leads to concerns over traffic and congestion. There are considerable concerns—you have heard about these from a couple of residents so far—on the character of Shenfield, which is described in Crossrail's documentation, Volume 3 of the Environmental Statement at 10.20.19, as "a townscape of a high sensitivity to change." There are fears about disruption to present rail services, although I acknowledge Ms Lieven has given an answer, in part, to those. There are particular concerns about the value of people's houses and blight by the neighbourhood and a number of arguments that compensation is appropriate, and on that basis it may be you will wish to hear from witnesses in that regard.

5538. There are people who fear very much for their own health and the stress that they will be faced with as a result of this construction, in particular, and project thereafter, and considerable fears, obviously, of disruption during construction itself. I will return to that later. There are some uncertainties over insulation and re-housing; people do not understand the basis on which decisions have been taken as to who gets insulation, who does not, who will be re-housed and who will not. I shall refer to a couple of specific incidents of that.

5539. Concerns have already been referred to of losses of trees, particularly on Friars Avenue, and whether or not the landscaping that will replace those trees will be sufficiently mature to give any benefit in the foreseeable future. There are particular concerns over disabled access, on which it might be helpful to hear if there are any assurances the Promoters can give, and, finally, the issues of planning. Ms Lieven has referred to the question of the controls the district council may have through the Control of Pollution Act over things like hours of working and the general planning negotiations. Any assurances that Crossrail can give to your Committee in those regards may be helpful to us.

5540. Sir, I have come to the end of what I regard as my introduction. I wonder whether it would be of assistance to you to know that I now propose to turn to the individual submissions, were you to wish me to do so, or to pause at this moment.

5541. **Mr Liddell-Grainger:** Looking at the time, Mr Welfare, I shall suspend the sitting now until after lunch, and then we will continue.

After a short adjournment

5542. **Mr Liddell-Grainger:** Mr Welfare, would you please continue?

5543. **Mr Welfare:** Thank you, sir. I had come to the end of my introduction to the issues that the residents whom I represent have raised. I wanted now, relatively briefly, to go through the points that they have raised using the bullet points or summaries that they have provided to the Committee. The first of those is Petitioner No 238, Mr Derek Hurst, 71 Friars Avenue. Mr Hurst makes five points in his summary; the first is that residents of his road, Friars Road, as we were hearing this morning, will be significantly affected by noise and/or visual impact and that some residents may be eligible for insulation or re-housing, though he is not one of them. His house backs on to the site of the works. He says that he does not enjoy good health.

5544. He is concerned, in his second point, about blight to his property. He is concerned, in his third point, about working hours (that, again, was touched on this morning); the expectation being

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that working will begin at 7am until 5pm on weekdays and 7am until 2pm on Saturdays. I think there may be some clarification needed as to working hours that are currently expected or indeed the powers of the borough councils in relation to them. There is also a concern of residents, and Mr Hurst points to it, of work outside those hours, and reference was made this morning to the laying of track and other means of access or the clearance of materials that may be necessary in the course of construction. Residents are simply not aware of the full basis on which Crossrail proposals should be working. Mr Hurst says, as do many others, that it should be restricted to shorter hours, certainly starting no earlier than 8am on weekdays and 9am on Saturday.

5545. He relies on rail travel. He believes there will be disruption to the service and is particularly concerned about use of the lifts at the station—whether they will at times be out of commission—and raises the question of compensation in relation to that. He raises the point that a number of residents will point to, whether Crossrail really needs another platform—there are five already. He, of course, points to the view that it should not run from Shenfield at all, as we discussed this morning, for the reasons of the existing 10-minute service.

5546. The next Petitioner, number 239, is Mrs Young, of 53 Spurgate, Shenfield. She makes some points in the middle part of her summary, the main point being point five of her Petition, which is to do with disability. She has a disability parking card and she is a disabled person. Her concern is that when the Friars Avenue car park is closed she may not be able to park close to the shops and she will need to go to a more distant shopping centre by car. That will involve her in extra cost, which she can ill-afford. She anticipates continued parking problems in Shenfield after the works are completed, and the pressure that will put on parking spaces and may need to move house for that reason. She therefore adds that argument to her view that the Crossrail terminus should be relocated at Stratford. Aside from that question, there are some issues there to do with disabled access and the availability of facilities for disabled people at Shenfield Station.

5547. Petitioner number 240 is Mr and Mrs Wise of 51 Friars Avenue. You will see, sir, that a large number of these Petitioners are, as I said this morning, quite close to the station. They are concerned, in their first point, about noise disturbance and escalation of road traffic and the parking problems that have been referred to. Noise is a recurrent feature of many of the submissions which have been made. They are concerned, also, at not only the increase in the number of trains through Shenfield Station but the hours at which they will run. That is a point on which I have not heard a clear statement from Crossrail; whether

there will be trains in the early hours and whether there will be an increase in train noise for local residents.

5548. They anticipate listening to work going on on the line and workmen and test-trains, and so on, through the night, a lot of which happens at the moment. The ground shakes now when heavy goods vehicles go by and they would like to know whether they will be recompensed for the noise and inconvenience, and the possibility of structural damage to their property as a result of the increased use of the line through Shenfield. There has been subsidence at a neighbour's property and at another location in Woodway Bridge. So there is an issue there in engineering terms that may need examination.

5549. In the third point in the bullet points they also point to devaluation of the property. The third point is that Friars Avenue will be a route for construction vehicles, and they are afraid that there will be noise day and night not simply during the working hours described for the work to be carried out. The loss of car parking at Friars Avenue simply means normal car parking facilities for people who use Shenfield town centre will be severely restricted for those who live there and there will be a knock-on effect. They make a suggestion, in the final paragraph, that Ilford rather than Shenfield and the connecting routes might be a better alternative location as a site for Crossrail.

5550. Moving on to the next Petitioner, Mr and Mrs Austin, Petition number 241, their house, 47 Friars Avenue, also backs on to the site of the proposed new sidings and platform to the west. Mr and Mrs Austin are retired and not in good health. They have lived in their house in the Shenfield community since 1955—51 years. Therefore, they have seen it and they know the area well. The Shenfield neighbourhood, they are concerned about the possible effects there may be—detrimental effects—but common-sense does indicate that traffic congestion and the strain on parking facilities will not improve if there are increased rail services from the station. As you can see from the estimate, as I pointed out this morning, there are only 100 extra passengers and if that proves wrong that would mean more visitors to the station and more congestion.

5551. There does not, they say, appear to have been a quantitative assessment of the impact on Shenfield from the proposal to use that station as the terminus. The only arguments put forward are it cannot be anywhere else and for Mr and Mrs Austin, who have had the benefit of hearing what my learned friend Ms Lieven said this morning, that is a fair summary; that is what Crossrail is saying—it cannot be anywhere else.

5552. If Stratford is not feasible, they say, surely there must be options to the east. They say that they note that the response, I think, it is from the

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developers, that the loss of Friars Avenue is not predicted to give rise to any significant impacts for road users. They are concerned that there is a dangerous junction in that area and there could be an increase of danger to road users and pedestrians in that area from the use of the Friars Avenue car park for construction purposes.

5553. They are also concerned, as was touched on this morning, at the loss of vegetation in recent times. My learned friend was saying that is something that Network Rail have been doing rather than anything to do with Crossrail. One accepts that statement but you will see the concerns, that people can see the vegetation beginning to go and they can see what the likely look of the area could be once it has been taken away from some areas by Crossrail.

5554. They also point, at the bottom of their submission, to there being “no suitable mechanisms for compensating us for the loss in value of our house, the loss of amenity of our garden” or the required expenditure by them to upgrade their double glazing. Those are points which the Committee may wish to examine in relation to any evidence it hears as to compensation from Crossrail.

5555. The next submission is from Mr and Mrs Abbott, Petitioners number 242. They have not submitted a summary as such but their points are summarised in the Promoter’s response to their Petition. I would like to highlight what they are briefly. They are concerned about noise and vibration and visual impact, and indeed the Promoter accepts that Herington Grove will be significantly affected by noise or visual impact. They are concerned at the impact on small retail outlets to the north of the station along Hutton Road—essentially, that a small block of local shops is retained. Perhaps I could make the point at this juncture that we had an exchange this morning about car parking. My understanding is that the car parking permits are very much connected to the employment in the town of Shenfield, people employed at the shops. Therefore, there is a question—it is not one for residents—on what Crossrail is suggesting is a solution to parking, namely moving residents out of the car parking areas and removing their tickets and allowing others the opportunity to park, would have a serious impact because of the purpose for which those permits are there in the first place. I do think that is something to take into account.

5556. Mr and Mrs Abbott raise questions as to whether the local infrastructure and roads in the area can support an expanded station, and concerns of the possibility of shifting the market for shopping away from local shops in their area. They are also concerned that there are no specific plans to deal with increased congestion in Shenfield Broadway as a result of what is proposed. They have environmental concerns and Crossrail have

accepted that there will be significant noise, dust and floodlighting environmental impacts from what is proposed. They voice specific concern at the loss of car parking spaces then proposed, 300 at that stage, or more, overall in Hunter Avenue and Friars Avenue. That has now, as we know, been reduced in relation to Hunter Avenue, and that has led to the loss of something like 160, or 170 car parking spaces.

5557. Sir, moving on to Petitioner 245, Mr and Mrs Kingshott of 75 Friars Avenue, their main objections are the destruction of the shopping parade, as they see it, due to both noise and inadequate parking, the loss of the value of their own property, and the disruption over a period of perhaps two years that will be suffered as to noise of lorries going to and fro in front of their house, and so on. Shenfield is already quite congested and question whether it can cope with additional traffic. And the familiar point, perhaps, now to the Committee of the lack of saving of time to go to Heathrow.

5558. Petitioner number 248 is Mr Owen Southcott, of Homebrook, Alexander Lane, Shenfield. He makes, literally, a series of bullet points in his submission. His house faces the site of the proposed works and he will be significantly affected by noise. There will be a visual impact on him, there will be pollution and dirt from the development—the windows and paintwork of his house. He will, apparently, be eligible for insulation or possibly re-housing but traffic and parking will affect the area and, in his view, a Stratford site makes more sense on environmental, economic and strategic grounds.

5559. Petitioner number 249 is Mr and Mrs Bangert of 2 Kingfisher Close, Hutton. They are about half-a-mile from the station. Mr and Mrs Bangert are aged 76 and 71 and they make two points. Their points are to do with car parking. They are concerned that shoppers will be forced elsewhere and that trade will be depressed in the shopping parade and there have been a number of indications that shops may become unprofitable as a result of development during the period of construction. Mr Bangert himself is disabled, is unable to walk to shops and he would find it necessary to go elsewhere because of the lack of car parking. In relation to pollution, roads that are already congested will become worse and this connected with the activity of lorries serving the development means there will be more atmospheric pollution. Mrs Bangert suffers from the condition of asthma and has a weak chest and is likely to suffer in consequence of that increase in pollution.

5560. Petitioner number 250 is Mr and Mrs Dunsdon of 13 Friars Avenue, and also Mrs Collins, who is the elderly mother of Mrs Dunsdon and who also lives at that address. They make a short number of points. Their rear garden backs on to the far end of platform 5 at the present station and therefore they will be extremely affected by a

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new platform 6 and associated track. Both the platform and the track will be considerably nearer to their property. They will have visual impact, they will be able to see them, and they will have noise and they will have vibration more than they have at the moment. In fact, they will have a considerable brick wall right in front of their garden. Commuters standing on the platform will have a direct view into their house and garden, and I am sure many Members will recognise how intrusive that could be. Screening plants, as proposed by Crossrail, will be young saplings when they first go in, and will take a considerable number of years to mature, if indeed they do so. As the track will be much nearer to the house, they ask what compensation they can expect for potential house movements due to vibration (and also I suspect from the other factors). They are concerned that the question of blight does need to be addressed because clearly their property will be affected both before and after implementation of the project. They have received no offers of compensation or even noise insulation. Given their relative proximity right beside the platform—and indeed it will come closer to them—one does wonder why that is. They, too, support the view that there is no need for a terminus at Shenfield because of the fast train service to Liverpool Street.

5561. Petitioner 251, Philip and Karen Davies, 83 Friars Avenue. They are concerned at the loss of car parking facilities, the traffic congestion, the noise, and the cost of construction of the service to Shenfield, which they believe is not justified due to the limited demand and minimal saving in time. The existing service, they believe, is adequate and Crossrail should terminate at Stratford. There will be uncertainty as to house prices, at least during the period of the construction. They repeat the view of many that there will be no benefit to the residents of Shenfield due to the existence of the current Metro and fast trains.

5562. They ask one additional question: have One Railway and Crossrail actually talked together about using the existing platform, platform 4, which I understand is used for One services at Shenfield currently, currently used for slow Metro trains, and whether this could be utilised by Crossrail in place of One? The idea is that One will be replaced by Crossrail and yet the argument is that there have to be segregated services, as I understand it. To what extent has that argument been tested and has it actually been aired as between One Railway and Crossrail themselves? Using an existing platform would obviously considerably reduce the disruption to residents and considerably reduce also, one imagines, the cost of the scheme going ahead as proposed, namely the replacement by Crossrail. I submit to you that may be a question the Committee may want to consider further.

5563. Petition number 255, Doreen Headon of 50 Hunter Avenue. Her house faces the site. She will be eligible for insulation and/or re-housing. She is concerned that the work to be done will be on an embankment and therefore there will be considerable noise pollution in her direction. The houses opposite her will offer no protection as her house is above the roof line and therefore the noise effect will be considerably greater than has been suggested.

5564. It is a recurrent theme of the submissions which I am representing to the Committee that there is a considerable amount of high ground, particularly to the south of the station, and people are finding themselves judged not to have the degree of noise impact which they expect they will have because it appears to assume that other houses will form a screen between them and the station if they are set a row or two back. That appears not to be the case in the Hutton Mount area as a whole and Mrs Headon makes that particular point here.

5565. She makes the point also that Hunter Avenue has very little heavy goods traffic at the moment and that she will be facing 12 to 16 lorries a day, as Crossrail has put forward, and the noise and vibration that will arise from that. She describes what faces her as a “living hell”. That may be a matter on which you may take a view but there are very strong feelings that the residents have, and very strong fears, and you may well think that Crossrail need to do more to explain what they are doing and the analysis behind what they are doing in these proceedings.

5566. She also mentions her human right to live in peace in her own house. I think it is just worth remarking that Article 8 of the European Convention on Human Rights does give a respect for private family life. Clearly there are limitations on that. Clearly there are views that have been taken of the human rights aspect of this particular project, but I think it is an expectation that people now have that they will not be assailed by this sort of disruption and difficulty without seeing a clear benefit from it or a clear purpose to it.

5567. Petitioner 256, Peter and Queenie Cross, 32 Herington Grove. They face on to the proposed works. Mr Cross is wheelchair bound. He is concerned about the hours of work and concerned that they should not start before eight and finish at six. He is also concerned about access to pavements within Hunter Avenue and Friars Avenue in particular, where I gather the roads are quite narrow and in one case there is only one pavement. He is concerned that all stations, entrances, premises and rolling stock have adequate access and lifts for disabled wheelchairs. That may be a matter upon which Crossrail are able to offer some reassurance, but that would be something that would be important to establish.

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5568. They also in their submission set out a number of detailed requirements, which I will not take the Committee through, as to mitigation measures and standards of site working. Those are set out in their petition, as I say, the basic point is that they want that to be regulated by Brentwood Borough Council, and that is a point which a number of the Petitions make. They also raise the question of whether or not there has been much assessment of tannoy noise. There is nothing in the Environmental Statement about the announcements that are made at the station and whether or not residents will be able to hear them and, if so, where, and that seems to be a question that it would be right for Crossrail to answer.

5569. The next petitioners are 257. Perhaps I should say, sir, I appreciate that to a degree the points that I am raising are overlapping with each other, although I am dealing with them as briefly as I can. You will appreciate that it is inherent in the nature of this sort of process that the residents do have a number of points they wanted to make and to the degree that they are in common it shows the weight of argument or the weight of concern behind them.

5570. **Mr Liddell-Grainger:** I think it is necessary to go through them to make the points adequately. Indeed, I will stop you if I think it is getting too much for the Committee.

5571. **Mr Welfare:** Petitioner 257 is William and Colina Watt of Greenloaning in Herington Grove. Mr and Mrs Watt are aged 80 and 77 respectively. They are dependent in their old age on the realisation of capital invested in their house, and that is a matter of great concern to them because they now find their property is blighted and the uncertainties of the timing of the start of the project, and therefore obviously the finish of it, mean that they are no longer in a position to plan ahead. There are apparently two unoccupied properties, 3 and 5 Herington Road, opposite them at this stage. Therefore, they are very concerned as to what the future holds from their point of view as a result of this proposal.

5572. Petitioner 258 is Mr and Mrs Marshall. They make six points in their summary points. The point about the north east terminus which should be at Stratford which gives a negligible benefit to residents. They also query in paragraph 39 of their Petition the need for an extra platform, a similar issue to one raised a moment ago.

5573. In relation to noise, they argue that the Promoters should provide a comprehensive consultation and noise monitoring scheme and agree standards with Brentford Borough Council, with a compensation code attached to it for any breach of those standards. If I may say so, that seems to be something that is missing at the moment as a process by which Crossrail not simply assess whether or not individual houses are

suffering from noise intrusion, and therefore qualify for insulation or temporary rehousing, but a consultation process that places the decision in the hands of someone other than the interested party, the Promoter; and the obvious person in that instance would be Brentford Borough Council.

5574. If I may say so, there seems to me to be an important question there. One of the petitioners, Mrs Fanning, this morning raised this issue: "I have been told that I do not qualify but I have not been told why except that it is just not assessed as significant." That is a decision by Crossrail reached without explanation and communicated to an applicant under the hardship scheme, I think it was. I think residents are making the point, and one or two others make the same point, that that decision ought to be in others' hands. There ought to be a transparent process of decision-making about the consequences in terms of the amount of disruption that residents face.

5575. Car parking: they would prefer and want a scheme provided by the Promoter, again agreed with the borough council to replace parking spaces lost during the construction period.

5576. Hours of working, they would like that and the activity around it, the deliveries, unloading, lorry movements, et cetera, placed in the hands of the borough council. As I say, eight 'til six and nine 'til one, Monday to Friday and Saturday, not seven to seven as has been proposed.

5577. The loss of trees: all trees to be replaced with mature specimens not immature specimens.

5578. The planning regime: I think my learned friend, Ms Lieven, touched on this this morning. What does the planning regime involve? What control of pollution powers will the authority have? Will it be able to control the construction code, car parking, hours of working, noise and so on? How much will the District Council be able to control it?

5579. Petitioner 260 is Mr and Mrs McNess of 38 Herington Grove. They have really similar concerns to those I have just dealt with, to establish a detailed regulation by Brentwood Borough Council covering hours of disruption and litigation of disruption difficulties. That, in their full Petition, is the argument they make, but they also question whether or not an analysis can be done to support the need for a new platform, and that again is a matter on which Crossrail may have evidence to bring.

5580. Petitioner 263 is Mr and Mrs Best of 73 Friars Avenue. They back on to the works. They are concerned with noise, dust and the congestion caused due to lack of parking, deterring people from shopping again, the viability of shops, therefore, being a concern as well as the loss of the village character of Shenfield of which we have heard, I think, a fair amount this morning. They

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are concerned at the effect on their own ill-health from the noise and loud train warning horns necessary during the work which are liable, they fear, to be continuous or at least regularly repeated in the course of the works, and they are concerned that that will affect the use of their garden as well.

5581. The Promoters say that they will use the best possible means to mitigate the effects of these various disadvantages. The Petitioners say that they would expect that, but that does not change or remove the basic problem that this particular set of circumstances is being visited on them, and Mr and Mrs Best are 81 and 78 years of age respectively and have lived there for 36 years. One can well understand the strength of their feeling.

5582. Petitioner 264 is Mrs Gibbons from 1A Friars Avenue. She too faces on to the site. She summarises her concerns as noise, pollution, lighting, congestion, vibration and the possible devaluation of her property. She is concerned at the potential for 24-hour working given that she is close to, or fronts in fact, the short stay car park and access, therefore, to the Friars Avenue site. Again I think residents are looking for some reassurance as to what controls can be applied in the face of those concerns.

5583. Petitioner 268 is Mrs Tattersall of 'Sunlawn', 30 Herington Grove. Mrs Tattersall is 82 and she has a housekeeper aged 81, Sarah Atkinson. They will both be seriously affected by noise, dust and disturbance. Mrs Tattersall had been contemplating selling her property, but now fears she will be unable to do so due to planning blight. She considers that her property will need adequate sound-proofing to minimise the disturbance, and compensation for that disturbance and diminution in the value of her property is one of her concerns. Her housekeeper has mobility problems and will be affected by the reduction in parking in Shenfield because she needs to be transported by car.

5584. Petitioner 271 is Mr and Mrs Ashton of 63 Friars Avenue. They too face on to the site. They are concerned about noise and disruption during the construction phase, particularly not being able to enjoy their back garden, for which they have received no provision. The noise of the new frequent trains once the project is finished is a concern to them, as well as the dust and pollution over the two-year period or so of the works as they have two young children aged under two years, and the possible adverse effects the Crossrail project will have on the value of their property. Those points are well detailed in their Petition and they particularly set out, if I may say, at paragraph 7 of their Petition, and I shall not go into it other than draw attention to it, a very clear summary of the 'no benefit' argument in terms of rail services.

5585. Petitioner 272 is Mr and Mrs Pointer of 1 Pinecroft, Hutton Mount. Some reference was made this morning, sir, to Hutton Mount. Just very

briefly, it is the area south or south-west of the station and it is, as the name implies, an area of high ground, and that leads some Petitioners from that area to feel that they are not shielded from the noise and other impacts, as the Promoters may believe. It is also, I think, the case that Hutton Mount, and we will look at one or two comments in relation to it in a second, is an area which is very pleasant and one where some of the comments that Crossrail have made about the nature of Shenfield and its immediate surroundings leave people in Hutton Mount to wonder the degree to which Hutton Mount has been investigated or is known to Crossrail.

5586. Mr and Mrs Pointer make five points. They say that their house, according to the Crossrail Environmental Statement, is "not likely to experience a significant noise and vibration impact". They are 200 yards away, but, as I have just said, it is a steep hill and they fear that Pinecroft, their road, Greenway, half-way up the hill, and Roundwood Avenue, on the brow of the hill, will suffer severe noise nuisance. In the evenings they can hear the existing tannoy, they would hear all the works at the station, and that would constitute severe noise pollution, from their point of view.

5587. They made a different point at paragraph 2, that the Gatwick Express is used as a dedicated track at present and the Gatwick Express is due to be withdrawn, and I assume that is correct, and they say that the normal use of track for existing services is a more efficient way of providing services. As to the degree to which there is proposed to be a dedicated platform and a segregated service for Crossrail, there will be some questions there to be examined by comparison with other schemes.

5588. They make the point that the semi-fast as well as the slow services are both to be replaced by Crossrail for local use and that this actually reduces the quality of service for existing users and could indeed increase the time it takes to get to Stratford on the slower trains. Even Crossrail, they say, admit that "a robust train service management plan" will be needed to minimise delays, and they are concerned that the existing long-distance services and goods services will be disrupted from time to time as the tracks are already near capacity. They also point to what will happen with the planned housing development in the future to exacerbate this.

5589. They deal in their final paragraph, and I feel I should just draw attention to this, that they wish to lodge a formal protest at the position of the Secretary of State, as it was expressed first at second reading and subsequently at the instruction in January 2006, and they believe that it is not democratic for the Committee not to be able to consider varying the terminus at Shenfield.

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5590. Petitioner 274 is the Hutton Mount Association who, as you would expect, have a number of points in relation to that area. I understand there are some 500 residents in the Hutton Mount area, about 350 of whom are members of this Residents' Association. They make the points not dissimilar from those made by Mr Marshall who, I believe, is now the Chairman of the Association. Therefore, they question the need for the terminus and they point to the need for a comprehensive consultation system, as I was describing a moment ago over noise. They would like Brentwood Council to have control of the parking outcome, also the hours of work and lorry movements. They have concerns over the loss of trees and their replacement with mature specimens and that Brentwood Borough Council should be in a position to have wide control over the planning aspects of the scheme.

5591. Petitioner 276 is Mr and Mrs Ross of 16 Herington Grove. They too back on to the site. They are 71 and 76 years old respectively and are greatly stressed at the thought of temporary removal and/or adjacent homes also being unoccupied near them. They may well be rehoused, I hope. It is likely that noise and dust will continue for a significant time outside and inside the house and afterwards. They are worried about the value of their property and, in view of their age, they are concerned that they may be forced to sell the house at a time which is detrimental to them.

5592. They say that there is already traffic congestion around the station and that that will get worse as a result of this development. There is also a great lack of parking. Herington Grove and other roads have no pavement and are already dangerous for pedestrians and they are concerned that if existing parking restrictions in side roads are released, the situation could well become more dangerous. That, sir, does relate directly to one of the points which was being discussed this morning and may arise if we hear further evidence as to parking. One of the Crossrail proposals appears to be that the Borough Council, and once again they want to put the responsibility there, should release the parking restrictions on the side roads and obviously if they do that, there would be a knock-on effect as to, in the view of Mr and Mrs Ross, road safety, but also the access and usability of those side roads.

5593. Petitioner 277 is the Brentwood Chamber of Commerce and they make the point that I hope I outlined a moment ago in relation to the effect on business of the parking changes. They say that there will be severe disruption to the business and community life of Shenfield during the construction of the terminus, particularly because the contractor's vehicles will take over the parking resource, and customers will stay away due to a lack of parking facilities. There are two sides to this: that workers will not be able to get to work in the shops necessarily or the local businesses; and

customers of the shops will be driven away by lack of parking facilities. They see the possibility that the parking issue will remain a problem after construction finishes as there will be large numbers of customers for Crossrail who will need to park in Shenfield and take up spaces.

5594. Petitioner 279 is Daniel and Gillian Heartshorne of 'The Mill', Greenway, Hutton Mount. They express their regret that the Committee cannot look at the question of the Shenfield terminus. They believe that Crossrail have underestimated the ramifications of the works on Shenfield and those living and working locally, and they point to the recent minor works, of which reference was made this morning, of the railway bridge in Alexander Lane and the disruption that that caused, and other weekend maintenance work, to show that there may be a greater effect than Crossrail have accepted.

5595. They are also concerned that Crossrail appear not to recognise the unique character and nature of Shenfield and the Hutton Mount estate, as I mentioned a moment ago. You will see that they invite your Committee, sir, to see the locality for yourselves before making your recommendations.

5596. They make, I think, three other points briefly. They believe that Crossrail do not understand the Hutton Mount estate in this particular respect, that it has a number of private roads which are actually subject to upkeep by the owners and if there is an increase of traffic in that area to the south-west of the station, then there could be both real safety concerns and also additional responsibility for householders on roads that are not designed to take any significant amount of traffic.

5597. Their particular house, 'The Mills', at the top of Greenway, they are in what they call a 'natural amphitheatre' relative to the rail station and, therefore, there will be far more noise, vibration and light pollution than the map might indicate. They can see the lights from the station from where they are at the moment and are not screened by the intervening properties.

5598. Finally, they say that the loss of parking and amenity in Shenfield and the effect on businesses will be greater than is stated and Crossrail should explain the basis of their assumptions.

5599. Finally, Petitioner 322 is Mr and Mrs Whitfield of 21 Herington Grove. They are concerned about noise, they face on to the site, and they understand that they may qualify for noise insulation, but they are asking for more information and reassurance about the basis of the assessment, which is the point which has come up more than once. They ask about what mechanisms will be put in place for assessing noise, whether they will be monitored, whether, if the noise levels exceed what Crossrail think they are going to be,

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there will be action taken and additional rights. They say that the Promoters should agree the level of noise impact on the property and the level of insulation that is appropriate and then be adjusted if the levels are higher than forecast, and they would prefer the appointment of noise experts at the Promoters' cost.

5600. They make the point that people in other properties within 20 yards of their home are being relocated and other properties, I believe I am right in saying, very close to them, as they say in paragraphs 7.4 and 7.5 of their Petition, 7.5 in particular, properties 20 yards away are being treated completely differently from their own. Some are so severely impacted that they are being relocated and others are in the immediate area, but nothing is happening at all with mitigation measures, so people are asking what is the basis of decision.

5601. There is the point again about business impacts and the loss of parking at the station. Clarification of the number of lorry movements a day and the impact on the capacity of the local network is something that they are calling for. In paragraph 7.7 of their Petition, they make the point that at the moment the Promoters say there will be only two lorry movements in relation to where they are per day. They would like to query whether the Promoters should be put under an obligation in relation to predicted lorry movements.

5602. Sir, perhaps I can assist you further in relation to the residents' submissions on which there may be questions.

5603. **Mr Hollobone:** I am not sure I understand how long the construction work will take in Shenfield.

5604. **Mr Welfare:** I think there are a couple of references, which I think I may have reflected in what I said, to two years. I believe in fact that the period is 21 months for the longer period of the use of the Hunter Avenue side of the development. I think that is only the point at which the actual works take place and I think the point that residents keep making is that if the start date is uncertain, because of course this process has to be completed and Parliament has to take a view on the whole matter of Crossrail, then in practice the blight could continue, as was said this morning, for five to seven years. That is the sort of time people seem to be expecting. I think I have drawn attention to the fact that quite a lot of the residents whom I represent are elderly and, therefore, their inability to plan over that length of time is a matter of serious concern to them.

5605. **Mr Hollobone:** Have you been given any indication of the most likely calendar year in which the construction is likely to finish?

5606. **Mr Welfare:** I think I cannot say that I have, sir, although from where we are there have been suggestions of as late as 2014 which have been made. I have not seen a representation from Crossrail as to when that might be, unless one of my learned friends is able to correct me, because of the inherent uncertainties of the process and, therefore, one is looking at potentially seven or eight years from now of uncertainty before these people have an idea of in the first part whether the scheme is proceeding and thereafter the point of it proceeding.

5607. **Mr Hollobone:** I have a question which may be for the residents. There are a large number of local residents who are not only elderly, but they have lived in Shenfield for many years, many of whom have lived there for over 30 years.

5608. **Mr Welfare:** Yes.

5609. **Mr Hollobone:** Has there to your knowledge been a construction site operation on this scale in Shenfield in that period of time?

5610. **Mr Welfare:** Not to my knowledge, sir. I would stand to be corrected if someone could point to it, but, from all the evidence and representations that I have seen, this is the largest project that residents have seen in that area. These are residents who make no bones about the fact that most of the ones who live near the station accept a degree of train noise, they know that, and they live there partly because of the communication links that it offers in some cases, particularly those who have come more recently perhaps with younger families. Those who have been there for 30, as you say, and in one or two cases, I think, 50 years and in one case slightly longer, my understanding of the position is that this is the largest scheme that they have seen and by far the most disruptive.

5611. **Mr Hollobone:** Would you describe the railway station in Shenfield and its parade of shops as the centre of Shenfield?

5612. **Mr Welfare:** That is clearly the view of residents. Hutton Road and the shops on Hutton Road and the town centre immediately around it just by the station is the core of Shenfield. Perhaps "town centre" is not quite the right term because it is repeatedly referred to as a village, a village in atmosphere and a village in mood, and I think, therefore, perhaps it is fair to see it in that way, but yes, that is the centre of Shenfield.

5613. **Mr Hollobone:** So not only will they have a huge construction operation, but they will also have it slap-bang right in the middle of the centre of Shenfield, a place which has not had a construction operation of this sort in modern times?

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5614. **Mr Welfare:** That is right, sir.

5615. **Mr Hollobone:** Therefore, the impact on the community is really quite substantial and against that background would you say that Crossrail have been partial in the way in which they have looked to compensate residents for the various effects, doing so on a sort of house-by-house basis rather than on a community approach?

5616. **Mr Welfare:** Sir, I think that is a very fair point to make. There are two concerns, I think, for residents. One is that they do not understand the basis of the house-by-house approach and in some cases they question the basis of the house-by-house approach, and they point, if more evidence were needed, in fact they are not fully aware of the transparency of the assessment, to the apparent arbitrariness of judgments as between houses which are very close together, some with no treatment to others with an indication of mitigation and compensation. On the other hand as well, the second point which you raise, is the point in relation to whether Shenfield and the effect on Shenfield has really been assessed, and then, as a result of that, whether there is any serious attempt to compensate for the costs that it will face. I think the difficulty is that there has not been.

5617. There is considerable disquiet, I put it no higher than that, although I suspect some residents would, at the lack of assessment that comes through in all these representations of the effect on Shenfield itself both in transport terms, in community terms and in business terms and in terms of whether the character of the area can be maintained as a result of this development.

5618. **Mr Hollobone:** Given that there is precious little evidence, if any, that the majority of residents in Shenfield are in favour of this scheme and given the clear evidence that we have heard today that there are a large number of local residents who are so concerned as to petition Parliament about it, would you go so far as to say that, in its approach to potential compensation to residents, Crossrail have been very stingy in the way in which they have advanced that case?

5619. **Mr Welfare:** I think they have been. I do not want to go beyond the terms that the residents have said to me, but I think it is right that a number of the representations which have been made to you are deeply unhappy at, first, the lack of clarity, as they say, in relation to compensation and, secondly, in some cases the lack of mitigation on offer and in other cases the decisions which appear to have been taken thus far or the colourings on the maps that we have seen as to who is likely to qualify and who is not. Therefore, although I think it is also true that a considerable part of the disquiet is over the scheme as a whole, I think it is also true that there has been too little from Crossrail in terms of explaining itself and in terms

of setting out for residents what they can see is a fair basis of compensation. They simply do not see that at the moment.

5620. **Mr Hollobone:** Given the escalated cost of an underground terminal at Stratford and the cost of a terminus at Shenfield, would you agree with me that there is the potential for a substantial increase in the compensation due to the house holders and the community in general in Shenfield and due to a difference in those two costs?

5621. **Mr Welfare:** In as much, Sir, as there is a difference between those two costings, as you say, we do not know, that could lead to a conclusion that there was scope for compensation. In that event, in default of a better outcome, if residents want to do that, I have no doubt that would be very welcome. If I may, on your point, I think it is true to say that we have not heard the cost of Shenfield, which we have acknowledged, we have not heard the cost of Stratford and we have not, as far as I am aware, got a cost for each of the stations on the way to Shenfield.

5622. If it is Stratford that has been talked about in regards to the £500 million, which my learned friend suggested this morning, what is the figure for all of them added together in terms of a comparison. He makes a different point as well which is that there is then a difference between those two figures and should that be available for compensation for people in the worst affected areas. This is certainly one of those areas and one where there is extremely strong feeling.

5623. **Mr Liddell-Grainger:** Mr Welfare, thank you very much. What I intend to do is call the last three Petitioners this afternoon. Can I call Mr Alistair Ennals.

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The Petitioners appeared in person.

5624. **Mrs Ennals:** I am speaking on behalf of my husband because he has a severe sight impairment. I have brought today some photographs. I do not know whether you are familiar with the area of Hunter Avenue, but it shows our house in relation to the electricity—

5625. **Mr Ennals:** May I explain, Sir, that in the statement my wife is going to read reference is made to a person and work experience and that is mine rather than my wife's.

5626. **Mr Liddell-Grainger:** Thank you for the clarification.

5627. **Mrs Ennals:** You will see from the photographs that the road Hunter Avenue is extremely narrow.²⁰ In fact, I noted it this morning

²⁰ Committee Ref: A65, Mr and Mrs Ennals Exhibits (SCN-20060328-006-008).

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and it is approximately 20 feet, ten inches wide. It also shows the end of the Hunter Avenue Season Ticket Car Park, which abuts onto the electricity substation and our house. You can see from these photographs the screening provided by the trees at present along the railway bank, the height of the railway bank and also you will see how close the trains are, on the second sheet, to our back garden where the top of the fence is shown at the bottom and the level of the railway is, in fact, level with our bedroom windows.

5628. I will now read what my husband has prepared: your Petitioners are Alastair Mac Ennals and Susan Jane Ennals. Our Petition number is 68, and we would urge you to read our Petition and apply your critical analysis to the promoter's responses.

5629. Your Petitioners have an interest in the Crossrail Bill because (a) their house, 69 Hunter Avenue, Shenfield, adjoins the Hunter Avenue Season Ticket Car Park, which is to be used as a work site by the nominated undertaker and (b) their property at the rear also faces the embankment which is the site of the proposed eastern Sidings at Shenfield Station. Those sidings will be situated at the first floor level of your Petitioners house. In addition, your Petitioners will be affected adversely by any congestion caused by lorry traffic in Hunter Avenue.

5630. Finally, your Petitioners are interested as taxpayers and rail travellers since despite the promoter's response on page 15, how else will the substantial costs of the Crossrail project be directly or indirectly financed.

5631. It might assist the Committee if I highlight some of the points which we would wish the Committee to specifically consider before I amplify on those points arising from our Petition and the promoter's responses.

5632. Firstly, we consider that there has been a lack of relevant consultation with the residents in Shenfield. We consider that a £1 billion plus the need for any extension of Crossrail to Shenfield is not established in terms of the likely passenger numbers arising and value for money. In addition, the downside factors of Crossrail have not been canvassed.

5633. We strongly consider that any restriction on the Select Committee's ability to amend the Bill in respect of another terminus is both a breach of our human rights and abuse of the parliamentary procedure.

5634. If Crossrail proceed as far as Shenfield, we would question whether the need for a new platform and sidings at Shenfield have been established if merely to service more frequent but under-used trains from Shenfield. In addition, if

those sidings are required, could they be located somewhere else with less impact on Shenfield? Can further mitigation be provided at Shenfield?

5635. Your Petitioners still claim all rights and remedies sought in their Petition.

5636. When addressing the Committee, I wish to make some general points, some comments on the Shenfield versus Stratford issues and some detailed points about the proposals for Hunter Avenue, Shenfield. I would like to suggest some areas where further mitigation should be made by the Promoter and relevant undertakings provided. However, generally, we would share the concerns expressed on behalf of other Petitioners in Brentwood and Shenfield as regards a terminus at Shenfield.

5637. As part of my general comments, firstly, I would wish to apologise for any lack of preparation due to the date for attendance before this Committee being brought forward from the end of April to the end of March. Because information was requested from the Secretary of State for Transport on 15 February 2006, but a response was only received last Friday, 24 March, there has been little or no time to consider that response.

5638. Secondly, only last Thursday evening we learned that Petitioners in Brentwood might be represented by counsel to marshal relevant arguments. Our appointment today had already been organised, so this was too late for us and we regret any duplication of points being made more eloquently by that counsel. However, we would wish to maintain the points which we have made in our petition, despite the Promoter's more general responses in some cases, particularly at pages 18 to 22 of that response.

5639. My third general comment relates to future working practices and locations. The country's population may well increase by 2016 and there will always be core workers in London, but, from my own work experience, I wish to sound a note of caution as regards future rail commuter traffic into London.

5640. I started work with the Greater London Council in June 1970, where I used a typing pool for advice. Leases were prepared there on a basic word processor. By the time of my early retirement from the Civil Service in March 2005, computers were on every desk for advice to be prepared. Email facilities and a virtual/electronic legal library was available and electronic filing (that is a paperless society) had been introduced. Working from home has never been easier.

5641. My mother's neighbour works part-time in London but the rest of the week from home. This trend is borne out by the use of the Hunter Avenue car park, as illustrated at page 13 of the Promoter's

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response document where there is 100 per cent bookings of parking spaces, but some places still appear to be available on any particular day.

5642. As regards location, last Thursday it was reported that Gordon Brown proposes the relocation of more civil servants to cheaper office accommodation out of London and the Southeast. This appears to be a further trend affecting rail passengers commuting into London. For example, I would ask Committee members to consider where are your tax offices? What about the location of the Patents Office and Companies House? If you own property, where is it insured?

5643. Even in the past few years, such things have changed, so by 2016 we may see a completely different travelling picture and assumptions made now as regards commuter growth into and across London may not be fulfilled, quite apart from the existing Metro service being under-used by the time it reaches Shenfield.

5644. Value for money: at nearly one billion pounds-plus your Petitioners still query whether the link from Stratford to Shenfield really provides value for money when replacing a good rail service directly into the City at Liverpool Street. Perhaps the promoter can remind the Committee of the present number of passengers using the Metro service from Shenfield and intermediate stations and the anticipated increase in numbers with Crossrail. Does this represent an adequate benefit? Can such benefits/increase in capacity for these numbers not be provided by longer Metro trains, for example? Will Crossrail passengers really want to be diverted via Whitechapel or will they transfer and cause congestion on fast trains.

5645. One billion pounds appears to represent one-sixteenth of the whole cost of the project and is disproportionate for the benefits envisaged.

5646. The Olympics: despite the promoter's response in respect of the Olympics, the award of the Games will inevitably restrict the availability of land at Stratford, which would otherwise have been available for an alternative terminus and, more importantly, will restrict the availability of finance for the Crossrail project. This means that the timing for the Crossrail project, as regards its extension to Shenfield, in particular, is completely wrong, even if completion could have been achieved by 2012.

5647. Perhaps for these reasons the Promoter should concentrate on new parts of the project which will provide more benefit in the short time available.

5648. Consultation: the Promoter's response, as regards consultation on pages 25 and 26 of its response document, appears to be impressive, but

it does not appear to respond directly to the Petitioner's point as regards consultation with residents from Shenfield or those directly affected.

5649. In addition, it is not clear to your Petitioners as to what stage they could have objected to Shenfield as a terminus.

5650. Some comments on the Shenfield versus Stratford issues: I will turn now to address some Shenfield versus Stratford issues which we feel strongly about. In July 2005, there was a debate on the Crossrail Bill, as a result of which at least 50 Petitioners in Brentwood expressed views against a terminus at Shenfield. Your Petitioners are aware of more residents holding a similar view who did not formally Petition. On that basis, there is significant objections to a terminus at Shenfield and the Secretary of State for Transport must have been aware of this level of concern by the time of the debate on 12 January 2006.

5651. In the face of that opposition, it appears to be perverse for him to stifle consideration by the Select Committee of this issue and other alternatives, including the potential upgrade of existing Metro service, if required in practice.

5652. Your Petitioners consider that this may have been a breach of their human rights, for example, in respect of a fair hearing of the relevant issues and respect for family life which will be adversely affected by the Crossrail project, although your Petitioners have not sought specific advice at this stage.

5653. There also appears to have been an abuse of parliamentary procedures insofar as the Secretary of State for Transport was well aware of inferences arising from the debate in July 2005, but allowed Petitioners to lodge Petitions and incur expenditure, quite apart from time, as a result.

5654. Consequently, your Petitioners would ask the Select Committee to seek the necessary power to amend the Crossrail Bill so that the Select Committee can consider and make recommendations as regards alternative arrangements for an appropriate terminus, for example, at Stratford.

5655. Your Petitioners have read Information Paper A7 and the Promoter's responses on the selection of Shenfield as a terminus, but these appear to be one-sided only and appear to ignore adverse factors, for example, other options have not been considered. It is still not clear why existing services cannot be upgraded with more carriages, if necessary. There will be a loss of unified services from Shenfield without common tickets, track changes between railway lines (in the event of signalling or train breakdown). Where does freight service go? If Crossrail operates continuously on the slow lines, will night use by freight services increase?

The Petition of Alistair and Susan Ennals

5656. If the Crossrail project goes ahead, it should be considered whether the proposed development at Shenfield, in terms of new sidings and platform, is justified to accommodate extra services, ie such an increase in services be provided further up the line with commencement, say, at Ilford.

5657. Your Petitioners would make detailed points in respect of the proposal for Hunter Avenue in Shenfield. Your Petitioners query whether the Promoter has seriously considered the risks and requirements at Shenfield.

5658. In paragraph 4 on page 9 of the Promoter's response, mention is made of school children—from the school in Alexander Lane—but no reference is made to the exit in Oliver Road and the trail of children along Hunter Avenue.

5659. If Crossrail goes ahead with a terminus at Shenfield, your Petitioners consider that the alternative siting of new sidings would be preferable either between the main lines and the South End Loop line or White Gates Industrial Site or the field to the east of Alexander Lane.

5660. If additional spoil is required to raise the level of the three alternative sites, this could be made available from excavating the London tunnels. It would be helpful if the Promoter provided a plan of the area to the Select Committee to indicate alternative sites proposed for sidings.

5661. As regards lorry traffic in Hunter Avenue, the Promoter appears to have assessed 24 to 32 lorry journeys per working day, however, some further mitigation may be possible with the further reduction in the use of the car park as working space for the 35 per cent.

5662. In addition, access to the car park by lorry traffic needs to be resolved. Last week, on Thursday, we received a plan showing the use of the Hunter Avenue car park proposed restrictions of its use to the eastern end and that is the 35 per cent that you will see adjoins our house. It could not have been in the middle, could it, providing a buffer zone?

5663. The 35 per cent use of the car park should be moved to the western end of the car park to avoid noise, dust, visual impact and other disturbance such as vibration, possible structural damage and loss of privacy to the Petitioners in their homes.

5664. The use of the Season Ticket car park has not been specified with the reduced 35 per cent area, but use as a canteen is still not appropriate in a residential area.

5665. The Promoter's proposed access to the railway embankment has not been identified but access immediately behind your Petitioners' property should be avoided.

5666. Improvements and Mitigation sought: a buffer zone in the Hunter Avenue car park between the Petitioners' property/electricity substation and the work site is required by Crossrail (see also suggestion above that the western end of the car park be used for working space).

5667. Limitation of height of temporary buildings on the Hunter Avenue car park work site.

5668. Further reduction of lorry traffic in Hunter Avenue with access and deposit arrangements away from your Petitioners' property.

5669. Possible screening arrangements for the work site to preclude dust and other emissions.

5670. Access to the railway embankment should be kept as far away from you Petitioners' home as possible.

5671. Works on the railway embankment should be screened from your Petitioners' property since these works will be at first floor/bedroom level.

5672. Your Petitioners seek assistance with the mitigation of noise, dust and visual impact from the project.

5673. Avoidance of felling of mature trees which stand on the railway bank and screen your Petitioners' property from the visual impact of the railway. These trees also reduce dust levels and to some extent provide a cushion against noise impact, especially in summer when the deciduous trees are in leaf.

5674. Mitigation of noise levels both during and after construction of the eastern sidings.

5675. That the Crossrail Construction Code will be enforced—i.e., with regard to working hours.

5676. If toilet facilities are placed on the worksite in the Hunter Avenue car park, it should be ensured that they are not close to 69 Hunter Avenue.

5677. Long stay parking will present a problem when part of the season ticket car parks are taken for work sites. Please can thought be given to this potential problem, bearing in mind that street parking has already been restricted to avoid long stay parking in many areas of Shenfield. We value our shopping centre and ask that traders be considered when parking issues are tackled.

5678. Crossrail is bad news personally in terms of noise, dust, visual impact and continuous disturbance for 18 months to two years. It is not needed in our area when other viable alternatives are available. It is merely an unnecessary and unjustified expenditure of £1 billion plus to divert existing services into Liverpool Street via Whitechapel.

The Petition of Mr Christopher Brown

5679. Your Petitioners would urge the select committee to visit Shenfield and Hunter Avenue by use of the existing Metro service.

5680. We would thank you as a Committee for your patience and understanding in listening to our concerns and we hope that our comments have been helpful.

5681. **Mr Liddell-Grainger:** Thank you. We do not want repetition if we can possibly avoid it. Please be as concise as you can, as we would like to get some remarks from the Petitioners in before the end of the session if we possibly can. Mr Christopher Brown?

The Petition of Mr Christopher Brown.

The Petitioner appeared in person.

5682. **Mr Brown:** I am not familiar with the procedures so if I commit a procedural *faux pas* I apologise in advance. I have a statement based upon and to some extent expanding upon in my petition in the light of some of the comments from the Promoters.

5683. I am Christopher Roy Sanders Brown. I am a retired oil company manager. I live at 43 Friars Avenue with my wife, Heather, who still works. I am retired. We have been there for about 23 years. My children grew up there. They come and go nowadays but we still think of it as our family home. It is going to be seriously injuriously affected by Crossrail. Probably the most significant ongoing or long term impact is the construction of the new sidings at the end of my garden which I anticipate will cause quite a lot of noise.

5684. In general, one of the injuries is planning blight. That was not addressed at all as far as I could see in the response I got from Crossrail. I would be hoping to get some compensation for that. The construction work at the end of my garden will only take, according to Crossrail, two months and will take place during the day. One can put up with that but when the sidings operate they are going to cause a lot of disturbance to the amenity and value of my house and garden.

5685. Crossrail say in their response to me that one cannot expect compensation for an intensification of use. I might buy the argument that more trains, particularly if there are quiet and newer, will be an intensification of use. I do not buy the argument that the new sidings are simply an intensification because, although there has been track there for some time, it has been silent for most of the time we are in the house but if we have new sidings that is a change and not an intensification of use. I would like compensation for that.

5686. Something came up at a local meeting recently organised by our local authority which I hope is not the case. It appeared not possible to be

given assurances that Crossrail would not want to cut down trees that are in my garden and those of my neighbours, these trees having been planted some 70 years ago in 1938, to screen the railway. They are mature and have developed over the years. I had a call from a representative of Crossrail this morning and I had a brief conversation. She attempted to assure me that nobody would come into gardens and start cutting down trees. I sincerely hope that is the case but I would like to record that it should not be the case.

5687. I share with all the other residents of Shenfield concern about the deterioration of the character of the town. Our local authority will be addressing you tomorrow and will deal with the general points.

5688. I might put up with the damage from Crossrail if it was going to serve a useful public purpose. In my opinion, it is not. Crossrail's own public documents say that the majority of the traffic is going to be in London between Stratford, Whitechapel and Paddington. I think the extension of the line through Shenfield will frustrate the main objective of the project, as I understand it, which is to provide a link across London. I will try and explain why.

5689. I regard it as essentially a glorified tube system. The fact that they are not putting any lavatories on the trains is a surprise to quite a few people given the projected route and its length and supports the argument that it is a tube system. The arguments that they use for not so doing are security threats and bombs. I would have thought you could construct trains with the necessary facilities that could be locked up during periods of tension, but there we are.

5690. The Secretary of State has apparently set his face against changing the Shenfield terminus. It has been suggested that this Committee might have the ability to seek the power to change it anyway. I hope they might do that because if it is not changed I think the project will be an expensive failure, never mind the damage it will cause to my hometown.

5691. As the Committee doubtless knows, Stratford and Liverpool Street Stations are served from Shenfield by two rail corridors. I will refer to one as the fast and one as the slow. I think Crossrail refer to E as the slow one. The fast corridor carries Intercity traffic and fast commuter traffic going to both Southend and Colchester and so on and Intercity traffic going to Norwich. The slow corridor carries something like six or seven all station trains an hour and I believe the Crossrail proposal is 12. Freight has to fit in there somewhere. Our MP has raised the question of freight in a debate on this subject and I did see a petition which my wife found on the internet from a major shipping company concerned about the impact on their facilities for shipping containers.

 The Petition of Beryl Clark

5692. I have about 40 years' experience of using these services in east London from Shenfield and related stations. My wife has too. We are very familiar with frequent service interruptions. These arise from signalling failures, track failures, train failures, lineside fires, sadly suicides, vandalism and, who knows, maybe the wrong sort of snow or leaves on the line.

5693. At the end of last year, I kept a record of every instance affecting my wife in a week. On 24/25 November last, services to London were seriously disrupted for 24 hours by an overhead power failure at Chadwell Heath. On 1 December serious disruption was caused by a lineside fire. On 2 December serious delays were caused to both the Southend and Chelmsford lines by an incident, which I fear was a fatality at Chelmsford. All of this was within little more than a week.

5694. Crossrail propose to run nearly twice as many trains from Shenfield and they are going to allow trains still to run from Gidea Park, I believe, to service Maryland. The service disruptions are likely to get worse rather than better.

5695. The practice of the previous and current operator has been, when something goes wrong with one of these corridors, to switch them about so that some sort of service operates on both. I do not know what Crossrail is going to do when they come into operation. I did ask the lady I spoke to this morning. She said I needed to talk to one of the engineers, but they are going to have a choice of doing two things. They can either operate as the current operator does and, in the event of any of these multifarious misfortunes, switch Crossrail on to the fast corridor or vice versa, which means that trains running across London will suffer disruption because of interference, because they are mixing essentially a tube system with all these other forms of traffic. Other tube systems have their own dedicated lines into London. Either there will be disruption because of switching between the two corridors or Crossrail will keep the slow corridor entirely for itself.

5696. That is fine unless and until one of these multifarious misfortunes takes place and if they cannot run some sort of service on the fast track the bit that is not coming from Abbey Wood will stop. Crossrail in their response to me talked about the robust train management plan to deal with possible interruptions. We might assume the existing operators try to maintain a robust train management plan and a lot of these interruptions that I have referred to are not train management; they are engineering problems or acts of God.

5697. My contention is that it should stop at Stratford which is a natural terminus for it. It is being built as a natural transport hub. I have heard arguments about the new Stratford City being built. I do not take those very seriously. If you look

around Stratford Station, there is an awful lot of urban wasteland that, with the will, could be used for Stratford Crossrail.

5698. I sent in some drawings. There is one dated October 2003. This drawing, together with the one which follows, I obtained from the Promoters at one of their roadshows in the high street, showing their wares. The date on the drawing is correct. That shows my house to the left, along Friars Avenue. If you go through the station you will see the line bifurcating into a couple of train sidings which are located between the existing running lines going respectively to Southend and to Colchester and Chelmsford.

5699. If that were built like that, I do not think that would bother anybody very much. It certainly did not bother me very much. I went to another roadshow a year or so later and was therefore very disappointed to discover this drawing, dated February 2005, that shows the big extension to the eastern side and the construction of western sidings, the new platform, the taking over of car parks and so on. I find it remarkable that in the space of 16 months the impact of what must have been a significant part of their plan, being where they intend to end it, has changed so much in such a short space of time.

5700. They gave me some sort of response to the effect that they only started in 2001 but this Crossrail project in some form or another has been in gestation for quite a lot longer than that and it surprises me that it has changed so quickly. I would contend that, if one assumes that there has not been any serious planning in Shenfield or there had not at that stage, I would seriously doubt any thought at all of any consequence has been given to Stratford. I do not see how it is possible to compare the costs of the project with a termination at one or the other. I would respectfully urge the Committee, if they can, to seek from Crossrail robust, comparative costs for termination at these two locations, Stratford and Shenfield, even if the Shenfield one is more expensive. I do not know whether it is or not. Any increase in cost should be set against the frustration of the primary purpose of the project and disruption caused to our town.

5701. In my view, the project could become an expensive failure because of frustration of the primary objective of running it across London. Thank you very much.

5702. **Mrs Clark:** My Petition number is 265. I live at 40 Friars Avenue with my sister and our elderly mother and our house faces onto the site of the proposed work at Shenfield Station.

5703. We will be severely affected by the noise, dirt, disruption and vibration while the work is being carried out should the Crossrail plan go ahead in its current form. In response to my Petition, the Promoters say that it is predicted that 40 Friars

The Petition of Michael and Natalie Wood

Avenue is not likely to experience a significant noise impact from the Crossrail construction works. 40 Friars Avenue is made of brick but its occupants are not and I can assure you that we hear only too well when repairs and maintenance work are carried out on the railway line. I do not think that construction works are going to be significantly quieter.

5704. The plans for the work at Shenfield were changed dramatically over a relatively short period and I do not believe there was sufficient consultation with Brentwood Council or the public to highlight these changes and discuss the implications of these changes.

5705. I strongly believe our small and pleasant town will be adversely affected by the proposed work. It is a small town. Even road repairs, the laying of gas and water pipes et cetera., has a big impact. Only recently a bridge repair in Alexander Lane caused a huge amount of disruption, not to say havoc.

5706. There will be considerable heavy road traffic in the area, including Friars Avenue, which is already a busy road, and no doubt a good deal of this will be in the early morning. There will also be loss of parking space, which I find particularly difficult as my mother is not in good health and uses a wheelchair. Blue Badge bays would therefore become at a premium, albeit temporarily. I would emphasise that the loss of car park space is a very real concern as this is already a great problem in Shenfield. Any further loss will undoubtedly affect the businesses in Hutton Road where we frequently shop. These are mainly independently owned shops and the closure of these shops would be a great inconvenience to my family, a severe loss to the local community and would greatly affect the character of the town.

5707. In my opinion, there is no local necessity for Crossrail to be extended to Shenfield and the operation of Crossrail would cause loss of amenity and could ultimately make Shenfield a much less desirable place to live. All of this is likely to have a detrimental effect on the value of our house. This house blight could well continue for many years as there is no clear indication where the funding for Crossrail is to come from.

5708. The purpose of Crossrail is to provide a new rail link across London—i.e., from Stratford to Paddington. Most Crossrail passengers will be carried from Whitechapel to Paddington and it seems likely that trains from Shenfield to Stratford will be virtually empty.

5709. There will be no benefit whatsoever to residents of Shenfield; yet we are expected to suffer all the inconvenience and disadvantages. There is no saving in time as we have a vast line to Stratford/Liverpool Street and Crossrail will be operating on the slow line. Nor is there any real

benefit to passengers travelling from the intermediate stations between Shenfield and Stratford as there is already a metro service running six trains per hour and Crossrail will not be any faster.

5710. I understand that Crossrail have stated that they need to cut down a large number of trees along the railway line. This will not only detrimentally affect our visual outlook but will also increase the amount of noise we hear from the construction works and trains. In addition to this, I am most concerned at the effect the cutting down of all those trees will have on the water table, something that does not seem to have been considered.

5711. There is nothing to be achieved by extending Crossrail to Shenfield that would not be achieved if it were to stop at Stratford. Stratford is already planned as a major rail interchange and I believe that Crossrail should terminate there. If this is not feasible, I believe an alternative should be sought. It should not stop at Shenfield simply as somewhere to end it.

5712. As far as I am aware, no proposals for compensation have been put forward by Crossrail but I think it unlikely that any moneys paid would truly compensate local residents. The Committee might find it useful to visit Shenfield to understand better the impact the proposed route would have on our town. The disruption, noise, inconvenience, loss of value to our homes and the ruination of our town is a very high price to pay when there are no compensating benefits to myself or other local residents.

5713. **Mr Wood:** My name is Michael Wood and I speak on behalf of my wife and I. We have a young family, a point I will return to later, and live at 71 Hunter Avenue which is the second house along from the proposed Hunter Avenue worksite location. We also find ourselves affected by noise pollution. I am encouraged that the development will adopt the legislative requirements and best practice measures to mitigate this. I would just add that we have two young children and my wife is a music teacher who works from home. That will affect us during the day in terms of my wife's employment and presumably in the evening when I imagine work will be undertaken, both in terms of noise and floodlighting for that. We are therefore seeking further reassurance from the Promoters to address those aspects.

5714. Turning to the Hunter Avenue worksite, again, it is pleasing to know of the proposed reduction in requirement there. That said, there are a number of young families on Hunter Avenue with children at St Mary's Primary School, which will require them to use the western end of Hunter Avenue which is still covered under the worksite.

The Petition of Gregory and Claire Hodgkiss

5715. There are also a large number of children of both primary and secondary school ages who use Hunter Avenue to reach, amongst others, Herrington House and Shenfield High School. Alternatives such as the White Gates proposal that was mentioned earlier should be re-examined to remove the risk of accident to primarily children but others as well on Hunter Avenue and also to reduce the visual and noise implications.

5716. Based upon those general concerns, our comments in the Petition at paragraph nine refer to the potential for rehousing. I feel the response we had was more around the visual and noise pollution than the housing aspect and we are seeking clarification on this particular point. It seems incongruous to me that two doors down from the worksite, backing on to the railway sidings, only yesterday did I find out we would probably get insulation but not rehousing; whereas others who meet only one of those two particular criteria will receive the offer of rehousing. I reiterate that we, and I am sure others, are seeking is just a clear, definitive understanding on that particular subject.

5717. We also wish to raise the subject of Shenfield as a terminus. Various matters have been discussed such as relative journey times. I will not dwell on those. It was said earlier that the Crossrail proposal would improve the number of links to Stratford, the Jubilee and other underground/overground lines. As somebody who uses that particular line twice a day to travel to Canary Wharf, that is there today. Stratford is already on the fast line as well as on the E line. I would be very surprised indeed if individuals were prepared to move from the fast line to Crossrail. Most rail users are fairly rational beings and will look for the shortest journey time. Clearly, that will be the first line.

5718. Our second point is back to parking. If we assume for a moment that Crossrail goes ahead at Shenfield, there will be a reduction in car parking whilst that happens. Once the project is live, even if it is only 100 extra commuters, where will they park? The season ticket car park is full at the moment. I understand there is a waiting list for that season ticket car park so again I am particularly concerned as to where this additional traffic is going to park.

5719. Our final point is on our ability to sell our property without disadvantage. Properties are already being offered for sale at a discount on Hunter Avenue and failing to sell. As part of my employment, I may be required to move around the country with work. In that case, I will be forced to sell the property at a forced sale price, not necessarily an open market price. The number of house sales in Hunter Avenue has plummeted from 2004 to 2005 and there is no sign of that trend changing.

5720. Effectively, our choice to move has been taken away. The National Compensation Code and the hardship policy have been mentioned and we seek clarity, comfort and assurances in terms of compensation and further detail on that aspect. Thank you for your attention.

5721. **Mr Hodgkiss:** I am Gregory Hodgkiss. I am representing myself and my wife, Clare. Our Petition is 132. We live at 20 Herrington Grove which is one of the houses that backs on to the railway close to the end of where the platforms are at present and where the new platform will be.

5722. We have been told that we will be allowed temporary housing if necessary and noise insulation. What I would like to clarify is whether there is going to be some form of compensation or insulation offered to prevent the house being dirtied on the outside and suffering from damage from dust and, secondly, from vibration. The area where we live is built on Essex clay and it is only about three or four feet below the surface. As the trains go past on the embankment at the moment, they make parts of the house vibrate and I am concerned that when heavy machinery starts, pile driving and so on on the other side of the railway, there could be some resultant damage from that.

5723. There does not seem to be any mention of protection against vibration in the response we have received from the Promoters. We would also request that the Promoter cleans up the area afterwards, not only the exterior of the house but the garden and so on. We will be losing the amenity of the garden during the works. We would like assurance that there is going to be no work at weekends or between the hours of six in the evening and eight in the morning. At the moment we have two boys who are engaged in the next three years in public exams, A levels and GCSEs. It looks as though thankfully the works will not commence before they leave home so we are not particularly concerned about them but I work in London. I have to get up rather early in the morning and come back late at night, like many of the people working in our area. I want to be sure that we are going to have a decent night's sleep during the whole of the works.

5724. The final thing about the state of our house is that there are screens of trees on both sides of the railway and we are concerned by the possibility that these mature trees will be cut down and possibly replaced with saplings which will take a number of years to recover the current situation.

5725. Moving on to the blight that a number of petitioners have talked about, in the course of my job I will be called to work in various parts of the world and around London. I think in the next three or four years I will have to sell my house to move somewhere else. At present, there is at least one house in Herrington Grove which has been empty for a number of months now because the vendors

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are unable to sell. It seems to me that blight is a real thing which is already happening and, although the promoters did respond that there would be compensation for physical effects of the works, I am not sure that compensation for a loss in potential selling price is covered by that particular response.

5726. I believe the promoters should be clearer on what compensation will be given where people are forced into moving and therefore have to accept lower prices than would otherwise be the case.

5727. Finally, there is the matter of why Shenfield should be the terminus. The current Metro service, although regular, is not very well used as I see it. It seems to be used quite extensively by commuters coming from London who take advantage of the fast service to Shenfield and hop back on the Metro to go back towards London two or three stops because it is quicker to do that than it is to catch the current slow, stopping service out of London.

5728. As Crossrail is going to be using the same line and seems to be using the same service frequency and the same number of stations, I do not see what advantage this service will be providing to us. There will be no gain in time as far as I am concerned and I believe that this project represents a vast loss of opportunity. When I first heard of the Crossrail project, I envisaged trains from Southend going straight through to Reading or trains from Chelmsford and Colchester going through to Heathrow. Without having a terminus at Shenfield, these trains would run straight through and provide a great service for people living further outside London to get across London or go to London Airport. This does not seem to be the case. All we seem to be getting is a glorified tube service which does not provide any advantages to people who live so far out.

5729. At Shenfield at the moment, there are two platforms which are used by the Metro service. There are five sidings there, three of which do not seem to be used at all and the other two are used to stable a train overnight. I do not understand why such an extent of works is required at Shenfield Station, in effect to leave us with what we have at the moment and another platform, for which I do

not see the use. We are not going to be using Shenfield as a terminus or, if the existing platforms could be used, Crossrail has to be clear as to why they see the need to terminate the trains where they are and why they need the additional capacity in terms of platforms. Additionally, Stratford currently has a platform which is not used, as far as I can make out, by any of the train services coming down this line, platform 10A, which is used by the occasional freight train as a means of moving when it leaves the mainline at Stratford to head north. Why could not that platform be used as a terminus at Stratford if Stratford is the best place for the terminus? Thank you, ladies and gentlemen. That concludes my remarks.

5730. **Mr Liddell-Grainger:** Thank you very much. Ms Lieven.

5731. **Ms Lieven:** Sir, I am mindful of the time. What I would suggest doing is calling Mr Smith briefly to explain the hardship policy and deal with some of the specific points raised. Then we will try to call Mr Thorney-Taylor, if we have time, on noise. Mr Berryman and Mr Anderson are both going to be called tomorrow in any event, so if we call them once tomorrow and pick up any specific points from today but also to cover any Brentwood Council points, the only question that is then left is how to close on these Petitioners. I am obviously not going to be able to do it this afternoon. I will leave it to the Committee to say whether you want me to close.

5732. **Mr Liddell-Grainger:** We will finish tomorrow. I am sure you will return tomorrow. You are due to be here tomorrow?

5733. **Mr Welfare:** Sir I was not expecting to do so. Indeed, I was just seeking instructions as to whether, from our point of view, that causes any difficulties. We had had an indication that there was a change in the expectation that we would hear from Mr Berryman today. However, in the absence of any firm indication I do not think I have any point in response.

5734. **Mr Liddell-Grainger:** Thank you very much.

5735. **Ms Lieven:** I will proceed directly to call Mr Smith.

Mr Colin Smith, recalled

Examined by Ms Lieven

5736. **Ms Lieven:** Mr Smith, the Committee has already heard evidence from you so I do not need to introduce you. What I would like to try to focus on as much as possible is specific points raised by Petitioners. The Committee has some familiarity with the Compensation Code by now but a number of Petitioners have raised issues in relation to blight where they say their property is currently blighted and they want to know what can be done about it.

Perhaps, before you start to explain, I could refer the Committee to information paper C8 which sets out our hardship policy.²¹ Perhaps, Mr Smith, you could just explain briefly how the hardship policy works and what the relevant criteria are, and then we will look at a couple of specific examples.

²¹ Crossrail Information Paper C8—Purchase of Property in cases of hardship (LINEWD-IPC8-001).

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(Mr Smith) Yes. Very briefly, if people have their properties acquired for the purposes of the works then there are provisions under the Compensation Code for them to require the acquiring authority to purchase in advance in certain circumstances. It is set down in the law. That situation does not apply in cases such as we have seen here, in Brentwood, where the Promoters proposed to undertake works on land which is not owned by any of the various people that have been here. Indeed, it is going to be on other land. Taking that into account, the Promoters have introduced a hardship policy which tries to replicate the blight provisions, to some extent, in saying that where hardship would arise to somebody as a result of the proposals, then subject to certain requirements they would be able to require the Promoter to purchase their property in advance.

5737. I was going to say, can you just run us through the criteria that need to be met?

(Mr Smith) Yes. There are six broad requirements, and I will try and keep it quite simple. Firstly, they have to have what is called a qualifying interest, so that, basically, they are residential occupiers—in this case, they own their own homes. They should not be required for Crossrail works. So, if any land is required for the Crossrail works they go into the blight provisions. Thirdly, enjoyment must be seriously affected as a result of the Crossrail works over a sustained period. Fourthly, there must be a compelling reason for the applicant to sell. Examples may be a change of job requiring somebody to go to another part of the country or somebody taking their own firm and, therefore, needing to move. Those are just two examples—there has to be a compelling need. Fifthly, that there should have been no foreknowledge of the Crossrail proposal. Obviously, if someone buys in the full knowledge of Crossrail then this policy will not apply because they have come into it with their eyes open. Lastly, the applicant should have made reasonable endeavours to sell and have been unable to do so except at a price that is at least 15 per cent lower than that level that would have been expected had it not been for Crossrail. So, in other words, there must be a depreciation in value of around 15 per cent.

5738. Before we come on to the process of the hardship policy, I just want to use two of the Petitioners who have appeared today. Obviously, you cannot give any commitment as to whether or not they meet the policy criteria—that is a matter for the process that will be explained—but I would like to use them as an example. Mr and Mrs Wood, who live in Friars Avenue. We have heard that Mrs Wood is a music teacher and she teaches from home. Now, assume the situation is that there is going to be a significant noise impact on their property for a period of a year and the evidence shows that that will make it very difficult for her to teach music at home. Now, I am not saying that

is the evidence but if that was the situation, that type of situation in principle, how would that be approached under the hardship policy?

(Mr Smith) My own feeling would be, having heard that, that if Mrs Wood is going to be impacted as a result of the construction of the works for that sort of period and, therefore, could not teach at home and therefore had to move, I think, on that criteria, she would pass.

5739. Another example from this morning are Mr and Mrs White, who also live in Friars Avenue. Mrs White suffers, we are told, from severe asthma and chest problems and is quite elderly, as I recall. If there was evidence that the works were going to have a significant impact on that property in terms of noise and that was likely to have an effect on her already poor health, is that a matter that the hardship policy takes into account?

(Mr Smith) Yes, it is. It is exactly that sort of thing that it was trying to catch.

5740. Can we then move on to the process for the hardship policy, because Mr Welfare, on behalf of a number of the local residents, made the point strongly that there should be some kind of independent process for assessing whether people were eligible and it should not all be simply at the Secretary of State's behest. Can you explain how applications for hardship are processed?

(Mr Smith) Yes, I can. Very briefly, the Secretary of State has established a Crossrail Discretionary Purchases Panel which includes upon it an independent lay member sitting on that panel. Each case is going to be considered on its merits, but there is an independent person sitting on that panel who will independently report to the Secretary of State on each hardship application. So that is point number one. Point number two: the valuations are not undertaken by Crossrail or the nominated undertaker. There is a process. In fact, Crossrail procure the services of a number of independent surveying firms and, in assessing the value, that again is undertaken independently. We have two independent valuations and the average price of the two valuations is taken as to the market price of the property. I just want to make it clear that as far as is possible there is an independent process to consider this and it is not all in the hands of one person acting as judge and jury.

5741. Assume that the panel recommends that the person is eligible for the hardship policy and the Secretary of State determines that that is so, and therefore we get to the stage where their property is to be acquired. How much is actually paid for the property?

(Mr Smith) The price paid for the property would be the market value ignoring the blighting effect, if there is any. If there is a blighting effect, obviously, it ignores the blighting effect of Crossrail, so it would be as if Crossrail were not there.

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5742. Finally on the hardship policy, is it possible for people to apply and, indeed, for the policy to be met now?

(Mr Smith) Yes, the policy was introduced last year and it is applying now, and people can apply now. The policy runs up until 12 months after the line is open to the public.

5743. I have two other questions on compensation which arise directly from Petitioners. First of all, I think it was Mr and Mrs Dunsdon, who back on to the platform, who were concerned about physical damage to their house from the works—for instance, by vibration from the construction. I think Mr Rupert Taylor will give evidence that actually there is no predicted vibration impact here, but presume that was wrong for a moment and there was physical damage to the house. Is that something that is compensatable under the Compensation Code?

(Mr Smith) If it is physical damage to the property, yes, that would have to be rectified, and the cost of that would be payable from the Compensation Code. Physical damage.

5744. In some ways this is a similar point: some Petitioners have been concerned about the impact from the operation of Crossrail. Mr Taylor will give evidence that there will be no material increase in noise from Crossrail. Again, assume that is wrong and there was materially increased noise from the operation of Crossrail. Is that something that is compensatable?

(Mr Smith) Yes, it is. There are provisions under the law, the Land Compensation Act, that enable an owner to apply for depreciation arising from the operation of the new public works, insofar as they are physical factors such as dust, noise, fumes or artificial light. The extent to which in this case any intensification of that use—obviously it is already a railway but Crossrail may intensify the use of that railway, so the extent to which any of that changes through that intensification of use and depreciates the value of the premises is something that the owners are eligible to claim for.

5745. **Ms Lieven:** Those are all my questions to you, Mr Smith. Can I just say, sir, obviously there have been a lot of issues raised today by individual Petitioners and I do not want to spend the Committee's time going through all of them with Mr Smith, but I do want to make public the offer to those Petitioners who have spoken today or who are here now, or perhaps have been represented by Mr Welfare and have not spoken, that members of the Crossrail team are more than happy to talk to them. They may not be able to do it this afternoon but if they want to approach us and make appointments, Mr Anderson is quite happy to meet people to discuss their concerns. Obviously, we are concerned if people are not understanding the true position. So rather than do that through Mr Smith at great length now, I want to make that offer

public and on the record so that people feel they can approach us to discuss their concerns. Those are all the questions I have for Mr Smith.

5746. **Sir Peter Soulsby:** I understand the offer you are making, Ms Lieven. I suppose, from the Petitioners' point of view, it is probably one they welcome the opportunity to hear, but obviously from the Committee's perspective we do need to hear evidence in front of us on the issues.

5747. **Ms Lieven:** Sir, this is a very difficult situation, from everybody's point of view, I suspect. I can go through each Petitioner and ask for Mr Smith to comment on their position. My suggestion would be that the Committee has sufficient material in the information papers and the very extensive Petitioner Response Documents that we have put in on every Petitioner and the evidence that Mr Smith has now given on the hardship policy to satisfy the concerns—remembering, of course, that this Committee is not a Lands Tribunal and cannot actually determine compensation in any event. However, equally so, I am here to represent the Promoters and if the Committee is not satisfied it has heard sufficient evidence then I must call further evidence, out of fairness both to the Petitioners and the Promoters.

5748. **Sir Peter Soulsby:** I think what we need to be sure of as a Committee is that all of those themes that have come through from the Petitioners are adequately addressed in front of the Committee so that we are aware of the general situation. I think we can note the offer that you have made on behalf of the Crossrail team to have discussions with further clarification with individual Petitioners in addition to that, so long as we do not, as a Committee, fail to hear the general themes being addressed appropriately.

5749. **Ms Lieven:** There is one other point I should make clear at this stage, sir, which may or may not put the Committee's mind at rest. As we have made absolutely clear on earlier Petitions, it is our position that this Committee should not vary the National Compensation Code. So as far as the hardship policy is concerned, it is obviously appropriate for the Committee to hear evidence to consider how it is applied. As far as the National Compensation Code is concerned, we say that that is a national scheme which should be applied fairly across the country, and it would be quite wrong in principle to start varying it at different locations. So there are a good deal of the points raised by Petitioners which go to the National Compensation Code and which, therefore, it is not necessary, in my submission, for the Committee to consider in any further detail.

5750. **Sir Peter Soulsby:** We have heard you say that. Of course, as a Committee we have not yet taken a view on that, but we understand the arguments. We are running towards the end of our time for today. I would suggest, unless Mr Welfare

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can be incredibly brief—I am sure you would undoubtedly but whether four minutes is enough. Mr Welfare, do you actually believe that you can get your cross-examination in in the time remaining to us?

5751. **Mr Welfare:** We seem to have lost a little time. In view of your scepticism I will withdraw.

5752. **Sir Peter Soulsby:** I think it would probably be sensible now to have all the cross-examination of Mr Smith in one go. Of course, it is not just you who has the right to cross-examine, it is the other Petitioners as well. I think it would be sensible to take that in one go tomorrow. I intend, in that case, to adjourn the Committee in a few moments. However, just to reinforce that point, Mr Welfare, will, of course, have the opportunity to cross-examine witnesses in front of us, as do other Petitioners. So that does mean that if other Petitioners do want to be present tomorrow to

cross-examine Mr Smith or, indeed, any of the other witnesses that are called they are obviously very welcome to do so.

5753. **Ms Lieven:** Sir, can I just raise what happens tomorrow in practice, very briefly? Mr Smith returns, and then we will call Mr Rupert Thorney-Taylor. There is then an issue as to whether we then go directly on to call Mr Anderson and Mr Berryman so that they are dealt with for Shenfield as a whole (I cannot imagine the Committee is going to want to hear them twice in the space of the same day on closely related topics) or we can reserve their evidence until we have heard the evidence of Brentwood Council and then they give evidence on that.

5754. **Sir Peter Soulsby:** As we understand it, Brentwood are going to be covering some of the same issues. It would, in those circumstances, be sensible to hear from your two other witnesses after we have heard from Brentwood.

5755. **Ms Lieven:** Certainly, sir. That is very helpful. Thank you very much.

Wednesday 29 March 2006

Before:

Mr Alan Meale, in the Chair

Mr Brian Binley
Ms Katy Clark
Kelvin Hopkins

Mrs Siân C James
Mr Ian Liddell-Grainger
Sir Peter Soulsby

Ordered: That Counsel and Parties be called in.

5756. **Chairman:** Can I remind everyone in the room that it is our normal practice to suspend the Committee for 15 minutes at 11.30 so that people may go along to the waiting room to have a cup of tea or coffee. I am not going to do that today, I am going to suspend at 11.45 and then there is no need for us to come back to this until this afternoon, if the Committee is still going on this afternoon. I think that is more sensible, so people have a little longer for a break. I understand that Mr Colin Smith is being examined by Ms Lieven on concerns related to hardship. I wondered if you had any further questions, Ms Lieven.

5757. **Ms Lieven:** No, sir, the examination in chief has finished, but we adjourned a little earlier because it was two minutes before the end of the day and there did not seem any point in people asking questions. I think that Mr Challis from Bircham's wants to make a very short statement about the position on Great Portland Estate.

5758. **Chairman:** Thank you very much indeed. If we could do that, first? Mr Challis, if you would like to make your statement?

5759. **Mr Challis:** Thank you, sir. I will be very brief. I am appearing this morning for Great Portland Estate plc. The position in relation to that Petition is that the terms of the undertaking have been substantially agreed and upon that basis it is not the company's intention to appear before you today.

5760. **Chairman:** That is most helpful; thank you very much indeed. We will go back to Mr Smith and his evidence. Mr Welfare, do you want to cross-examine?

5761. **Mr Welfare:** Thank you, sir.

Cross-examined by **Mr Welfare**

5762. **Mr Welfare:** Mr Smith, when we adjourned yesterday you described in your evidence the hardship policy, describing the situation where somebody has to move or has a compelling reason to move and is affected by a scheme of this type. The questions I would like to put to you are designed to establish its limits a little more clearly from the point of view of residents. You have described six criteria for the hardship policy, the fourth of which—and this is Information Paper C8 from which you have taken those conditions—is that there is a compelling

reason to sell. That is on the second page of C8.¹ Can I ask you to confirm that therefore the hardship policy does not apply to a resident affected by Crossrail in this instance, who does not wish to move but is concerned about the value of their house?

(Mr Smith) Yes, that is correct, the policy is aimed at people who have hardship, and mitigating hardship.

5763. Nor against someone who, for example, might wish to borrow against the value of their house and that value is diminished?

(Mr Smith) Unless that leads to hardship

5764. One of the requirements is a compelling reason to sell, but if they are not looking to sell, they are looking to stay where they are but to enlarge the borrowing on their house.

(Mr Smith) Yes.

5765. In other words, somebody may have suffered a loss or be facing a loss but not have a compelling reason to move and the policy does not help them in those circumstances. Condition 5 was that there is no foreknowledge of the Crossrail project, in other words that somebody has not bought a house knowing that Crossrail is in the offing and thereby put themselves in the position of standing outside the scheme; the buyer knew or ought to have known about Crossrail. Is that foreknowledge now in effect a criteria?

(Mr Smith) Yes.

5766. From what date did it take effect?

(Mr Smith) I believe it was December 2003 when the most recent Crossrail proposals were put forward.

5767. So from December 2003, somebody who bought a house affected by Crossrail is deemed to have the knowledge that it puts them outside the scheme, in terms of hardship suffered?

(Mr Smith) Yes.

5768. That is despite the fact that Crossrail has not as yet been approved by Parliament and is obviously in front of this Select Committee at the moment to approve its precise terms. The sixth condition was that an owner had made reasonable endeavours to

¹ Crossrail Information Paper C8, Purchase of Property in Cases of Hardship, 3(d) (LINEWD-IPC8-002).

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sell and could not do so except at a price at least 15 per cent lower than the market value had Crossrail not occurred. That is right, is it not?

(Mr Smith) Yes.

5769. To state the obvious the loss of 10, 12 and, on the margin, 14 per cent does not qualify under this scheme.

(Mr Smith) No.

5770. Therefore residents are expected to bear in effect that loss as a consequence of Crossrail without the scheme giving the any assistance in that event?

(Mr Smith) In essence a line has to be drawn somewhere, but the harsh answer is, I suppose, yes, there has to be a line and if that is 15 per cent then someone who does not suffer it will not gain from it.

5771. Almost we are saying 85 per cent, let us say, rather than 100 per cent?

(Mr Smith) Yes.

5772. My learned friend, Ms Lieven, yesterday gave you the example of Mr and Mrs Wood, whom I do not represent—Mr Wood appeared representing himself. Mrs Wood is a music teacher and Ms Lieven put to you the situation—without accepting that this is the fact, I must point out—that if Mrs Wood, let us say, found it very difficult to teach, or would find it difficult to teach at home for reasons of noise, and indeed has to move. You said that if she could not teach at home and therefore had to move she would qualify under the scheme.

(Mr Smith) Yes.

5773. If there were quite severe noise disruption, but short of preventing her teaching at all—suppose the pupils still come but it is noisy and makes the lessons more difficult, or some pupils come but fewer than previously or fewer than might have been expected—would the hardship policy apply in that event?

(Mr Smith) I think you have to look at each case on its merits. I am getting a little . . . I think if someone could not carry on their business reasonably there, as a result of the noise, and all the other various criteria were settled then, yes, she would fall within it, but I am not quite sure on the gradings down from that—I am not quite sure what is involved. If she does not want to move then presumably she will not wish to sell and therefore the hardship policy will not come into play.

5774. That is really the point that I am seeking to illustrate, but I am not in any way trying to tie you to any specific incidents or indeed to giving too firm a judgment on where a particular case or any case might fall in a range—clearly there is a range. But the fact is that under the hardship policy if somebody is not obliged to move but suffers some detriment to their business—in this respect let us say fewer pupils—then the policy is not going to help them?

(Mr Smith) No, they would then have to fall on the Compensation Code, compensation, rather than the hardship policy.

5775. If the disruption is temporary—let us stay with the music teacher for a moment—and it is through the construction period but it is not permanent, that would fall short of a compelling reason to move, would it not?

(Mr Smith) It is a matter of degree, I would say, in each case, and the extent to which the interference made it impossible for them to continue. So, no, I do not think that we could actually say no it would not apply.

5776. In certain circumstances it may be impossible to continue but in other circumstances there may be a temporary disadvantage to a resident which is going to put them outside the scheme, and it will vary on the circumstances?

(Mr Smith) Absolutely, yes.

5777. All I am trying to establish is that there are boundaries and difficulties with this.

(Mr Smith) Yes, there are. As I said, there is a lay member on the Hardship Panel, appointed by the Secretary of State, and I think that was brought in on the basis that there would not always be clear black and white and there may be shades of grey, and having an independent member just looking at the particular situation would help independently to determine how those should be dealt with. But I have to confess that I cannot really put it any more than that. I do not pretend that each case will be easy and there will be a clear black and white situation for the Committee. The reason for the lay member is to try to help that assessment as well as any other expert evidence given.

5778. Mr Smith, you helpfully described the position of the lay member to the Committee yesterday because Ms Lieven asked you about the process for the hardship policy and you described the Panel arrangement. She was referring to my remarks about the need for an independent process but my remarks had actually concerned noise insulation and, on occasion, temporary re-housing decisions and the need for a consultation process in that area, which placed the decision in the hands of the independent party such as the local council. So can I ask you not about hardship policy but in relation to noise insulation and temporary re-housing? I realise that these may also be questions for Mr Thornely-Taylor. Decisions about which given property qualifies for insulation or does not or qualifies for temporary re-housing or does not are not made under the process you have described, they are not under the hardship policy, are they?

(Mr Smith) No, they would come under the noise policy.

5779. The noise and vibration mitigation scheme.

(Mr Smith) Yes.

5780. Those decisions about who qualifies and who does not are made by Crossrail, are they not?

(Mr Smith) Ultimately, yes, by the Nominated Undertaker and the Secretary of State.

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5781. So not, therefore, with the involvement of an independent member?

(Mr Smith) Not as far as I can see. Obviously Mr Taylor is the expert on that point.

5782. I will put that question to Mr Thornely-Taylor.

(Mr Smith) Reading the policy my interpretation is that there is no lay member or independent assessment.

5783. From your understanding it is not the local authority or, as you say, another independent person does not join to set the noise levels and does not make a decision as to who qualifies?

(Mr Smith) No, but I think Mr Taylor should confirm that, he is the expert on that.

5784. **Mr Welfare:** With the Chairman's permission I will pursue that with Mr Taylor. Thank you, Mr Smith, I have no further questions.

5785. **Chairman:** Would any of the listed Petitioners from Brentwood like to ask the witness some questions?

5786. **Mr Jardine:** Yes, please.

5787. **Chairman:** Would you give us your name, please?

5788. **Mr Jardine:** My name is Christopher Jardine and I presented a Petition yesterday, sir.

Cross-examined by **Mr Jardine**

5789. **Mr Jardine:** One of the Petitions I presented was Petition 253 relating to the White family, and as I described they are two elderly people and they have a son living with them. They are two elderly people who suffer quite bad health. Indeed, Ms Lieven referred to that case at the beginning of the examination of Mr Smith as an example. It is an asthma case, just to refresh your memory. The situation, as I understand it at the moment, is that these people qualify to have their house purchased but not until nine months before the work starts in their particular vicinity. I would like to put the point that, given the trauma of moving house, even for healthy people, and the time needed to find an alternative property, and the fact that often chains are involved—although that would only apply on the purchase in this case—whether Mr Smith considers that arrangement to be equitable? And given the fact that eventually it is going to happen anyway would it not be better to offer something that commenced from the point when the Bill is passed or certainly at a much earlier stage in life?

(Mr Smith) I do not know where these nine months came from, to be honest. As far as I see the position the hardship policy is in case and in effect now; that the policy applies now. So someone suffering hardship now can apply. The point is that with the proposals actually in the public arena hardship could arise and I believe that the Secretary of State

therefore decided to implement the policy immediately. So the people you represent should not have to wait until nine months before the works start.

5790. I think it comes under 3.5.2(d), paper C8: “Where the serious effect is itself a compelling reason to move (i) the applicant, or a dependant living with the applicant, has a medical condition which is likely to be severely aggravated by physical factors caused by the construction works, e.g. noise and dust.” I am sure that I saw it somewhere else, that this actually came into effect nine months within the . . .²

(Mr Smith) I do not see it . . . It does say over the page nine months, you are quite right, 3.5.4, ground (d), where it is related to the construction works an offer will not be made to buy earlier than nine months in advance. Let me try to explain a bit. The hardship policy is in place now. If the hardship will only arise when the construction starts . . . Obviously we will be looking to acquire in that particular case just before, but there may be other hardship which arises which is not related to the timing of the construction. I did not want the Committee to think that the hardship policy is not in place now. If the people you are referring to would only suffer hardship as a result of the dust from the construction and they enjoy living in Shenfield, then maybe it would be better to wait until nine months or a year before and then deal with it then. I think that is the situation. So in their particular case, if they are affected by the construction then that would be the way we would probably deal with it in line with this policy. But if they suffer hardship in any case as a result then they should submit a claim, now. If that helps?

5791. **Mr Jardine:** I understand the answer; it is not what I wanted to hear though.

5792. **Chairman:** Are there any other Petitioners who wish to ask questions? Would you give your name?

5793. **Mrs Ennals:** Susan Ennals.

Cross-examined by **Mrs Ennals**

5794. **Mrs Ennals:** I hope I am not repeating what has already been said, but yesterday I did explain that our house is immediately adjacent to the proposed construction site in Hunter Avenue car park. As yet we have not been given any information as to what use that construction site will be put to, what will be placed on the construction site. Unfortunately there is no buffer zone; the lorry transport, presumably, is to be directed straight in adjacent to our property. Also there is going to be an access way from the worksite up to where the eastern sidings are going to be placed. We wondered what the noise factor will be continuously during the day. At the moment it is a car park and it is obviously quiet, people park their cars and they leave them for a long time, collect them and then go away. So we do

² Crossrail Information Paper C8, Purchase of Property in Cases of Hardship, 3.5.2 (d) (LINEWD-IPC8-004).

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not have noise problems from that point of view. We wondered what type of compensation or help we are going to be given and what we are going to be offered. I have a condition which unfortunately makes me hypersensitive to noise. It was registered in the 1990s and my GP knows about it, and obviously noise will be a very big factor in our consideration.

(Mr Smith) If it will help the Committee, broadly the situation is . . . There are so many Petitioners and I think yours is?³

5795. We are immediately adjacent to the Hunter Avenue car park.

(Mr Smith) The situation in terms of compensation is this, that in terms of the Compensation Code the Promoters are not acquiring land from the Petitioner and the compensation payable for the work on the adjoining land would be—how can I put it?—the same basis as if that was being developed for flats or houses. Unless the contractor infringes a legal right or creates a nuisance, et cetera, there is no right to claim, or there is little compensation payable. However, what we are looking to do is to have a noise mitigation scheme. I think Mr Taylor will explain how that will work, but broadly we will consult with people to try to assess their needs in terms of noise insulation and agree a package there. If despite that the noise is still felt to be too high, and we felt that the noise levels were such that they would be above the trigger levels which Mr Taylor will tell you about, then we can also plan any temporary re-housing that may be necessary during the period of the noisy works that may be on that site. Obviously it will not always be very noisy but there may be periods when it is noisy, so we can discuss that. So in terms of the actual worksite that is what will happen, that there will be a more detailed appraisal as more detailed plans come forward of the actual periods and the type of noise that emanate from that. We will discuss with you noise insulation to your property and then discuss with you whether the noise insulation applies—and I should think it probably would—and then we would discuss with you any temporary re-housing that may be necessary as a result of that. So they are the sort of packages that would arise from the works themselves.

5796. **Chairman:** Mr Smith, would you also give an undertaking here on the other question which Mrs Ennals raised, which is about more detailed information about what exactly is going to happen to affect her property? Can you give that undertaking for that?

(Mr Smith) Yes, of course; of course.

5797. **Chairman:** Are there any other Petitioners? Ms Lieven.

Re-examined by **Ms Lieven**

³ Crossrail Ref: P70, Plan & Map of Hunter Avenue, Alexander Lane, Herrington Grove, Mount Avenue & Pine Croft (Location of Petitioners) (BRWDBO-14903-008).

5798. **Ms Lieven:** Just a few points, Mr Smith. First of all, Mr Welfare asked you a question about foreknowledge and the dates. Can I ask for C8, the hardship policy to be put up because this explains the position on foreknowledge at 3.7.2?⁴ I am not going to read it all out but in summary the position in Shenfield is that the works were safeguarded only in October 2004 and therefore, as I understand it, the relevant date for the purpose of foreknowledge is October 2004.

(Mr Smith) I accept that.

5799. Which of course is more preferable for the Petitioners because it means anybody who bought before October 2004 will satisfy the foreknowledge criteria; is that right?

(Mr Smith) Correct.

5800. Mr Welfare's question relating to Mr and Mrs Wood, as far as the question of whether or not it is reasonable for Mrs Wood to carry on her business in the property is concerned, is that a matter that will be judged solely by the Secretary of State or is there an independent element in deciding that issue?

(Mr Smith) There would be an independent element; the lay member will also consider whether they felt that was reasonable to do. So, as I explained yesterday, Crossrail will not be judge and jury on these things, but the lay member can and will make an independent report to the Secretary of State on individual cases.

5801. Finally on Mrs Ennals. I will ask Mr Berryman to explain what is happening at the Hunter Avenue worksite later because obviously that is something that he can deal with rather than Mr Smith. Mr Smith, you did say that a claim might be possible if there was nuisance. Can you explain in relation to the Compensation Code what nuisance means? In particular if the works are carried out with all reasonable care by the Nominated Undertaker would there be any claim in nuisance?

(Mr Smith) No, in short. The fact is that if anybody owns a house and they have a development site, say, over the road or alongside, we do suffer temporary disruption, shall we say, but provided that no legal rights are infringed then we cannot claim from that developer, and exactly the same situation applies to Crossrail here. Provided Crossrail act reasonably there should be no claim.

5802. **Ms Lieven:** Those are the only points I have, sir.

The witness withdrew

Mr Rupert Thornely-Taylor, Recalled

Examined by **Mr Mould**

⁴ Crossrail Information Paper C8, Purchase of Property in Cases of Hardship, 3.7.2 (LINEWD-IPC8-005).

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5803. **Mr Mould:** Mr Thornely-Taylor, before I ask you any questions can you assist the Committee in this way? The question of airborne construction noise and mitigation measures, including those which apply at source and in relation to those you class as receptors, those who are affected by noise, that is as matter upon which Tower Hamlets London Borough Council are to petition the Committee as a legal authority, that is correct, is it not?

(Mr Thornely-Taylor) I believe that Tower Hamlets will be representing all authorities on that point and you will be hearing a generic case about it.

5804. That of course embraces the impact of noise generated by worksites?

(Mr Thornely-Taylor) Yes, it does.

5805. In relation to surface noise from the operation of Crossrail following completion of the project, that is a matter upon which Newham London Borough Council are acting as legal authority in the same way, is that correct?

(Mr Thornely-Taylor) That is what I understand.

5806. Turning then to my questions for you today. Yesterday a number of Petitioners expressed concern about the assessment process method that has been deployed in order to understand the degree to which those living near to the Crossrail works will be affected by noise and by vibration generated by those works. Can you explain to the Committee how that process works and comment on it in relation to its consistency with prevailing legal and environmental standards and the object of that assessment in relation to what it is trying to achieve?

(Mr Thornely-Taylor) The Environmental Statement preparation is of course a legal requirement and of necessity takes place quite early on in the planning of a project. It follows well-established procedures for environmental assessment and part of that procedure is the prediction and assessment of likely levels of construction noise, or the specific requirements. As part of that process best estimates are made of likely methods of working, duration of working and types of plant which enables those preparing the Environmental Statement to have a preliminary estimate of who might ultimately be eligible under schemes for noise insulation and temporary re-housing. It is important to recognise that while the results of that process are set out in the Environmental Statement that is not a definitive statement of who is ultimately going to be eligible; it is the likely position at the time of preparation of the Environmental Statement. The process involves first of all considering broadly over what distance significant effects are likely to occur—and it is significant effects that the law requires that one assesses—and the duration, and that produces a scope within which the predictions are made and the conclusions reached as set out in the ES, as it is known.

5807. Does distance from the works themselves have a part to play in that method?

(Mr Thornely-Taylor) Yes, it does because clearly it is necessary to restrict the computation, the intensive noise prediction work to an area within which you could be sure the likely effects will occur. So the noise model that is used has a distance within which consideration is given and within which all the significant effects ultimately fall.

5808. Yesterday one of the Petitioners, I think it was Mr Sabin, who lives, if you recall, at Hunters Mount, expressed concern as to whether differences in topography and the impact that they may have on noise impacts from the worksite, had been provided for in the assessment process.⁵ Can you comment on that?

(Mr Thornely-Taylor) Certainly within the spatial scope that I have described topography is taken into account. I should say that significance is not by any means the same as audibility. We heard yesterday a number of residents pointing out that they are in the natural amphitheatre and they can hear things taking place at the station from some distance. No mistake must be made that because a significant effect is not identified nothing will be heard; there is a step between hearing things and there being significant effect. People in the more elevated areas we heard about yesterday are actually outside the distance of which significant effects are predicted to occur.

5809. Another point raised yesterday was the degree to which the assessment process is able to embrace noise impact on the community as a whole as opposed to individual householders. First of all, in so far as the assessment process that you have just described in summary is concerned, does it change depending on whether the area in which the assessment is taking place is one which is heavily or sparsely populated?

(Mr Thornely-Taylor) It is an objective process which is the same at all sites. Obviously in a densely populated area there are many more houses included in the model and the topography reflects this. But otherwise it is basically the same system wherever the predictions are being made.

5810. In so far as what might be described as community impacts are concerned, is there at any stage in the process of assessment and the consideration of mitigation measures that might be available—whether at source or at the receptors' end—any account taken of community impact?

(Mr Thornely-Taylor) Yes, there is, because clearly if a significant number of people, for example, would be offered temporary re-housing there is a community consequence to that and the Environmental Statement in the Community points out that the prediction is that 35 people would be eligible for temporary re-housing, and that could have a significant community effect over and above the specific noise effects.

⁵ Crossrail Environmental Statement, Shenfield Station Project Works & Impacts, Map NE17(ii) (LINEWD-ES17-102).

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5811. Can we turn to the question of regulation and the controls which are in place in that respect whilst the work is going on? We have heard a little on this before from you, but summarise, please, what is the extent, if any, to which the Crossrail Bill and Crossrail scheme proposals change the statutory controls on noise and vibration under the Control of Pollution Act 1974?

(Mr Thornely-Taylor) The only change in the Bill is a dis-application of the right of a person to make a complaint direct to a Magistrate or when there exists a notice under Section 61 of the Control of Pollution Act. Apart from that the position is not changed by the Bill and the well-established national provisions and established practice for construction noise mitigation applies to Crossrail.

5812. Who is the regulatory body that operates the statutory control regime under that statute in relation to Crossrail?

(Mr Thornely-Taylor) The regulatory body would be Brentwood Borough Council, as provided for in Section 61 of the Control of Pollution Act.

5813. What is the statutory standard against which that regulatory body operates those statutory controls?

(Mr Thornely-Taylor) The statutory controls are effectively the power to bring about the use of the best practicable means and the method of working and plant used for the site.

5814. So is this right, that the constructor—in this case the Promoter or the Nominated Undertaker—would need to bring proposals before the regulatory body, Brentwood Borough Council, to show that best practicable means were to be employed in relation to the works which were the subject of the Council's consideration under the Control of Pollution Act?

(Mr Thornely-Taylor) That is right. One further matter as far as this Bill is concerned, I believe I am right in saying that it does change the route of appeal against a notice or a consent issued under Section 61 to the Secretary of State, instead of the Magistrates' Court. I hope I am right.

5815. That was the point you were making a moment ago.

(Mr Thornely-Taylor) There are two different points. There are two modifications to the Control of Pollution Act in the Bill, if I am right.

5816. In so far as the local authority's role is concerned, that role, as I understand your evidence, does not change in relation to Crossrail and that would apply generally?

(Mr Thornely-Taylor) No, indeed. The appellants' tribunal would either be a Magistrates' Court or the Secretary of State.

5817. A final point on the 1974 Act, does it embrace control over vibration as well as over noise?

(Mr Thornely-Taylor) Yes, it does. It expressly provides for the word "noise" to include vibration.

5818. In the light of the environmental assessment that has been carried out in relation to the works at Shenfield, is there any expectation of any significant vibration impact being experienced?

(Mr Thornely-Taylor) No significant vibration effect is identified in the Environmental Statement.

5819. Can we then turn, in the light of the concerns expressed by the Petitioners yesterday, to consider the mitigation package that is expected to be available in relation to the Shenfield worksites? First of all, mitigation at source. What is proposed in that respect?

(Mr Thornely-Taylor) Three things. There are explicit references in the Environmental Statement to the noise barriers that are provided for, both around the worksites at the height of 3.6 metres and alongside the railway at 2.4 metres. There is explicit reference to the acoustic enclosure and the fixed plant, and they are over and above that, as I have already explained about securing the best practicable means throughout the works through the Section 61 process.

5820. Turning to mitigation measures at the receptor end, on the screen is the noise and vibration mitigation scheme Information Paper D9.⁶ What are the mitigation measures that are proposed at that stage of the works?

(Mr Thornely-Taylor) The noise and vibration mitigation scheme effectively puts into practice the discretionary power to provide noise insulation from construction noise that appears in the noise insulation regulations for railways. The works included are specified in those regulations and in short they are the provision of secondary glazing, the provision of a noise attenuated ventilator and, in appropriate circumstances, secondary doors, and in the space between the two panes and secondary glazing there is provision for Venetian blinds to reduce solar gain.

5821. In terms of the mitigation you have just described what is it intended to achieve in terms of the internal noise environment within the affected properties?

(Mr Thornely-Taylor) I will answer that in two ways. One is an historical one in that all these insulation schemes have been introduced with the intention of applying them equitably across major infrastructure schemes. The original one was highways and the purpose was to provide noise mitigation when the predicted noise exceeded the acceptable. Put in more general terms, the objective is to make it possible to continue to occupy a building in a reasonable manner throughout the works without unacceptable interference by noise.⁷

⁶ Crossrail Information Paper D9, Noise and Vibration Mitigation Scheme (LINEWD-IPD9-001).

⁷ Crossrail Information Paper D9, Noise and Vibration Mitigation Scheme (LINEWD-IPD9-002-005).

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5822. In circumstances where even if such insulation measures were provided and taken up that objective would still not be achievable is there any further mitigation that the Promoter is proposing to offer?

5823. *(Mr Thornely-Taylor)* The further mitigation is the temporary re-housing scheme when, even after providing secondary glazing, the internal noise levels would not meet the criteria I have just mentioned and then temporary re-housing would be offered.

5824. By what criteria is the judgment made as to whether either noise insulation package or in appropriate cases temporary re-housing is offered to affected householders?

(Mr Thornely-Taylor) There is a formal process which takes place much closer to the start of construction than we are now when the contractor is known, his methods of working are known and detailed predictions are made and it is set out in an appendix to Information Paper D9, a very formal process for identifying whether or not the noise will exceed bigger levels for the required duration.

5825. **Mr Mould:** Are those levels prescribed noise levels which effectively operate as a trigger in relation to eligibility for noise insulation or, in appropriate cases, temporary re-housing?

(Mr Thornely-Taylor) Yes, they are.

5826. That being the mechanism, is it appropriate that there should be some arbitral regime in relation to eligibility for one or other or both of those packages of mitigation?

(Mr Thornely-Taylor) Effectively, there are two stages to that. There is a procedure for applying to the Secretary of State if a person believes they should be entitled and have not been offered either noise insulation or temporary re-housing. Should the Secretary of State decline that application and the person applying feel aggrieved, there is the separate process of the Independent Complaints Commissioner, who would be available to receive a complaint of that kind.

5827. For the Committee's note, that is information paper F5.⁸ Finally on noise and vibration mitigation, does that reflect a model that has been deployed effectively in relation to other major infrastructure projects?

(Mr Thornely-Taylor) It is very similar, differing only in detail, to those used for the Jubilee Line extension and the Channel Tunnel Rail Link, to name but two of the major recent infrastructure projects.

5828. Can we just pick up on the position in relation to Mr and Mrs Ennals at 69 Hunter Avenue?⁹ On present assessment, can you help us with their eligibility for one or other or both of those mitigation packages?

(Mr Thornely-Taylor) If I remember rightly, Mr and Mrs Ennals live two houses away from the north-eastern end of the work site. I think it is the right of those two houses.

5829. I think it is the property which is adjacent to the north end of the works.

(Mr Thornely-Taylor) I have a feeling the arrow needs to move one house to the right, as I heard the evidence. Those two houses are currently identified in the Environmental Statement as being eligible for noise insulation. As I have mentioned, that is not by any means the beginning and end of the story. The actual entitlement procedure will be gone through much closer to the start of the works.

5830. Thank you very much indeed for that. Finally, turning from construction noise to operation noise, so the railway is up and running, trains coming in and out of Shenfield, can you tell the Committee what the results of the environmental assessment process were in relation to the impact of Crossrail at that stage?

(Mr Thornely-Taylor) Yes. There is a statutory procedure for calculating railway noise which was used in the preparation of the Environmental Statement. Taking account of the changes in train numbers, the revision of the track layout and the new train services, the change in noise level was predicted, and in all cases was found to lie well below the threshold of significant effect as set out in the Environmental Statement.

5831. What is the dominant noise environment for those living within 100 or so metres of the railway line at the moment?

(Mr Thornely-Taylor) Train noise is the major source for the properties that are considered for potential significant effects. The levels are not excessively high. They are set out in the environmental statement, but it is the main noise source in the area, except for those very close to the road, who may have more traffic noise than train noise.

Cross-examined by **Mr Welfare**

5832. **Mr Welfare:** Mr Thornely-Taylor, in response to Mr Mould, you described to the Committee a moment ago the position of significant effects being the basis of the noise assessment over a distance and the factor of length of time, and you pointed to the fact that audibility is not the same as significance, and you have helpfully clarified that the elevated area of the Shenfield area is outside what are regarded as significant effects.

⁸ Crossrail Information Paper F5, Complaints Commissioner (LINEWD-IPF5-001).

⁹ Crossrail Ref: P70, Plan & Map of Hunter Avenue, Alexander Lane, Herrington Grove, Mount Avenue & Pine Croft (Location of Petitioners) (BRWDBO-14903-008).

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(Mr Thornely-Taylor) Yes.

5833. It follows from that, does it not, that noise disturbance, be it during the construction period or during the operation thereafter, in terms of what individual people suffer in their houses, can take place with no compensation arrangements at all?

(Mr Thornely-Taylor) Yes, it can.

5834. In fact, just to reinforce that point, you have said that the distance involved was the distance within which there was the need to restrict the work of computation so that one could be sure that there would be effects. In other words, you start from the position of over what area can we be certain there will be noise effects and measure within that area, and you treat those outside that area as not falling within significant effects. Is that right?

(Mr Thornely-Taylor) It is the other way round. The distance is chosen so that one can be certain it includes significant effects. If for some extraordinary reason one found significant effects going over the edge of the spatial boundary, then it would be necessary to go back and change the spatial limits, but that has not happened.

5835. Would you care to explain to the Committee how the significant effects are determined?

(Mr Thornely-Taylor) Yes. They are determined according to whether or not the noise would exceed either a minimum trigger level or significance or a change in the total noise level relative to the baseline, ambient noise as set out in the scope of methodology of the ES.

5836. Can you give the Committee some idea of the basis of a significant level of noise?

(Mr Thornely-Taylor) There is detailed explanation of the thought processes that underlie it in Appendix D of the special technical report, which can be found on the internet, but it is traceable to guidance from documents published by the World Health Organisation, British Standards, and current practice in environmental assessment. They are very well established sets of numbers.

5837. I do not disagree with what you are saying in terms of there being well established sets of numbers, but from the point of view of an ordinary resident who seeks to understand what the Promoters regard as a significant effect or what indeed is to be generally regarded as a significant effect, where in what Crossrail have put forward so far to individual residents has there been an explanation of what significance can be expected and what levels of noise people will have to put up with?

(Mr Thornely-Taylor) In the Environmental Statement.

5838. Yes, but in terms of trying to give people an understanding of what that amounts to, are you satisfied that residents have been put in a position to understand in plain terms what levels of noise they will be expected to accept?

(Mr Thornely-Taylor) It was clear to me, listening to petitioners yesterday, that there is some misunderstanding and there may be some confusion between audibility and significance.

5839. In other words, residents may have to put up with a degree of noise which is not significant?

(Mr Thornely-Taylor) They will, yes.

5840. You have helpfully confirmed to my learned friend Mr Mould the position of Brentwood Borough Council under section 61 of the Control of Pollution Act, and that will be of assistance to residents, although there may be issues—I do not know—that the borough council itself may wish to pursue in relation to that. What it amounts to though is that the borough council is in the position, as you said, to secure best practicable means from the contractor in the way that the construction is carried out. That is in summary the position, is it not?

(Mr Thornely-Taylor) That is the summary position. It is slightly elaborated in Crossrail's construction code, which goes further than the statutory requirements, which do not call for noise limits, but the construction code says that the section 61 application will include noise limits.

5841. But the fact is, again, from the point of view of ordinary residents, that best practicable means clearly accepts that the works have to go ahead; what is being talked about is the best way in which they can be mitigated in the circumstances that they go ahead with what is proposed, without there being the argument the other way round: are these works at a level, should they take place, that will be acceptable to the people in the immediate area.

(Mr Thornely-Taylor) Yes.

5842. You referred to document D9, the noise and vibration mitigation scheme. You explained the purpose of secondary glazing as essentially being to enable an occupant to continue to occupy in a reasonable manner without unacceptable interference.

(Mr Thornely-Taylor) Yes.

5843. Put simply, what happens when it gets very hot? There is ventilation, is there not, provided as part of the idea of secondary glazing, but anyone who lives anywhere near any source of noise understands that while they might install double or secondary glazing, they have to accept the intrusion of noise during hotter weather?

(Mr Thornely-Taylor) I am afraid I did not hear your last words.

5844. I am sorry. They have to accept that in hotter weather, if they wish to open their windows, noise intrusion will occur?

(Mr Thornely-Taylor) If the ventilator is found to be inadequate and they choose to open the windows, the noise level will increase.

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5845. Without expecting you to comment in detail on ventilation, it must surely be the case that requiring people to live with ventilators—fans, basically—in their house, running off the electricity at all times is no real substitute for being able to open one’s windows and enjoy properly the weather that is around one without excessive noise interference.

(Mr Thornely-Taylor) Indeed, and mention is made of that in the Environmental Statement.

5846. You described the process in response to Mr Mould of the decision-making in relation to secondary glazing and insulation, and perhaps I could at this point put to you the question, because I think it is implicit in the answer that you have given to Mr Mould, to clarify it, that I put to Mr Smith, that is to say that it is the Promoter and the contractor as appointed who take the decisions as to assessment and who qualifies for insulation or for re-housing, subject, as you said, to a process of appeal to an Independent Commissioner.

(Mr Thornely-Taylor) It is the Secretary of State.

5847. I am sorry. It was put forward to the Secretary of State by the contractor.

(Mr Thornely-Taylor) Yes. The buck stops at the Secretary of State.

5848. Then there is the independent process of appeal.

(Mr Thornely-Taylor) Yes.

5849. All I am seeking to establish is that the borough council’s remit does not run in that direction.

(Mr Thornely-Taylor) The borough council will be very closely involved because, as set out in, for example, information paper F3, there is a community relations programme on consultation provision, which will include all stakeholders, including the borough council.¹⁰ They will have a major input to the administration of all these schemes.

5850. Yes. The borough council is consulted at that stage, but it is not involved in the individual decision-making nor in the assessment of individual cases. That is right, is it not?

(Mr Thornely-Taylor) That is right.

5851. So what it amounts to, again from the point of view of a resident, is that if they are unhappy with the decision that comes back, they as an individual have to go to the Independent Commissioner.

(Mr Thornely-Taylor) Their first course is to make a further application to the Secretary of State. Only if they consider the Secretary of State has acted in error or unreasonably would they find it necessary to go to the Independent Complaints Commissioner.

5852. That is a helpful clarification. The point I am making is simply that it is down to the individual resident to act on their own instance. They cannot rely on the borough council or any other agency to act on their behalf or to try to ensure a commonality of treatment if there is a feeling that it has not occurred.

(Mr Thornely-Taylor) The interesting situation that arises is that when the borough council has to determine what is best practicable means, practicability is a balancing process and if the Secretary of State through the contractor is in the borough council’s view not carrying out as much mitigation as the borough council thinks they should, then their view as to what is practicable is different from the case if they took the view that the Secretary of State was fully administering the scheme and all eligible cases were being properly addressed.

5853. That is obviously helpful from the point of view of the individual resident in terms of the impact of best practicable means on this regime. In terms of intensification of use, more trains up and down the track, more trains at later hours—this is paper C11—just to confirm, there is, as the paper makes clear in relation to the terms of national standards, no compensation from that scheme.

(Mr Thornely-Taylor) There is a compensation scheme to the extent that if the triggers set out in the noise insulation regulations for railways should be exceeded, then grant is payable for noise insulation. From the noise point of view, that is the only what one could call compensation scheme. Subject to part 1 of the Land Compensation Act, which Mr Colin Smith referred to, which does provide a completely separate route for compensation where property value is diminished through the operation or the use of public works.

5854. Mr Mould asked you about community impact, and whether that was taken into account in assessing noise impact, and you drew attention to the temporary re-housing, for example, were that to be applied to a particular house or group of houses having an effect in relation to the community. Would you not accept that that process through the Environmental Statement in recognising the consequence for the community of decisions in relation to individual houses was not the same as looking at whether there is an impact on the community as a whole, which affects the community as a whole?

(Mr Thornely-Taylor) I would draw the Committee’s attention to the relevant passage of the Environmental Statement, where it does specifically comment on the consequences of that number of people living elsewhere for a length of time.

5855. My point is, granted there is obviously that consequence, that is not the same as saying increased noise in Shenfield will affect the character of Shenfield as an area and all that flows from that and that there are interests of residents that are affected

¹⁰ Crossrail Information Paper F3, Community Relations (LINEWD-IPF3-001).

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which do not come down necessarily to the individual decisions as to whether an individual resident needs to be re-housed.

(Mr Thornely-Taylor) I understand the question. I am not sure there is any procedure for putting noise effects all together and drawing some different conclusion other than the very clear explanation in the ES of the numbers of people significantly affected and eligible for the various forms of mitigation, which I think in themselves are eloquent enough.

5856. Just to conclude that point, if one takes from that that were Shenfield as a whole to be significantly affected by the increased noise both during the construction and particularly thereafter from the operation, you have already said that some people are outside the area of significant effect; nonetheless, they may well suffer increased noise and expect to do. The effect on the whole area and, to put it bluntly, the character of the area and people's house values, for example, as well as the nature of the quality of life that they have, those consequences can arise from increased noise outside the scheme we have been talking about in relation to coping with the worst effects in individual properties. That is right, is it not?

(Mr Thornely-Taylor) It is right. There is a large number of effects of differing magnitudes and if you list them all on the same page, you can see that extent is in Shenfield's case relatively large.

5857. **Chairman:** Are there any of the other listed petitioners from Brentwood that would like to ask this witness a question? No.

Questioned by The Committee

5858. **Kelvin Hopkins:** I have some acquaintance with noise mitigation because the M1 passes through my constituency and I helped to secure noise barriers, so I am familiar with the problems. It strikes me that the major noise at Shenfield will be fast trains passing through stations rather than slow-moving trains going in and out of platforms.

(Mr Thornely-Taylor) Yes.

5859. So the major noise exists already.

(Mr Thornely-Taylor) Yes.

5860. That will not be significantly made worse by Crossrail.

(Mr Thornely-Taylor) That is quite true.

5861. Is it not possible also that the Crossrail trains, where they are parked in the sidings and in the platforms, and they will be there for quite a lot of the time, could act as something of a barrier to noise from the trains passing to the south of the platforms and the sidings, so that the houses closest to the sidings and platforms might derive some slight benefit?

(Mr Thornely-Taylor) That is perfectly true, sir, although the formal procedure for prediction does not make allowance for that.

5862. It is possible that where residents are affected by existing trains, they could perhaps ask for noise insulation barriers to be erected to help them by Network Rail or even the train operators.

(Mr Thornely-Taylor) The entitlement to mitigation of any form from the operation of a railway is very precisely set out in the railway noise insulation regulations and the entitlement is not likely to arise at Shenfield.

5863. If I could turn to the construction phase, which is more difficult—the train operation phase is not the major phase—one can see residents will be badly affected by that. Is it not possible to go slightly beyond the minimum statutory requirements in helping local residents by, for example, putting some noise barriers close to the operation in selected locations to mitigate the noise and dust problem for residents?

(Mr Thornely-Taylor) There are to be noise barriers both around the work sites and alongside the railway. In more detail, as part of the section 61 process, the contractor may well be required by the local authority to put up local screening of specific noise sources in addition to the main hoardings which are described in the Environmental Statement.

5864. Will the contractors and the Promoters indeed be as helpful as possible in trying to deal with problems as they arise with noise and possibly even erecting additional noise barriers if necessary?

(Mr Thornely-Taylor) Indeed. They will be required to do everything that they reasonably would be expected to do, provided there is a cost-effective benefit from doing it.

Re-examined by **Mr Mould**

5865. **Mr Mould:** Mr Thornely-Taylor, just one point of information really. Questions were asked about how local people might find out about the details of the assessment process that was carried out at the formal environmental assessment stage.

(Mr Thornely-Taylor) Yes.

5866. Just remind us: as well as the main Environmental Statement itself, and of course the supporting technical reports, is there a non-technical summary of the main contents of the Environmental Statement?

(Mr Thornely-Taylor) Yes, indeed there is.

5867. Did that summarise the assessment process, mitigation measures that were to be deployed and the works and the effects of the works at particular parts of the route, including Shenfield?

(Mr Thornely-Taylor) Yes, it did.

The witness withdrew

5868. **Chairman:** Thank you very much, Mr Thornely-Taylor. We now move on to the case of Brentwood Council. I call on Mr Graham Stoker.

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5869. **Mr Stoker:** I am Graham Stoker and I appear for Brentwood Borough Council, instructed by Messrs Sharpe Pritchard, solicitors and parliamentary agents. Can I just summarise, if I may, the extent of the issues before you and then just deal with two of the matters in slightly more detail.

5870. I propose to call in due course two witnesses in this order: firstly, Mr Boyton, who is the Principal Planner at the borough council, and secondly, Mr Brimley, who is the Head of Transportation. Mr Boyton will speak to the justification for the Crossrail north-east branch terminating at Shenfield, and I will deal with that in a moment, if I can, because I know that is a matter that was discussed yesterday. Mr Brimley will deal with the question of impact on the car parks at Shenfield as a consequence of the two work sites being proposed.

5871. If I can call for plan 102 to go up, it would assist me if that were to be displayed during the course of this short opening.¹¹ There are a number of other matters raised in the petition. We apprehend at the moment that they have either been satisfactorily dealt with, they are being pursued in the alternative by other authorities who are taking the lead on those matters, or they are matters that we simply want to keep a watching brief on in terms of preserving our position. In due course we will lodge a comprehensive list so the Committee is informed of our position on those other matters.

5872. Turning to the live issues before you today, the first point to make, if one looks at that plan, is Shenfield Station is embedded within Shenfield shopping centre, immediately adjacent to it, and what flows from that is certain unusual characteristics about the impact of the work sites. I will turn to that in a moment, because the first issue I want to deal with is the justification for Shenfield, and I raise that in this sense, because the borough council are concerned to have the opportunity to understand a credible case for the location of the terminus of that north-eastern branch at Shenfield. Historically, there appear to be—and it is a matter we pursued in correspondence with the Promoters—no feasibility studies carried out, as we understand it, in respect of Shenfield as the terminus. There seems to be merely a longstanding assumption that it would terminate at Shenfield, which is a matter of concern to us because we want to understand the reasons for it and the justification. Nor have we been able to find any historical study or comparative costing exercise so one can understand why it would terminate there.

5873. In terms of the background papers we have seen put in by the Promoters in response to our case, they point to advantages elsewhere along the line. They point in particular to Stratford, they point to Liverpool Street and they point to other advantages in terms of capacity. What seems to be the bottom

line is that it is suggested that all other options are too expensive, and therefore Shenfield apparently is the only option available.

5874. I raise it in this way because I am aware, of course, of the instruction issue and the fact that in terms of the first set of instructions that sought to deal with this, as I understand the framing of those instructions, this Committee has been told that the termini of the railway transport system and the provision of intermediate stations are to be treated as matters of principle in the Bill, and as a consequence of that, that ties your hands.

5875. Can I just say in respect of that that I note that original instruction but the matter was subject to subsequent debate, and I am referring to a debate that occurred on 12 January 2006, where the Secretary of State indicated his view on the terms of those instructions. If I can just read this into the transcript, it is at column 456 of the Hansard, where the Secretary of State was grappling with this issue in the context of concerns of Brentwood and Shenfield residents. He said this: “I said that the House could give instructions to the Select Committee. As I understand it, if there were petitions relating to Shenfield, the Committee would be able to hear them. However, to return to the points raised by my hon. Friends the Members for Hackney, North and Stoke Newington and for Hackney, South and Shoreditch, the reason that we have prescribed a terminus is to try to put a concrete proposition before the Committee. Otherwise, I fear that we would be all over the place. I think that the hon. Member for Brentwood and Ongar takes the view that he wants Crossrail to terminate not at Shenfield but at some point nearer to the city. Or perhaps he is concerned about individual issues relating to Shenfield such as the loss of car parking or the alignment of the tracks. The Select Committee could certainly consider those latter points, but if he is asking whether it could decide that Crossrail should terminate at Liverpool Street, I have to say that it could not.” So I read that as the familiar approach one takes to major transport schemes, which is that you cannot look at the point of principle; you cannot say the road is not required, but you are entitled to look at the route and other issues.

5876. I also note the Secretary of State says, “It will certainly be up to the Select Committee to decide whether it hears the petitions, and I am sure that it will try to be as liberal as it can in that regard.” That is the context within which we raise this issue before you, and we make these relatively simple points. When one actually tries to understand the benefits and the credible justification for Shenfield as a terminus, as I said, the only claimed benefits appear to be elsewhere in the system: essentially, tube capacity, Liverpool Street Station and Stratford. There is no improved access to passengers at Shenfield at all, according to the information we have seen in the Environmental Statement. There are no materially improved journey times to the residents of Brentwood and those who use Shenfield

¹¹ Crossrail Environmental Statement, Shenfield Station Project Works & Impacts, Map NE17(ii) (LINEWD-ES17-102).

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Station and there is no material increase in passenger growth. So we make the simple point that there are no tangible benefits here that seem to flow to Shenfield and Brentwood Borough Council's area, and there seems to be a conspicuous failure to put forward a credible case for Shenfield.

5877. Pausing there, that is a point which is an issue before you, and we would welcome your consideration of that in due course, but it does not stop there, because if it is perceived to be the case that it should be at Shenfield, in the context of circumstances where I have said that the benefits to Brentwood residents are conspicuous by their absence, surely in those circumstances it would be harsh to impose those works and the work sites caused as a consequence of constructing the railway station without any form of reasonable mitigation in terms of the impact that those works would cause.

5878. If I can turn to that second issue, Shenfield—you have not done the visit yet, sir, have you? As I understand it, you are going to do visits in due course. Is that right?

5879. **Chairman:** We have not formally decided to do anything yet. We will discuss it in private at some time in the future, and decide which sites we will visit.

5880. **Mr Stoker:** In that respect, in due course in our evidence you will see a comprehensive set of photographs, but if I can just indicate a flavour for what Shenfield is, it is a viable and vital centre with adjacent car parking, as we see on the screen, and it is a good example, we would say, of a centre which is wholly in accordance with central government advice on the approach to town centres. In other words, one has all these activities concentrated sustainably in a centre where people have good access to it.

5881. In respect of the operation of that centre there are two major car parks, one is Friars Avenue, one is Hunters Avenue. Friars Avenue is to the left, Hunters Avenue to the right. You will see that in detail in due course. Those particular provisions of car parking form the vital source of car parking for the operation of the town centre. They are used in two ways; one is short-stay provision of car parking for shoppers and, secondly, season ticket spaces. If one asks oneself why would one buy a season ticket to park in the town centre one would have thought the answer is self-evident: these are used by shopkeepers, employers, key staff and local employees. So those particular season ticket holders underpin the vitality and viability of the town centre.

5882. The Crossrail work proposals put forward two worksites which, in terms of the Environmental Statement, wholly use up these two town centre car parks. They use them up for a total period of up to 18 months. Moreover, because of the way this is described in the Bill under Schedule 6 there seems to be no indication that this will simply be a temporary

use and if Schedule 6 is used that will actually be an acquisition; there is certainly no undertaking on behalf of the Promoters that they will use it on a temporary basis and give it back to the authority.

5883. Eighteen months of the depriving of those two vital town centre car parks would, we say, be a body blow to the operation of this town centre and, moreover, there is an impact on commuters also parking and using the adjacent main line. It would undermine the vitality and viability and it would lead to a change in shopping patterns. One contemplates an 18-month period, people will suffer congestion, the inability to park and they will go elsewhere. They will go to other shopping centres such as Chelmsford. In an 18-month period one will change one's pattern and they might be lost completely and never come back. So this is a material matter that cannot be dealt with by the Compensation Code.

5884. The approach to mitigation of impacts, as I understand it, was set out cogently by my learned friend Mr Welfare in opening. Paragraph 102 of his opening describes what he says is a mitigation hierarchy. He says, firstly, impacts should be avoided or reduced at source wherever possible. Secondly, in the hierarchy, there are mitigation measures which have been included in the project to reduce adverse impacts. The third stage in the hierarchy is for the adverse impacts that remain to be dealt with in some other way, perhaps by compensatory measures. He then said, at paragraph 103, the Environmental Statement identifies the likely significant effects that will arise in the construction and operation of Crossrail and identifies the range of mitigation measures that could be used to reduce or eliminate the effect.

5885. Puzzlingly, in this case, the Environmental Statement does identify the impact of these particular matters. If you follow through the colour coding, the pea-green boxes below to the south of the railway, where it indicates impact on car parking, to the right-hand side in the key you will see that these are impacts which are described as "significant". They are not "minor", they are not "moderate"; they are "significant". Yet, puzzlingly, there is no mitigation in the Environmental Statement at all.

5886. There have been debates over time to try and solve this matter and at one stage the local authority was heartened that their concerns were being met, but now all that appears to be on the table is this: that one of the car parks will be taken for a 12-month period. Nothing can be done about that. That is Friars Avenue car park. The other car park could be used for less of the space, perhaps 50 per cent of the space as opposed to 100 per cent, but it will be used for a longer period, up to a 21-month period. Also, in discussions we have found that there is, in fact, an overlap between the use of these worksites which seems to be of the order of 12 months. So for 12 months both car parks will be impacted. The suggestion is not to try and provide some sensible

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solution to this, for instance, by a Park and Ride scheme, but to withdraw those season tickets for the key workers, the shopkeepers and local employers and to use that in some way to top up the provision of the short-stay parking. We would say that undermines the parking strategy that the local authority has developed over time, it is a wholly inadequate approach to this particular issue and there is another alternative which is perfectly possible, which is to provide a temporary Park and Ride site and make sure the vitality and viability is not undermined. That is the way we put our case on those matters.

5887. There are two other subsidiary matters. One is trees. I apprehend they have been dealt with and I will ask my witness in due course but I think the undertakings that have been offered are satisfactory. The other is that the ongoing question of the ability for the disabled to access Brentwood Station would be referred to certain parties overnight and that certain announcements would be made yesterday about the project to improve accessibility, and we have a little bit of evidence about that. Save for that, that is my opening statement, unless I can assist further, and I would turn to call my witnesses.

5888. **Chairman:** Thank you very much indeed, Mr Stoker. Just for the record so that it may be listed, just to repeat what has already been said, the Committee does not have the power to change the Shenfield Terminus. The Committee can listen to the argument but it does not have the power to raise this issue in its report. What it can do, though, if it is minded, is write to the House and ask it if it would give it powers to consider it. That is as far as we can go on that. All I can tell you is that any evidence which comes before the Committee the Committee will look at and take a decision in due course.

5889. **Mr Stoker:** I am grateful for that. I will proceed to call my witness. First of all, to do with planning matters, I call the Principal Planner, Mr Boyton. Can I say, for those who might find it of assistance, we do have short summaries of this proof. They certainly can be circulated if they have not been already.

5890. **Chairman:** Can I just say for the purposes of the stenographer, it is A68.¹²

Mr Geoffrey Robert Boyton, Sworn

Examined by **Mr Stoker**

5891. **Mr Stoker:** Mr Boyton does have a set of appendices. They run from page 1 through to 21. Could I just have confirmation there is an opportunity to put those up on the screen? I will take it slowly and try and indicate the sequence we are looking at. If I may, first of all, introduce Mr Boyton: Geoffrey Robert Boyton. Is that right?

(Mr Boyton) That is correct.

5892. You have a Bachelor of Science in Geography from London University, a Diploma in Town Planning and you are a Member of the Royal Town Planning Institute. Is that correct?

(Mr Boyton) That is correct.

5893. You have 34 years' experience of working in town planning, the last 17 years in your current post as Principal Planner with responsibility for policy and implementation at Brentwood Borough Council.

(Mr Boyton) That is also correct.

5894. Mr Boyton, if we can turn to the first issue I am going to ask you about, which is the question of Shenfield as the terminus of Crossrail, could you, at the outset, just summarise the concern and the requirement, and then we will look at in a little more detail? What is the concern on behalf of the borough council?

(Mr Boyton) Sir, our main concern is, notwithstanding the fact that the Crossrail proposal is reaching out to Shenfield and will provide modern rolling stock and improved frequency of service, that the proposals put forward only provide limited benefits to Shenfield residents and there is no underlying detailed analysis within the Crossrail Environmental Statement as to why Shenfield has been identified as that eastern terminus as opposed to alternatives. What we, as a council, were looking to was to have the benefit of some more detailed assessment or studies undertaken of what the other alternatives may or may not be in order to better understand why Shenfield should be the terminus of Crossrail.

5895. If we can look at that in a little more detail, in terms of your appendices, first of all, if you go to appendix 1, and have that up on the screen, we have here an extract from the Environmental Statement, pages 125 through to 127. Looking at page 125, one finds at Corridor A the particular branch terminating at Shenfield.¹³ Is that right?

(Mr Boyton) That is correct.

5896. One also finds a range of other corridors examined, including D and E which are the ones that flow down to the North Kent area.

(Mr Boyton) That is correct.

5897. Then one sees at 6.3.42 that the weakest performing corridors were B and C, 6.3.43 indicates additional problems with B in terms of major impact of construction and, therefore, as I understand the process, those particular options drop out. One then turns over to 126 and paragraph 2.3.44.¹⁴ The corridors serving the North Kent Line and the

¹³ Committee Ref: A65, Crossrail Environmental Statement—Non Technical Summary, Appendix 1, p125 (BRWDBO-14905-042).

¹⁴ Committee Ref: A65, Crossrail Environmental Statement—Non Technical Summary, Appendix 1, p126 (BRWDBO-14905-043).

¹² Committee Ref: A68, Summary of Exhibits—G R Boyton, Brentwood Borough Council.

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Southern Thames Gateway area performed strongly against some objectives “beneficial wider economic impacts” and “the transport economic efficiency”. So that particular route was included. Is that right? *(Mr Boyton)* Yes, that is correct.

5898. Then we have the particular branch that terminates at Shenfield at 6.3.46. “The Great Eastern corridor was also selected for inclusion in the preferred scheme. Although this corridor performed less well than the other eastern corridors against the sub-objective of beneficial wider economic impacts, Crossrail would still have a positive impact on this sub-objective by . . .” and then we have “improving accessibility to Stratford, where significant development is proposed. Inclusion of this corridor also offers significant transport economic efficiency benefits by providing crowding relief to both the National Rail and London Underground networks, as well as releasing additional rail capacity into Liverpool Street terminal station.” Can you comment on that? In particular, is there any indication for benefits up the line towards Shenfield and, in particular, the stations within your borough?

(Mr Boyton) No, my assessment and conclusions from including corridor A, the Great Eastern corridor, terminating at Shenfield is because the impact and the benefits are experienced outside of the borough and further into London. The references to capacity on the Network Rail and Underground networks and the improvements to capacity at Liverpool Street Station are all outside the borough. There does not appear to be any indication within the material being provided as to benefits for Brentwood Station or Shenfield Station, as such, terminating at Shenfield because of the improvements and benefits further into London.

5899. **Mr Stoker:** I think the planning department has endeavoured to find out background information on this selection process and if we go to appendix 2 we have a focused letter of response sent to the Deputy Town Clerk.¹⁵ This is following a request for copies of background feasibility studies that have been undertaken when considering the route in the east within the context of understanding the justification. In the second paragraph, the Promoters say that they have not “undertaken any feasibility study for terminating the Crossrail eastern route west of Shenfield, whether at Stratford, Romford or elsewhere. We have reviewed Board documentation from the relevant times and can confirm that all business cases and business plans were predicated upon termination at Shenfield.” Then they refer to the background information set out in the London East-West Study. So your comments on that, within the context of trying to understand some form of rational justification for the Shenfield terminus?

5900. **Chairman:** Mr Stoker, just before you do, for the record, all the additional documents are A69.

5901. **Mr Stoker:** I am grateful, sir.

(Mr Boyton) Yes. Information was provided in response to the questions about what is the analysis, what is the basis for Shenfield as being termed the eastern terminus, and appear to relate back to the London East-West Study which was undertaken by the Shadow Strategic Rail Authority and published in 2000. They looked at a number of alternatives for linking both sides of London, West to East. I believe there were three tunnel options and then two options for each of those tunnels as to whether it be only metro services or a regional express service. The conclusions of the study were that in their view the alignment that had been safeguarded for Crossrail linking to a regional metro service was the one that they recommended be further looked at and designed up. However, in that there is no reference to Shenfield as such as being the automatic and obvious terminus on the eastern side of Crossrail. It refers to the Metro service.

5902. Can we just delve a little deeper into this to understand any perceived benefit that might flow at the north-east end of the branch, and in particular at Shenfield and your borough? If we go then to appendix 3, this is an extract from volume 2 of the Environmental Statement which indicates one aspect of Crossrail’s benefit.¹⁶ If one looks at 7.3.31 it is stated that Crossrail will bring about an 11 per cent increase in the number of households without access to a car within a 30-minute isochrone of the centres listed. “This will significantly improve access to key shops, services and entertainment facilities for this population.” So an important perceived advantage to those who do not have the benefit of a car. Then looking at the table in 7.3, your comments on the Brentwood figures, which we see is zero per cent?

(Mr Boyton) It is interesting to note that in terms of the major centres that are identified in that table 7.3 Crossrail themselves do not identify any percentage increase in numbers of households without access to a car benefiting from the Crossrail proposals to those key central area facilities—shops, services and entertainment facilities.

5903. Where does the major benefit appear to fall?

(Mr Boyton) It appears to fall within London itself. The highest percentages are Slough and Southall, with other percentage increases of round about 11 per cent at Romford and Ilford as you get further down the line into London.

5904. **Mr Stoker:** That is one aspect of the perceived benefit.

¹⁵ Committee Ref: A69, Letter from CLRL to Deputy Town Clerk, Brentwood Borough Council, 18 December 2005 (BRWDBO-14905-045).

¹⁶ Committee Ref: A69, Environmental Statement, Appendix 3, Para 7.3.31 (BRWDBO-14905-047).

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5905. **Mr Binley:** Before we move on, I am slightly concerned that I understand this correctly. I do not understand how Crossrail can reduce in this particular fashion and yet we have got a reduction of 16 per cent for Maidenhead. Can I understand that?
(Mr Boyton) I am not able to explain that either, sir.

5906. **Mr Binley:** It just seems absolute nonsense.

5907. **Mr Stoker:** All I can assume, sir, is that there is some transfer of flow or activity from one part of the network to the other.

5908. **Mr Binley:** If that figure is not correct all the rest are suspect, are they not?

5909. **Ms Lieven:** Sir, I can explain, if it is helpful.

5910. **Chairman:** Keep it for when you respond, I think.

5911. **Mr Binley:** Thank you.

5912. **Mr Stoker:** I am going to examine another aspect of the perceived benefit if it is not access to facilities by non-car modes, and that is the question of journey times. Appendix 4.¹⁷ Can I just say, sir, in passing, if I may, I am going to take the witness to table 18.1 but if you look at 18.2 you there also see set out in tabular form the conclusions of the Environmental Statement on impact. CT4b refers to the Friars Avenue car park and CT4b, the second reference, is the Hunter Avenue car park. As you go to the right you see “significant impact”. If you look at the column “Committed mitigation”, quite strikingly (a matter of concern to this authority) you see “None” in the columns. That is, really, why we are here. Going back to 18.1 and the perceived improvement in journey times, this is for, as it were, the metro service stopping at more frequent stations. We will look at the other opportunities if one looks at Shenfield. Can you comment on 18.1, if you would, in terms of the perceived advantages both from Shenfield and to Shenfield?

(Mr Boyton) Again, the table is setting out what Crossrail perceived to be benefits in travel saving times from Shenfield into London or from London to Shenfield. Of the four journeys that the table sets out—Heathrow, Tottenham Court Road, Farringdon and Canary Wharf—from Shenfield to Canary Wharf there is no saving in journey time; Heathrow and Farringdon six minutes, and Tottenham Court Road seven minutes. On the reverse journey from London to Shenfield, of the four journeys only one, Tottenham Court Road, shows a saving at all. The others have no savings. Tottenham Court Road to Shenfield shows a saving of three minutes.

5913. So a simple conclusion on that, if you could, but in terms of perceived advantages to those at the end of the line at Shenfield?

(Mr Boyton) There appears to be no significant, if any, advantage in journey saving times to commuters from Shenfield.

5914. When it says “without Crossrail” that is comparing Crossrail against the existing metro service that stops at regular occasions on the network. Is that right?

(Mr Boyton) I would assume that to be the case.

5915. Let us look at another option, which is that you do have the benefit, of course, of a fast train service. If we could ask for Appendix 5, rather than taking time looking at the whole of this, which would be unproductive, what I would invite you to do is just postulate that we are someone who might be working in London, perhaps travelling to Stratford, and then travelling home to Shenfield.¹⁸ That might be a typical journey. I am looking at page 8. On the right-hand side, at the bottom, if one can pick out the train service in the evening just before five o’clock, it would depart Stratford at 1648 and it would arrive at Shenfield at 1704, taking some 16 minutes to get home after a day’s work (if one was able to leave at five o’clock). Your comment on that in terms of effective journey times?

(Mr Boyton) It appears the fast train journey time from Stratford to Shenfield is an extremely quick and productive service.

5916. Do you have experience of this service?

(Mr Boyton) I have, yes.

5917. When we look at the figures of 15, 16 or 17 minutes, this is typical, is it?

(Mr Boyton) It is.

5918. If you turn the page and look at the reverse journey into work from Shenfield to Stratford, one can pick up a service at 0758, top left-hand corner, arriving at Stratford at 08.15, so that is a 17-minute journey into work.

(Mr Boyton) Again, one can see that for both journeys, the journey into London and the journey out of London, there is a very fast train service from Stratford into Shenfield.

5919. If one compares those 16, 17-minute fast journeys into Stratford and what has been postulated in terms of Crossrail, can you give us a comparative analysis?

(Mr Boyton) The average journey times on a slow train stopping at all stations from Shenfield into Stratford, the journey times are around about 33 minutes as opposed to those fast train journey times of something like 16, 17 minutes.

5920. Then let us look at another point, which is that if this is a service that has perceived advantages one would expect it to attract additional passengers to it,

¹⁷ Committee Ref: A69, Environmental Statement, Appendix 4, Table 18.1 Journey Time savings (Platform to Platform) to and from Shenfield; and Table 18.2 Route Window NE17— Temporary impacts (BRWDBO-14905-048).

¹⁸ Committee Ref: A69, Environmental Statement, Appendix 5, Train Time Tables (BRWDBO-14905-049 -50).

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or perhaps take up unmet demand. If you go to appendix 6, in the context of the paragraph “mitigation and permanent impacts”, paragraph 18.44: “Passenger numbers with Crossrail” (and this is within the context of Shenfield) “are expected to change by about 100 additional passengers entering and no change in passengers leaving the station in the morning peak period (a 3 per cent increase in 2-way passenger flows).”¹⁹ Can you indicate your views on that as some evidence of demand?

(Mr Boyton) Again, it is quite surprising—also in relation to the expected increase in passenger numbers in total—that there is such an, almost, insignificant increase estimated by Crossrail at 2016; 100 passengers, 3 per cent increase in the two-way flow, is, as I say, almost insignificant. It does show significantly that there is no unmet need not being met or, indeed, that it is having a significant change in modal shift from car or other forms of transport to train services into London.

5921. Then just on a slightly more specific point, I wonder if you could indicate how you see Shenfield centre working, both in terms of its shopping role and, also, whether it is perceived to be a transport node or not, where there are interchanges going on. Could you give us an overview of the centre?

(Mr Boyton) Shenfield shopping centre, in which Shenfield Station is located, is a relatively small constrained local district centre outside of the main town centre of Brentwood, which is the most significant shopping service centre in Brentwood. As I say, it is a constrained site, it is very tightly surrounded by residential development. That said, it is a very vital and vibrant centre, catering for generally the day-to-day requirements of the surrounding residential areas, established residential areas, of core shopping service provision. It is an important secondary centre for those residents within the areas of Shenfield and Hutton.

5922. I wonder if we could go to page 21 of our exhibits, right at the end of the exhibit.²⁰ Just talk us through this, if you can. Does this show, with the triangular notation, the key shopping area?

(Mr Boyton) That is right. This is an extract from the Brentwood Local Plan. The area to the right of the plan, which is hatched with these small arrows, is the actual railway station itself, and the pink diagonal lines are the associated car parking areas. The pink, or red, triangle areas are, basically, the shopping areas; either accommodation of shops with offices above or shops with residences above. That is the confines of the commercial area that would incorporate other business, other services—banks, building societies. The library is shown on the left-hand bottom with small black crosses. That is the library. There are dentists and doctors surgeries within that parade as well.

¹⁹ Committee Ref: A69, Environmental Statement, Appendix 6, paras 18.42–18.46 Mitigation and Permanent & Temporary Impacts, Impact on rail journey times (BRWDBO-14905-051).

²⁰ Committee Ref: A69, Appendix 9, Shenfield Shopping Area Inset Map 11 (BRWDBO-14905-062).

5923. The red stripe notation to the left of our plan (to the north of the railway line), we are looking up Friars Avenue, are we, and Hunter Avenue?

(Mr Boyton) Yes, the arrow now is over Friars Avenue car park. If you move northwards on the same side of the railway line, that is the pay-and-display, council-owned car park. Immediately to the north of that is the commuter car park on Hunter Avenue.

5924. The Committee may wish to see this in due course, but what distance are we talking about? How close are these? How much a part of the town centre are these car parks?

(Mr Boyton) On that map, if you are standing at the entrance to Brentwood Railway Station you are, more or less, within 100 yards of everything on that map—100 to 150 yards.

5925. **Mr Stoker:** Thank you very much. If I can just take you to some of the Promoter’s documents—this will not take long; it may just take us up to the adjournment.

5926. **Chairman:** How long are you talking about?

5927. **Mr Stoker:** I have seen the time. Would this be a convenient moment? Then we can get these items up on the screen when we resume.

5928. **Chairman:** Yes. We will reconvene at 2.30.

After a short adjournment

5929. **Mr Stoker:** I think we were in the process of identifying a document and I was going to take the witness to it. What I would like to just examine is the response on the Shenfield point in the blue file. It is in A7, the selection of the north-eastern terminus.²¹ I can pick it up at page 3. This sets out an assessment of Stratford as a possible option at section 5, talking about the constraints of the site at 5.2, the need therefore for a solution that would be underground, and in 5.3 pointing out that that would be extremely expensive. So that is the Stratford option. It appears, perusing it, to have been unsatisfactory on the cost basis. Then if one can turn to page 4, we have farther out options, farther out into Essex and Suffolk at section 5.6 and 5.7. That will have operational difficulties, they say, because of the long distance involved and the risk of delay, and also questions of incompatibility in terms of formulating the timetable. Then we have the Shenfield option at 5.10. On page 5 Shenfield runs through to 5.14, and then we have the consideration of Romford and Gidea Park. If I can take you to 5.14, which encapsulates in many respects the overall argument, “Although the work to provide the platform is of a reasonable scale, it is considerably less than the work that would be required at locations such as Romford and Gidea Park to provide comparable reversing facilities.” So in many respects that is an overall point. Then one

²¹ Crossrail Information Paper A7 Implications of Terminating Crossrail at Stratford, Assessment of Options (LINEWD-IPA7-001 to 006; SNC20060329-001 to 004).

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has the section on Romford and Gidea Park at page 5, and then over the page at page 6 one finds Romford dealt with at 5.17 through to 5.21 and Gidea Park dealt with at 5.22. So that is the response in A7. I would just ask you to grapple with that overall point at 5.14. This is the question of it being considerably less than the alternatives. I wonder if you could respond to that within the context of justifying this major project.

(Mr Boyton) Yes, it appears, from reading through the Promoter's response, one gets the feeling that Shenfield has been identified as the terminus because it is the easiest option, and therefore the less costly option. The other alternatives that are looked at are said to be involving more works and therefore more costly. The whole of the response appears to be about the financial aspect of it, and one would have thought that in a major rail scheme of this nature, cost would clearly be one of the important fundamental criteria, but again, one would be looking for some sort of analysis that has also taken into account the social implications of it, the economic implications of it, the environmental implications of it, and here we have no real feel for that sort of analysis having been done to lead to or inform the conclusion that Shenfield is the most appropriate terminus on the eastern side of the rail.

5930. If we can pause there, because we are now going to move to just two other topics, I am going to ask for the Promoter's documents, 06 and following.²² I will take them in the order that they appear in their documents, and 06 deals with the question of access to all stations. One sees here, pursuant to an access to stations initiative, that Network Rail has identified a list of stations where there is going to be, as I understand it, allocated funds spent on upgrading and to provide access to the disabled. You see the list there, which includes Brentwood. One then passes through 07. Could I ask that we go to 010 to see how it is put.²³ There is reference to the Parliamentary Under-Secretary making an announcement about the Railways For All strategy, reference to the key objectives, the funding provision of £370 million and the list including Brentwood. So that is the response made by the objectors, which in effect is for someone else; it is for Network Rail. I think you have had an opportunity just to peruse this initiative and to understand what is involved. Does it have a role for other stakeholders, for want of a better word, such as train operators? How does it operate? Is it just Network Rail? How does the strategy operate?

(Mr Boyton) I have had an opportunity of reading through that document and it appears that there are a number of elements of these proposals. One is this list of stations that are the first three-year programme of Network Rail's improvement to provide access for all, but it then goes on, and of course, in relation to that there is no detail about what is being provided, so we do not exactly know

the full nature of what is being proposed under that funding initiative, but it does go on thereafter to say that there are other stakeholder involvements, including the train operators, who should have a responsibility also for provision at rail stations where there is this customer interface. The point that we would make is what we are clearly looking for is a totally accessible station at Brentwood. Before this announcement, we were looking at Crossrail being a major rail scheme for the 21st century and should be looking to provide that accessibility. Network Rail's programme may indeed provide that accessibility but there are unknowns about it. We still believe there is a role and responsibility for Crossrail as a train operator, as they will be, to take responsibility for that as well, to ensure that that accessibility is provided at stations that the Crossrail service runs to.

5931. Two additional points: whether they are a train operator. How do you understand this is going to come to fruition? As I understand at the moment, the Metro service is operated by One Railway and they offer a service, and is it proposed that Crossrail take over that service and replace it by the Crossrail provision?

(Mr Boyton) Again, that is our understanding of the Crossrail proposal, that they will take over the Metro service that One currently operate between Shenfield and Liverpool Street station and they will become the train operator for that part of the commuter service into London.

5932. Sir, the Department have issued an accessibility strategy, which we had access to late last night, so we are endeavouring to get copies and put them in in due course. Just assist me in a more practical way, because you know the operation of Brentwood: what exactly is the problem if one is a disabled person trying to access Brentwood with the Crossrail provision in place. What can you not do?

(Mr Boyton) If Crossrail take over the One Metro Service from Brentwood station, it runs from two sides of different platforms, and the eastbound platform, ie out of London, is accessible from a level surface on to the platform but the opposite platform which runs into London can only be accessed by stairs and a bridge over the tracks, and they are extremely steep. I counted them myself. I used the station to look at the difficulties that you would have if you were not completely able-bodied. There are 31 steps up and 31 steps down, very steep, and that is the only way you can access the platform into London to catch what would be a Crossrail train.

5933. Just so we understand the size of the problem in terms of the potential number of persons who might be disabled, I wonder if one has access to our appendices now. Sir I am going to take as read Appendices 7 and 8, because they are extracts from central government advice that puts flesh on the Disability Discrimination Act. Appendix 9 at 19 and 20, if we could have that put up, at paragraph 7.83,

²² Committee Ref: A69, Access to all Station List, Background (BRWDBO-14904-006).

²³ Committee Ref: A69, Access to all Station List, Access for People with Restricted Mobility (BRWDBO-14904-010).

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the local plan actually quantifies the number of disabled people that are likely to exist in the area.²⁴ Is that right?

(Mr Boyton) Yes. This is an extract, as you say, from the replacement local plan which was adopted in the August last year. The information that is provided there is from the Brentwood Access Group, their estimate that some 4,000–5,000 people within the borough are physically disabled. That is in addition to people with other disabilities such as sensory impairment and walking difficulty.

5934. That concludes the question of the disabled. Can I ask you to read another part of the letter, the 008 letter from the Promoters, but I want 009, where they talk about tree loss.²⁵ I just wanted your confirmation, if you peruse that, that that undertaking there satisfies you. If that is the case, that could be entered into the transcript.

(Mr Boyton) Yes, I have read the Promoters' further response on this particular issue of tree loss, and specifically at Friars Avenue. They were the two points that we were concerned with as an authority. One was our own ability under the planning regime to control reinstatement of lost trees and the other was the supplementary planting that was being offered to occupiers of properties that back on to the railway from 1a-25 Friars Avenue and what is now in the response, the fact that the Promoters have indicated where in the Bill the planning regime has that control over reinstatement, with the qualifications they put in there, and also the fact that they are now willing to make an undertaking to offer the supplementary planting, it in my view fully meets the points that we were petitioned on as regards works to trees.

Cross-examined by Ms Lieven

5935. **Ms Lieven:** First of all, you complained that the Environmental Statement did not consider the alternatives to terminating at Shenfield, and you took us through various extracts from the Environmental Statement. Information paper A7 deals specifically with the issue of selection of the north-east terminus, does it not?

(Mr Boyton) Yes.

5936. That was sent to you under cover of your petition response document. Is that right?

(Mr Boyton) Yes.

5937. So you have seen that and you have seen our case for terminating at Shenfield at least a month before you appeared here.

(Mr Boyton) I have, yes.

5938. So far as that document is concerned, just very briefly, you suggested a few minutes ago that the focus was entirely on the cost of terminating elsewhere, the increased cost, but if we look at one

example, 5.21, which is considering the implications of terminating the line at Romford, one of the points there is that to do that there would be very substantial demolition.²⁶

(Mr Boyton) Yes.

5939. There is no demolition required at Shenfield whatsoever, is there?

(Mr Boyton) There is not.

5940. Just briefly on the issue of benefits to Shenfield, we have drawn up a quick note on the benefits to Shenfield specifically of Crossrail, and I would like to run through those with you.

*The Committee suspended from 2.45 pm until
3.10 pm for a division*

5941. **Ms Lieven:** Mr Boyton, can we just very quickly go to the advantages and benefits to Shenfield, and I just use this note as an aide memoir to speed things up. Can we agree that the fast trains to London are not affected by Crossrail?

(Mr Boyton) We can agree that; of course they are not affected by the existing service.

5942. Secondly, there will be a greater frequency of service to the intermediate stations between Shenfield and Liverpool Street?

(Mr Boyton) Yes, that is so.

5943. Thirdly, for those people who do choose to travel beyond Liverpool Street they will now be able to take a fast train and change at Stratford or Liverpool Street.

(Mr Cork) Yes.

5944. And get on to Crossrail.

(Mr Boyton) Yes.

5945. They will also be able to take the Crossrail stopping train all the way through to their final destinations if they need Tottenham Court Road, for instance, or Paddington?

(Mr Boyton) If they are the ones that are served by the Crossrail train. As I have said previously in my witness statement it is more likely that people will take the fast train service to Stratford rather than get the slow train into Stratford and Crossrail.

5946. The people who are travelling to Heathrow will now be able to take the Crossrail train and either change on the same platform in effect—for instance get off at Tottenham Court Road and wait for the Heathrow train—or, depending on the operator, take the direct train straight through to Heathrow.

(Mr Boyton) Yes.

5947. A relatively small point, but for people who are carrying heavy luggage it is quite an advantage not having to get out at Liverpool Street, go down

²⁴ Committee Ref: A69, Appendix 9 Caravan/Camp Sites (BRWDBO-14904-060).

²⁵ Committee Ref: A69, Tree Loss at Friars Avenue (BRWDBO-14904-009).

²⁶ Crossrail Information Paper A7 Implications of Terminating Crossrail at Stratford, Assessment of Options Para 5.21 (SNC20060329-006).

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into the Underground, go off to Paddington and then change again on to the Heathrow Express, is it not?

(Mr Boyton) That is so as long as they can get on the Crossrail train at Brentwood in the first place because of the access problems.

5948. Let us concentrate on Shenfield. Shenfield is fully accessible for people with mobility restrictions at the present time.

(Mr Boyton) It is.

5949. And the fourth advantage set out there is that there will be a reduction in crowding and congestion, not so much when people get on the train to Shenfield because I assume they are not very crowded, but particularly for the journeys coming out from Liverpool Street where there will be a very significant reduction in congestion.

(Mr Boyton) Yes, I would agree, and the point we were making that the benefits are increased the further you get into London.

5950. Do not let us worry about Brentwood because I do not think that is the focus of your Petition, but in the judgment as to whether Crossrail should go to Shenfield. First of all, it is inappropriate for the Committee to take into account that if the trains were to terminate somewhere other than Shenfield on the northeast limb—it does not matter whether it was Stratford, Romford or Gidea Park—then there would be a disadvantage for passengers in the intermediate stations. So, for example, at Brentwood and Gidea Park and Harold Wood.

(Mr Boyton) It would clearly need to be some other service providing a rail service to those stations.

5951. You have rather approached the matter in your evidence-in-chief to say that there is no advantage to the people of Shenfield so the trains should not go to Shenfield—that is what I would describe as a “Passport to Pimlico” approach to rail training. It is very appropriate for the Committee to take into account the disadvantages of not going to Shenfield to people who live outside Shenfield, is it not?

(Mr Boyton) Of course, and it was not quite the fact that we were saying they should not go to Shenfield because there is no advantage for the people of Shenfield. What we are saying is there is not a clear analysis of why Shenfield was chosen, and if it does go to Shenfield then, clearly, we would wish that the harm that is created by the construction of the railway is mitigated as fully as it possibly can be.

5952. **Ms Lieven:** Yes, of course we understand that latter point.

5953. **Chairman:** Ms Lieven, can you give that document a P number, for the record.

5954. **Ms Lieven:** Seventy-one, sir.²⁷ Finally, Mr Boyton, it is also appropriate for the Committee to consider not just the disadvantages of not going to Shenfield for those intermediate stations but to consider the wider strategic benefits set out in the Environmental Statement of having a northeast limb, in particular, as an example, the reduction in overcrowding on the Central Line.

(Mr Boyton) Yes, and we acknowledge that there are those sort of advantages from Crossrail in Central London.

5955. **Ms Lieven:** I will leave it there, sir, and other points can be dealt with by Mr Berryman in evidence-in-chief, if that is acceptable.

Re-examined by Mr Stoker

5956. **Mr Stoker:** As I understand it, the fast trains to London are unaffected and you said that the existing service does not do that—the existing Metro level does not have an impact.

(Mr Boyton) That is correct. A no change situation to Metro or Crossrail.

5957. Greater frequency. All I can find in the note is a suggestion of 12 trains per hour as compared to seven trains per hour. Do you see that as a significant improvement?

(Mr Boyton) There obviously is a more frequent service being provided by Crossrail. Whether that is a significant improvement, clearly many people who either live or work around the Shenfield area do not see that as being a benefit which outweighs their concerns about the disadvantages. Again, one would have to say that if Crossrail were not going ahead would there at some stage in the future be an improvement of the existing Metro service by the existing franchiser or somebody else.

5958. Jumping down to 4, reduction in crowding and congestion, we saw the figure for Shenfield in terms of growth of passengers, 3 per cent in 100 people quantified there. So the reduction in crowding and congestion is taking place where, in your judgment?

(Mr Boyton) In my judgment the benefits of reduction in crowding and congestion are being felt either in Central London or certainly those stations closer into London.

5959. Can I ask for the tube map to be put up?²⁸ If you would scan down A, B and C and compare these to what you can do already by taking a fast train to Stratford. As I understand it if one goes to Stratford you can access the Jubilee Line and also the Central Line.

(Mr Boyton) And the Docklands Light Railway.

5960. Give us an overview, as it was—15, 16, 17 minutes by fast train along to the tube compared to these.

²⁷ Crossrail Ref: P71, Crossrail Benefits Shenfield Brentwood List (SCN20060329-005).

²⁸ Tube Map (LUL) Existing Tube Lines/System (SCN20060329-006).

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(Mr Boyton) That is the choice for anybody at Shenfield in terms of taking the journey into Central London or beyond. You get on a fast train which at the very quickest gets them into Stratford in 11 minutes and then they have a choice of changing on to either a Crossrail train, the existing Central Line or indeed some of the other services provided at Stratford. They may choose to go on to the Crossrail line at Stratford if they are going to a destination that is served by Crossrail, but there are many other destinations clearly existing on the Underground system that will not be accessed either directly by Crossrail or can only be accessed by Crossrail by one other change on to another Underground line.

The witness withdrew

5961. **Mr Stoker:** Sir, that is my first witness in-chief and cross-examined. I will call my next witness, Mr Brimley.

Mr Christopher George Brimley, Sworn

Examined by Mr Stoker

5962. **Mr Stoker:** Is your name Christopher George Brimley?

(Mr Brimley) That is correct.

5963. You have a Master of Arts in engineering from the University of Cambridge, you are a chartered engineer, a Member of the Institution of Civil Engineers since July 1977 and you hold the post of Head of Transportation and parking at Brentwood Borough Council. You have worked there since 1986, is that correct?

(Mr Brimley) That is correct.

5964. Can we go to the issue of the impact of the postulated worksites? First of all, the impact is described as serious and we will come to look at mitigation in a moment. Do you agree with that analysis in the impact assessment, that it is serious?

(Mr Brimley) Yes, I do, in terms of the impact on parking, both long and short term.

5965. If we can first of all look at Friars Avenue, could you give an overview of the Shenfield shopping centre as you see it? If you could first of all encapsulate it in words and then go on and look at parking issues and quickly go through your photographs.

(Mr Brimley) As we have heard, the Shenfield shopping parade is a vibrant district shopping centre. In fact I have taken a few photographs recently which gives an impression of what it looks like and the extent to which it is used by shoppers and so on. It has day-to-day and some bulk convenience shopping for the surrounding established residential areas, but it also has some independent shops. There are no less than three independent butchers, a fishmonger, baker and greengrocer, and it has speciality outlets such as high quality fashion, fine art and interior design function. It also functions as a local service centre with

banks, building societies, travel agents, hairdressers, doctors and dentists and a library. There are also restaurants, takeaways and a wine bar. At the moment I believe there are few, if any, unoccupied units.

5966. We have heard that the car parks are 100 metres or less in terms of walking distance from the core shopping area.

(Mr Brimley) Yes, that is the case. For short-term parking the council is trying to provide that very close to the shops where possible as the main facility for convenience shopping. The traders themselves stress this convenience as being a strong factor in the economic success of the centre.

5967. We will get specifically on to it at a moment and look at the amount of spaces that will possibly be taken away, but could you encapsulate the impact of taking these spaces away over a period of up to 18 months? How do you judge the consequences for the centre?

(Mr Brimley) The council is concerned at the loss for no less than 12 months of these car parking spaces or possibly even permanently. It is going to lose 50 spaces for this period, which the Promoters themselves refer to as a significant loss, and that, they say, is 44 per cent of the council's off-street car parking which represents a figure of around 28 per cent of Shenfield's short-term parking provision. The loss of those 50 spaces would in my view be likely to reduce significantly the level of trade and cause significant problems to local businesses. I think that many customers would go elsewhere to shop and would not return again at the end of the 12-month period.

5968. Where would they go?

(Mr Brimley) They would probably go to other areas—Billericay, Brentwood and Chelmsford have been suggested as areas that many shoppers would prefer to go to if they had to because they could not find somewhere to park conveniently, and there would be a tendency for them to do that. Billericay, particularly, is a larger town and is quite close by and has some convenience shopping and would be one that many shoppers would tend to go to.

5969. Within the context of the impact on car parking provisions, how sensitive an issue is this in respect of the activities of the borough council and local community?

(Mr Brimley) I can hardly overstate how sensitive this issue is at the moment. Long-term and short-term spaces in the Shenfield shopping area are both in high demand and over recent years this has been proved time and time again. In fact I think Mr Cork yesterday advised the Committee that the council had actually changed hands on the basis of the issue of car parking in Shenfield, and he is absolutely right; that is what happened fairly recently. The borough council is currently conducting a review of these issues. We have had stakeholder meetings taking place as part of this to gain an understanding of the competing views of local traders, employees

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and residents. We undertook an opinion survey and the council's policy board on 15 March of this year covering this showed that the public response had demonstrated the great importance of short and long-term parking for local businesses in Shenfield. Local traders at the time of the opinion survey showed great concern over the issues and there is, in fact, a high level of use of the existing limited waiting restrictions in the area which I think illustrates that there is a great demand for parking.

5970. Can you take up your photographs and take us through them briefly to give us a flavour. As I understand it, you walked around the centre taking photographs in sequence to demonstrate your points.

(Mr Brimley) That is right. The first page we have here shows the Hunter Avenue car park, and it is normally full up.²⁹ Hunter Avenue council car park is the most popular because it is quite a bit more convenient than Friars Avenue car park for pedestrians, so both short term and the season ticket holders probably tend to migrate towards this car park. If we go on to the next one that is a further shot of that car park.

5971. Page 2.

(Mr Brimley) We are now walking along the north side from Hunter Avenue car park from the station on the left in photograph A, walking towards the west and you will get an impression here of the level of on-street parking taking place and also see some of the service outlets and shops in the area.

5972. There were surveys done by the Promoters that indicated in terms of the on-street provision such as this that there was 100 per cent take-up, people actually queuing to get into these spaces. Is that your experience?

(Mr Brimley) Yes, there is very regular, high use of those spaces. I took this photo at about 2.30 p.m. last Friday, but it is typical of most of the working day because the spaces are very highly used.

5973. Page 3?

(Mr Brimley) We are still walking to the west on the north side of Hutton Road. The road you can see in front of you in D is Crossways and going across there is a butcher on the right and a flower shop.

5974. The fourth page?

(Mr Brimley) Now we are getting to the area where there is slightly more residential property, particularly on the left, but we are still carrying on walking to the west. You will notice that in photograph B you see some white advisory access-clear markings, which were put in in the bays there to keep access to the properties clear. But even so you will see that people use up all the space available.

5975. Page 5.

(Mr Brimley) Now we are getting towards the mini roundabout at the end which you can see in front of you in B. Again, very high use of the on-street spaces.

5976. Shall we just move on and take as read the sixth page (unless there are any other comments) the seventh page and then we go to the eighth page.

(Mr Brimley) This is the Friars Avenue car park, which, as I say, is less full generally than the Hunter Avenue car park, though I would anticipate, with the recent growth in occupancy in these car parks over recent years, by the time Crossrail comes along I guess this will be full up as well.

5977. Then I am going to offer to take as read 9, 10 and 11, unless there are any particular points on that. Can you just check?

(Mr Brimley) Yes, there is not really anything on that.

5978. So then if we can focus in on Friars Avenue, can you tell us about the strategy there and the split between the short-term pay-and-display and season ticket holders, and give an indication of how that strategy was formed and what it is meant to be doing?

(Mr Brimley) Yes. The council introduced season tickets into the Friars Avenue and Hunter Avenue car parks between five and 10 years ago, I think, to accommodate strong demands from local retailers that they did not have anywhere to park. We limited the numbers of spaces. In fact, it was increased a few years ago and is now at 85, maximum, spread between the two car parks. In fact, we are considering a proposal to actually allocate a certain number to each car park to make the two a bit more evenly used because of the sorts of issues that the process demonstrated. Eighty-two of those season tickets have been taken up at the moment. The idea was to provide an off-street facility for those who really need long-term spaces who were local employees, mainly, and that really constitutes the total availability, apart from this certain issue at the moment with some pay-and-display machines on the street which can, actually, park long-term, but that is actually going to be changed. However, at the moment, 85 is about the total number of long-term spaces there are available in the Shenfield area to cover the whole of the shopping centre and the associated offices, and so on, in the area. We do not permit rail commuters to use them; you have to actually have an address of an employer in Shenfield to qualify for one of the season tickets, and the car parks are run—and it says so in the off-street parking places order—as either season ticket or short-term, two-hour limited waiting. What actually happens is that season ticket holders tend to get there first, so they are normally able to take up their spaces, and then the short-term users later on during the day fill up as they need to make use of any spaces that may be available.

²⁹ Committee Ref: A66, Brentwood Borough Council, Parking Issues—photographs (SCN20060329-007 to 012).

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5979. I wonder if we could put up our parking policies, T8 and thereafter.³⁰ This is the third appendices. While we get that on the screen, you have got your policies in front of you. Can you explain to the Committee how you judge that the provision of both pay-and-display season tickets (that mix) is compatible with the policies in this statutory plan?

(Mr Brimley) Firstly, the policies T8, T9, T10 and T11 were developed in close co-operation between myself and Mr Boyton, who was preparing the draft policies for the Local Plan a few years ago, and there was much discussion at the time of how they inter-related with the council's needs and the views of the public with regard to Shenfield. You have got to recognise, of course, that in the Local Plan, that is the land use planning document, and Mr Boyton will, of course, be very interested in having regard to government policies in terms of planning guidance, PPG13. We have other, in terms of parking authorities, guidance but that is one of the main issues there. What we are trying to do here, in T8, is to promote the use of short-term car parking but, also, to critically assess long-term car parking. That is what we did and the council arrived at this figure of 85 as being the level it wanted to provide, following a great deal of consultation with local businesses and a balance of long-term and short-term parking in the area, so as to promote overall the best operation economically of the whole of the Shenfield centre area. Then, in T9, we are talking about off-street public car parking provision. Again, we believe it is entirely in keeping with the strategy adopted in Shenfield. T10 goes on to talk about on-street parking. Now that, of course, is a matter which also is a concern to the council as local planning authority, but it is of course fundamentally a highways authority matter. The council has agency from the county council with regard to on-street parking matters but no other transport matters. T11 talks about commuter car parking and explains how we are very concerned about the loss of commuter car parking in a number of areas including Shenfield.

5980. Can I then go on to ask you about the Hunter Avenue car park? Whilst I am doing that, can I just ask for the Environmental Statement, volume 8d to be located, chapter 18. I will come back to that in a moment. On to Hunter Avenue. This is a commuter car park.

(Mr Brimley) There are two car parks in Hunter Avenue. There is the 50-space council car park which I have been talking about and then there is the Network Rail car park. The main role of the borough council in Petitioning on parking matters is as parking authority. The problems of Network Rail commuters are, obviously, of less relevance to the council since these are private car parks and Network Rail will be the main organisation suffering from loss of commuter parking space, rather than the council. However, we believe that the parking authority does have a role in considering their

parking needs as a result of the Road Traffic Regulation Act 1984 and other legislation. I must admit, I find it somewhat surprising that neither Network Rail nor the train operating company, One, have apparently objected to the loss of these car parking spaces.

5981. If I can give you the page numbers, what I am interested in is page 4 and page 5 of that document 8d. What I want to do is just take you on to the impact, looking in the Environmental Statement, and go on to see whether matters have moved forward to see what is on offer at the moment.³¹ One has got page 4, and if one can pick out 18.25 and 18.26, Friars Avenue, if I read it out: "The station platform and western sidings work will be carried out from the same worksite, which will take over a short-stay car park at Friars Avenue. The site will accommodate offices, a car park for 10 vehicles and a materials stock pile area. Access will be difficult, so that only cars and vans are expected to enter the site. All 52 parking spaces will be temporarily lost during the one-year construction period. There is alternative parking close to the station and shops that may help reduce the impact of the loss. Nevertheless, the loss will be significant." So that is the Friars Avenue reference worksite in the Environmental Statement. When they say: "There is alternative parking close to the station and shops and that may help reduce the impact of the loss", do you know what that is?

(Mr Brimley) All of the car parking in Shenfield is at a high premium. I believe that the loss of the Friars Avenue car park will result in great difficulties for a number of people. In practice, I think it is likely that because Hunter and Friars Avenue season ticket holders will probably have already bought their tickets for a period, someone—probably the council—will have to find a way of satisfying their continuing need for those spaces which they have already paid for. My suspicion is that what will actually happen is that there will be a loss of short-term parking; somehow the council will have to find spaces to accommodate season ticket parking elsewhere and the people who will lose out, mainly, will probably be short-term parkers in the whole of the town centre.

5982. **Chairman:** Mr Stoker, we have just spent 10 or 15 minutes on this and we have only just arrived at Crossrail. It is quite a long time to spend on non-Crossrail things, until only in the last few sentences, really. We are supposed to be moving on.

5983. **Mr Stoker:** I take your point, sir. I do not want to do it to death but I do just want to draw your attention to the impacts, if I may. Page 5 is the impact on the other car park in Hunter Avenue, which refers to a 78-week period.³² At that stage, all

³⁰ Committee Ref: A66, Brentwood Borough Council planning policies regarding parking T8, T9, T10 and T11 (BRWDBO-14905-067 and 068).

³¹ Committee Ref: A66, Environmental Statement, Chapters 18.25-18.26 Work Site Assessment—Shenfield Station Worksite (SCN20060329-013).

³² Committee Ref: A66, Environmental Statement, Chapter 18.31 Work Site Assessment—Shenfield Station Worksite (SCN20060329-013).

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of the car park was going to be taken. Sir, if I can go on and look, if I may, at what is on offer now and get the witness to respond to this, and, also, refer to some of the Crossrail documents. Have you got the Promoter's response file? I am looking at page 57 in that document.³³ This is where they set out what you can do to mitigate the loss, and I would like your response to it. At 19 they refer to duration of phasing. We will come back to that and see what is on offer. At 21 they say that this could be dealt with by reducing season tickets. Can you comment on that, if you could, in terms of the practicalities of that?

(Mr Brimley) I really think that is going to be pretty difficult to do. The demand for those spaces amongst local businesses, predominantly office employees, is pretty high and there is going to be a large number of complaints if we were to have to merely just do away with season tickets for that time period.

5984. Twenty-two talks about directional signage. Do you think that will assist?

(Mr Brimley) No, I really do not. The vast majority of people who know an area do not ever look at signs at all, with regard to directions. Just a point on the signage because it has been highlighted: the signage to the council's car park deliberately says "short-term car parks". The reason for that is because season ticket holders know where they are and do not need signing. The point we are trying to get across to the motorists is that long-term parking is not possible in that location, unless you happen to have a season ticket, and, therefore, discourage people from trying to get into those car parks and park for the long-term. That is the reason why it says "short-term car parking" in the council's two car parks there.

5985. Turning over to page 58, there is a reference to cycles. We will pass over that. Twenty-four talks about utilising spare capacity at Hunter Avenue commuter car park. Do you think there is spare capacity?

(Mr Brimley) At the moment there is a little bit of spare capacity, but as I said earlier, by the time Crossrail comes along the growth in traffic and car use will probably have taken up the spare capacity.

5986. Is there spare capacity one could use during the working period?

(Mr Brimley) I think the whole car park will be full up by that time. I am sorry, you are talking about the Network Rail car park, here?

5987. Yes, as I understand it.

(Mr Brimley) The point is that there the capacity is actually pretty close to capacity at the moment, and I understand that all of the permits are allocated. Of course, it is in the train operating company's interests—and, probably, therefore, Network Rail's interest—to maximise use of that car park which is in very high demand.

5988. They then turn to the Hunter Avenue car park, 25 and 26, and talk about under-used capacity. You have dealt with that. Twenty-six talks about questions of on-street parking. Do you think there is any availability for on-street parking to deal with this problem?

(Mr Brimley) We are talking here, I think, about on-street parking in residential areas. My view of that would be that whilst the traffic regulation order process is, of course, of uncertain outcome, if we were to change the restrictions to allow commuters to use residential parking areas in Shenfield I do not know what the outcome would be, and people have the right to put their point of view through the statutory procedures. However, I can say that on the basis of my past experience I think the chances of the residents of Shenfield accepting commuter parking, even for a 21-month period are pretty remote, and I think that the council through its normal procedures would be highly unlikely to agree to such a change. Of course, that is the reason that the single-hour and morning and evening hour restrictions in Shenfield were put in in the first place—as a result of much pressure from residents to not have commuter parking. I think the suggestion that it is only 21 months and, therefore, would not matter very much is—well, I think after 21 minutes my 'phone would be absolutely red hot with complaints from residents.

5989. I am trying to move on as quickly as I can. If we can go to two objectors' documents, first of all, to 058, which is the letter of 24 March.³⁴ We had in the Environmental Statement both car parks being taken 100 per cent, and now we look at what is on offer in a proposed undertaking in this letter. One has a situation in respect of paragraph 1 where Friars Avenue, that will all still be used but for no more than 12 months. Do you see that as an advantage or improvement?

(Mr Brimley) Twelve months is what we were originally assuming was the case on the basis of more recent past statements.

5990. Paragraph 2 talks about Hunter Avenue, with an aspiration of 35 per cent, although reference to 50 per cent, although one notes the time seems to have gone up from 18 months to 21 months. What is your view?

(Mr Brimley) Obviously, 21 is longer than 18 and we are concerned about that. The 50 per cent figure was, again, referred to recently, and so we were previously aware of that. The 35 per cent is a reasonable endeavours figure, and we have no real means of knowing without understanding exactly how that site is going to operate what those reasonable endeavours would mean, so I do not think it actually adds a lot.

5991. **Chairman:** Have you asked?

³³ Crossrail Ref: P70, Promoter's Response Document (BRWDBO-14902-057 and 058).

³⁴ Crossrail Ref: P70, Letter from CLRL to Brentwood Borough Council, 24 March 2006 (BRWDBO-14902-008).

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(Mr Brimley) Yes, we have. We have discussed this point, but basically, the 50 per cent I think is the figure that we have to rely on, which is what we have heard about.

5992. **Mr Stoker:** Paragraph 3 talks about minimising the overlap. Have you now understood what that overlap might be in terms of time?

(Mr Brimley) I understand it is between five months and 12 months.

5993. What is your view on an overlap of that period?

(Mr Brimley) Double the impact for any period between five and 12 months would clearly cause additional problems for that time period.

5994. One sees the reference after paragraph 4 to the undertakings, subject to the council allowing the use of the car park land concerned temporarily on reasonable terms as an alternative to compulsory acquisition under the Bill. At the moment it is shown in the Bill in schedule 6, the compulsory acquisitions section, rather than temporary section, schedule 5. What is your comment on that?

(Mr Brimley) I was somewhat surprised about this. I would have thought that if it was intended to be a temporary use, and certainly the discussions with the Promoters have been on the basis of it being temporary use, I am not quite sure why it appears as acquisition. There do not seem to be any other offers from the Promoters as to what happens to it at the end of the period, but clearly, if it is a permanent thing, we would be very concerned about that.

5995. In overall terms, what is your view on whether this amounts to some form of reasonable mitigation that deals with your concerns?

(Mr Brimley) I do not really think that it adds a great deal to what we have previously discussed with the Promoters, and I do not think that it is likely to be acceptable to the authority to acceptably mitigate our concerns in its current form.

5996. You asked for a park and ride scheme, which, as I understand it, was under discussion. Can we just have a look at that on the screen?³⁵ It is in the appendices just before the parking policies. Can you tell the Committee briefly how that might operate?

(Mr Brimley) Yes. The thought is that there could be a facility for parking off site. There is some land within the Green Belt and various potential sites look potentially available within perhaps half a mile to three-quarters of a mile. You will see them there.

5997. Let us zoom in on that, and perhaps you can indicate where Chelmsford Road and Alexander Lane are and how that might operate in terms of getting access to the centre whilst the works are going on.

(Mr Brimley) It is difficult to do that in words.

5998. I think there is a pointer somewhere. (Indicating) These are the sites here.

(Mr Brimley) That is Chelmsford Road and that is Alexander Lane.

5999. That brings you into the centre there.

(Mr Brimley) That is it.

6000. These are open areas in the Green Belt.

(Mr Brimley) That is correct.

Cross-examined by **Mr Mould**

6001. **Mr Mould:** Mr Brimley, first of all, on the Promoters' intentions in relation to these car parks, you showed us the undertaking that was set out in the letter of 24 March which indicated the intention of the Promoter to use Friars Avenue car park for no more than 12 months and the Hunter Avenue commuter car park for no more than 21 months. You are clear on that.

(Mr Brimley) Yes.

6002. That is what we told you. It is unqualified. My instructions are that we have no intention of taking either car park permanently and that that is subject only to the point that in either case, the landowner, in the case of Friars Avenue yourself, in the case of Hunter Avenue commuter car park Network Rail, could require us to take the car park permanently. We are assuming that you will not require us to take Friars Avenue car park permanently and we have no reason to believe that Network Rail at this stage will require us to do the same with Hunter Avenue commuter car park. I hope that gives you the comfort you require on that.

(Mr Brimley) Yes, that is good to hear.

6003. Can we for the Committee's benefit orientate ourselves?³⁶ The Friars Avenue car park, and there is a blue arrow showing the pay and display car park and the station, as we pass along to the east there, and then the Hunter Avenue commuter car park is shown with the blue line, and then the area of 35 per cent that was mentioned in the undertaking is shown hatched. Immediately to the west of the car park is the Hunter Avenue pay and display car park.

(Mr Brimley) That is right. The north point on that map actually is not at the top but I understand what you mean.

6004. We are clear where we are anyway.

(Mr Brimley) Yes.

6005. The Friars Avenue car park is to be taken for 12 months and then handed back. That car park has 52 spaces, does it not?

³⁵ Committee Ref: A66, Areas of possible investigation for Park and Ride Site, Shenfield Railway Station (BRWDBO-14905-066).

³⁶ Crossrail Ref: P70, Brentwood Borough Council, Hunters Avenue Car Park, Promoter's proposed reduced worksite area (BRWDBO-14904-001).

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(Mr Brimley) I think we agreed on the figure 50 between us in previous discussions. There has been some discussion about the exact number. There are certain spaces which it is not clear to what extent it would be easy to use, but 50–52 I am happy with.

6006. We will agree on that, 50–52 spaces. Can we please put up one of our exhibits, exhibit number 16.³⁷ You told the Committee that Friars Avenue car park and indeed Hunter Avenue pay and display car park have two categories of users; one is shoppers using that on a pay and display basis.

(Mr Brimley) Yes, that is right.

6007. They pay for up to two hours and go and do their shopping, using them for their intended purpose in other words. The second is permit holders, who I think you described as people who are predominantly office workers who are employed in offices in Shenfield.

(Mr Brimley) Yes.

6008. If we look at the document, you will see that there is a list based on information provided by you in December last year of the organisations and companies which presently have permits.

(Mr Brimley) Yes.

6009. The lion's share of them are presently held by a firm called Alan Burrows.

(Mr Brimley) That is correct.

6010. We can see where Alan Burrows is located. It has a white "55" in a white circle on a red background. Do you see that?

(Mr Brimley) Yes.

6011. That is a design company, is it not?

(Mr Brimley) Yes.

6012. The 55 permits are presently held by employees of that design company.

(Mr Brimley) Yes, that is correct.

6013. Those are not people who work in the retail sector in Shenfield, are they?

(Mr Brimley) No, but they would probably use the retail centre in Shenfield quite considerably.

6014. Yes. The reason why they would use it is because they are employed at a location which is in Shenfield town centre.

(Mr Brimley) Correct.

6015. They will continue to be employed there, one may assume, whether they have a permit to park in one of the pay and display car parks or not, will they not?

(Mr Brimley) Can I—

6016. Is that right?

(Mr Brimley) What is the case is that I have spoken with the managing director of that firm, who has advised me on the difficulties he has in recruiting staff because of the lack of car parking in the area, and I can advise you further on that point if you would like.

6017. Have they said they are going to resign from the company if they no longer have a permit to park in one of the two pay and display car parks?

(Mr Brimley) The managing director has told me that he is very concerned if there is a reduction in the number of season ticket permits available for his staff about how easy it would be for his firm to continue in that location, and I have some further figures on that point if you would like them.

6018. No doubt he is keen to keep the permits if he possibly can, and part of his negotiating stance with you is to say that it is going to cause inconvenience and problems if they lose their 55 parking permits.

(Mr Brimley) I consider he is right.

6019. I have that point. Assume with me that they manage to overcome those difficulties and remain at that location and yet have to find an alternative means of accommodating their employees' journeys to work. On that basis, they would remain as potential customers to buy things in the shop and to take advantage of the services in Shenfield town centre, would they not?

(Mr Brimley) If that were true, yes.

6020. Those 55 permits effectively take all the spaces in Friars Avenue shoppers' car park, do they not?

(Mr Brimley) Probably most of those permit holders do use the Hunter Avenue council car park. As I say, the council is actually looking at relocating that so that there is a more balanced mix between Friars Avenue and Hunter Avenue car parks.

6021. I have no doubt they do tend to park at Hunter Avenue because they work where we see on the screen and, of the two shoppers' car parks, that is the one which is closest to their place of work. My point is this: Friars Avenue car park accommodates 50–52 spaces.

(Mr Brimley) Yes.

6022. You have granted 55 permits to the employees of Alan Burrows to use to park their cars when they are at work.

(Mr Brimley) Yes.

6023. Effectively, you have completely displaced shoppers from the Friars Avenue car park, have you not?

(Mr Brimley) The council has taken a balanced decision on the allocation of season tickets or shoppers' parking. In our petition we refer to the loss of parking, not just to shoppers' car parking. The council has the view that if, say, we were to lose

³⁷ Crossrail Ref: P70, Shenfield—Council controlled public off street parking and location of business permit holders (BRWDBO-14904-016).

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another one space from the area, because of the balance it has taken, on balance there would be just as much harm if it lost a season ticket as if it lost a shopping space in the car park. So that is really the way that the council is looking at it, and in doing so, it has used the terms of the Road Traffic Regulation Act 1984, section 122.

6024. I am going to come on to the council's planning policy in a minute, but let us be clear: the way into your evidence was your concern about the impact of the loss of car parking during the construction phase on the vitality and viability of Shenfield town centre.

(Mr Brimley) Which includes not just shops.

6025. Can I put it to you this way: we have provided surveys, have we not, both at the weekend and weekdays, which are in the papers, and you are aware of those surveys?

(Mr Brimley) Yes.

6026. I do not want to take the Committee's time going through figures. Can we agree that those surveys demonstrate that if you leave Alan Burrows and their 55 permits out of the count for the purposes of this point, there is ample space to accommodate the existing shoppers in the Hunter avenue pay and display car park?

(Mr Brimley) Clearly, that is an arithmetical fact but it seems extremely unfair on one particular organisation to pick on them and say, "We have decided that you are going to suffer the brunt of the impact of the loss of spaces associated with the Crossrail project."

6027. That would include, would it not, ample car parking to embrace other permit holders who may be employees of estate agents or shops or whatever, who do actually operate within Shenfield town centre?

(Mr Brimley) Yes.

6028. Is that fair?

(Mr Brimley) Yes. As you can see from the list there, Alan Burrows are not the only organisation in the area that takes season tickets.

6029. So it is fair, is it not, for me to put the point to you on the basis that what we are actually talking about here is displacing for a year the employees of Alan Burrows from one or other or both of the shoppers car parks in Shenfield town centre and looking to accommodate them during the course of that year through some other means.

(Mr Brimley) That is what you are suggesting to me but I have no reason to pick on that particular firm to achieve those ends, and the council has taken no decision to do any such thing.

6030. Can I turn to your policies, just to see if there is actually a rationale for me looking at it in that way? Can we please put up the council's parking policies which are set out in this document. I want to

look at policy T9, please, which deals with off-street public car parking.³⁸ That is what we are concerned with in relation to Friars Avenue, is it not?

(Mr Brimley) May I just comment on that? That is the council's planning policies. I think you are jumping to a conclusion that that is the only policy determinant on the council operating as parking authority. I referred earlier to the Road Traffic Regulation Act, which is actually what we have to stick to. These are in fact policies.

6031. I can only work on the basis of the information that you put in to the Committee. You have put this in as your council's policy in relation to car parking.

(Mr Brimley) No, that is not correct. These policies have been introduced by the council as planning authority, and my colleague has referred to them. You yourself in earlier documents referred to the council's planning policies. I have never said that those are the only policies which determine how parking is allocated in the borough. That is not the case.

6032. You have not shown us any particular provision in the Road Traffic Regulation Act.

(Mr Brimley) I will do so if you like.

6033. I am happy to look at the policies you have put in. Let us look at this. The council's planning policy, which deals with off-street public car parking, indicates to the Committee that "The council will prioritise the use of public car parks for short-stay car parking through its management and pricing policies. Existing short-stay public car parking located in Brentwood town centre and the borough's district shopping centres", which we know includes Shenfield, "will be retained whilst long-stay public car parking will be critically assessed and, where appropriate, reduced."

(Mr Brimley) Yes.

6034. Pay and display users of the Friars Avenue car park, that is short-stay parking, is it?

(Mr Brimley) Yes. In this particular location it is, yes.

6035. That is parking which your council, from a planning perspective, is looking to prioritise the use of.

(Mr Brimley) Yes.

6036. It is looking to do it through its management of the car park.

(Mr Brimley) Which is why it has, as I said earlier, fixed on the figure of 85 maximum for season tickets when there is considerably more short-term parking available. The council has done the exercise to which you are referring in T9 in determining the balance between short and season ticket parking.

³⁸ Committee Ref: A66, Brentwood Borough Council planning policies regarding parking T9 (BRWDBO-14905-067).

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6037. During the construction of Crossrail for a period of 12 months there is going to be a reduction in the number of existing short-stay parking spaces available within Shenfield town centre through the loss of the Friars Avenue car park.

(Mr Brimley) We are petitioning to try and find some other solution.

6038. You are going to lose 50 or 52 spaces.

(Mr Brimley) Yes.

6039. If you were to apply the policy that is set out here, in order to decide how to manage the reduced number of spaces available to you for short-stay parking, ie the Hunter Avenue pay and display car park, 64 spaces, on this basis you would prioritise the use of that car park for short-stay parking, would you not?

(Mr Brimley) No. If you read the policy, what it says is we would critically assess it, which is exactly what I am telling you.

6040. I am sorry, Mr Brimley. Short-stay parking you say you will prioritise.

(Mr Brimley) OK. It starts off by then saying long-stay public car parking will be critically assessed and, where appropriate, reduced, but the point is we have done that exercise already, and the evidence I gave earlier was that I believe that we have balanced—and certainly the public believe it because we have had an awful lot of discussion about these very issues—the two issues. I do not know what the council will decide to do at the end of the day, but my advice would be that it would be wrong to say we should just take away long-term parking and that would comply with this policy, because it would not. The policy is quite clear about critical assessment, and may I say that in the wording of this policy I and my colleague Mr Boyton were very well aware of the situation in Shenfield, had that in mind when it was being drafted, and had a great deal of discussion about these issues when trying to frame a wording for this which complied with the requirements of PPG13 and also with the situation we find ourselves in.

6041. Very well. We can read what the words are and I have put the point to you. Can I be clear on one other matter before I ask you a couple of questions about commuter car parking: if the Committee sees the force of our point about this being really focused upon displacing effectively the employees of Alan Burrows Ltd for a period of 12 months from the existing short-stay car parks, then your alternative solution effective comes to this, does it not: you are suggesting that appropriate mitigation is to provide a car park in the Green Belt to accommodate the employees of that firm?

(Mr Brimley) Temporarily.

6042. Do you accept that?

(Mr Brimley) No, I do not. Sorry. I accept that what we are trying to do is to provide a car park temporarily in the Green Belt area for the duration of this to accommodate parking displaced. I did not

say and do not necessarily agree that the way to do it would be to make Alan Burrows' employees all use it. It could be a balance with other users.

6043. **Chairman:** We have the point.

6044. **Mr Mould:** Finally in relation to commuter car parking, the surveys show, as I think you accept, that there is spare capacity in the two existing commuter car parks in Shenfield, that is to say, the Hunter Avenue commuter car park and the Mount Avenue commuter car park.³⁹

(Mr Brimley) It shows there is a very limited spare capacity but I understand that the season tickets are allocated by the operators of that car park in a way to maximise its use and if the surveys had demonstrated that there is the opportunity to sell more season tickets, I would be pretty sure that they would wish to do so.

6045. We surveyed the commuter car park at Brentwood station earlier on this month and on the basis of our survey there were 179 spaces available on the day at the time of the survey. There is no reason in principle, is there, why commuters displaced for the duration of the use of the Hunter Avenue commuter car park for the Crossrail works should not, if necessary, look to be accommodated by using Brentwood station as opposed to Shenfield station?

(Mr Brimley) Are you offering that?

6046. I am suggesting that would be an appropriate alternative location for them to park.

(Mr Brimley) I think that there would be considerable opposition from commuters to that. Obviously, I cannot speak on their behalf and have not asked them but what I would say is that, as we have heard earlier, the services from Brentwood to London are considerably slower than the services from Shenfield to London, which is what most of these people are probably looking to do, and to actually get to the Brentwood station car park from the Shenfield area would involve also considerable delay in getting through the congestion in Brentwood town centre, and those two factors are probably the explanation why Brentwood station car park tends to be much less used than the Shenfield station. I should also say that Shenfield station, because of the fact that it is the joining point of two separate main lines, has an extremely good, fast service to Liverpool Street, an extremely regular service, and that is also of great attractiveness to people who wish to use the rail service to London Liverpool Street.

6047. Finally, we have indicated, have we not, that we are perfectly prepared to work with the council to see ways in which one can manage and make as efficient as possible use of existing off-street and on-street parking in order to mitigate the temporary impact of the loss of the car parking space within Shenfield town centre?

³⁹ Crossrail Ref: P70, Survey—Temporary Use of Car Parks as Compounds (BRWDBO-14904-012).

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(Mr Brimley) I am grateful to you for that offer but, as I think we have discussed between us, we feel that, because of the extent of the on-street restrictions already in the area, that probably will not be greatly necessary. There may be one or two areas where small extensions might be necessary but that is not something which would give us great consolation.

Re-examined by **Mr Stoker**

6048. **Mr Stoker:** You see the thrust of it: this can all be solved, as I understand it, by taking Alan Burrows' season tickets away. Tell us about that company, if you can.

(Mr Brimley) Alan Burrows is by far the largest private local employer in Shenfield. As I say, I have recently spoken with Peter Townsend, who is the managing director, and advised him of what I understand is being suggested. He tells me that the firm currently has some 150 staff on site. The Promoters' figures of 27 parking spaces on the site are about right. That is virtually what he has got. That level is very considerably below the maximum parking standard that would be provided were the council considering a planning application for an office of that size, which of course it is not. Mr Townsend advises me that his firm provides graphic agency services and he has a major client, the Ford Motor Company. His firm is successful and expanding but he says that the major problem revealed by his client satisfaction surveys—and he has gone to people like Goulds and so on—is lack of parking for the offices. He says he purchases the 55 season tickets from the council for his employees but he is, in his own words, seriously short of spaces. They are not enough to prevent his staff from continuing to plan for more parking spaces. He has sought all opportunities to acquire other private spaces in the locality. He does recognise full well that the car is not the only means of travel and he gives financial assistance to his staff to buy a rail season ticket so as to encourage reduced car use. But the overall impression he has given me is that that is one of his biggest problems, the lack of car parking.

6049. Could you express a judgment on whether it is fair to assume that that company could take that impact and to remain there and to be trading as an important local business or not?

(Mr Brimley) I think that there is a serious possibility that they might seek to go elsewhere if this happened to them. I say that in the knowledge that when they came to Brentwood in 1999 they had long discussions with the council about whether or not it would be possible to locate to that area with the lack of car parking, and they sought other locations where offsite car parking could be provided by the council. We were not able to accommodate them as it turned out and they went elsewhere and eventually acquired some private spaces, I believe, and when the season tickets came on line they were one of the most interested firms in acquiring those season tickets. So I believe it is entirely appropriate for the council to recognise that situation and try to support

the local economy, which is not just retail but is office as well, to provide them with that number of season tickets.

6050. **Chairman:** Has the company you are referring to actually approached the council and said that they would be in serious difficulties if they moved?

(Mr Brimley) Not quite in so many words but they had said that lack of parking was a serious problem affecting their expansion.

6051. Have they indicated that they support your petition?

(Mr Brimley) Mr Townsend has indicated to me that he entirely supports the argument.

6052. But he has not written to the council?

(Mr Brimley) He has not written to Crossrail. In fact I only spoke to him last week so this is the first he has known about the details of what is proposed, and so was not aware of the suggestion.

6053. They have not petitioned themselves?

(Mr Brimley) Have they?

6054. No.

(Mr Brimley) I was not aware of that.

6055. **Mr Stoker:** Just to understand that, you went to speak to them after receiving a technical note where this particular firm was raised?

(Mr Brimley) That is the point. I was somewhat concerned to see that they might be targeted by this proposal and I felt it only fair to ask their views on this.

6056. **Chairman:** You sought their views but they have not responded in writing to say their position.

(Mr Brimley) They are not doing that, no. In fairness I only spoke with them last week so they have not had time to do so.

6057. As I understand it, from evidence which was given yesterday and indeed today, there has been considerable publicity about Crossrail in the Brentwood area and so I do not think it could have passed them by that they did not notice that it might affect them.

(Mr Brimley) In fact Mr Townsend said that he went along to the first public meeting organised by Crossrail, and I believe that the Promoters gave the presentation. So he was certainly aware of the scheme, and I understand the point you are making. He may not at that time have appreciated the impact that the proposal might have fallen heavily on his particular firm. He might have seen it as a loss of car parking spaces but he would not have picked up from that, unless I am very much mistaken, the fact that his firm might be in the firing line.

6058. **Mr Stoker:** The 55 permits subsumed within the total of 85 season tickets being offered, is the demand higher than 85? I am interested to know whether there is a balancing exercise going on.

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(Mr Brimley) The demand for permits is certainly higher than that but the council is actually charging quite a lot of money for them and recently approved quite a considerable increase in them, and there are various reasons for that. I suspect, if we were to advertise widely the availability of the permits, even with the current proposed increase in charges we would probably get more takers. We have not done that because we are three short of the maximum anyway at the present level. Of course there is other long-term parking taking place in Shenfield, which is probably a number of long-term people who are parking illegally on these spaces.

6059. It is suggested you displace shoppers from Friars Avenue by this policy of reducing season tickets. We have surveys for the use of Friars Avenue, is there any evidence that you are displacing shoppers from Friars Avenue?

(Mr Brimley) I need to check what the surveys actually show but my understanding is that there are a number of shoppers parking in Friars Avenue car park.

6060. 012 is the weekday survey. If you would check that? What I want to know is if there is any evidence that you are displacing shoppers from Friars Avenue—in other words, it is full up and they are being pushed somewhere else?

(Mr Brimley) The survey of Friars Avenue pay and display car park shows 27 and 25 pay and display permit holders and no permits on the particular survey date shown here, which looks like 3 December 2005. So, yes, there is evidence that there would be a loss of shoppers from that car park.

6061. Looking at Hunter Avenue, because we have surveys for that, both weekday and weekend surveys, can you tell the Committee about that? Is there spare capacity there, in particular what is going on in the week?

(Mr Brimley) The figures on this page 14 . . .

6062. Look at 012 actually and look at Hunter Avenue, both the pay and display and the commuter.

(Mr Brimley) There are three figures there, the 75 per cent full, 82 per cent and 84 per cent at Hunter Avenue.

6063. So in terms of spare capacity is there any meaningful spare capacity there?

(Mr Brimley) To be honest I am quite surprised that it is that low. I would have thought that it is highly likely, if that is the case, if that is a low take-up of the Hunter Avenue commuter car park, that the operators of that car park would wish to rush in there and plug the gap pretty quickly because there must be the opportunity to sell more season tickets for the express lines which are in such great demand from Shenfield.

6064. **Mr Stoker:** Thank you very much. That is our case.

The witness withdrew

6065. **Ms Lieven:** Sir, I will call Mr Berryman.

Mr Keith Berryman, Recalled

Examined by **Ms Lieven**

6066. **Ms Lieven:** Mr Berryman, you have given evidence on a number of occasions so I do not need to introduce you again. I have three questions for you. First of all, can you tell the Committee why Crossrail is terminating at Shenfield and why other termination points on the northeast route were rejected?

(Mr Berryman) We looked at several options for where we should go in the northeast quadrant of the route and the difficulties are both constructional and operational. If one is to provide Crossrail trains to terminate at some point other than Shenfield it is necessary to provide additional tracks, additional lines because we still have to serve those stations beyond our terminating point by services going directly into Liverpool Street. So, for example, if we were to terminate at Stratford we would still have to provide the lines which run out all the way to Shenfield at present, the E-lines as referred to earlier, which carry the stopping services in from Shenfield. So we had to provide additional track space at Stratford. If you extend the same argument to Ilford or Romford, which I guess would be the other two possible candidates for terminating points, the same argument applies. In addition to that, the works at the other possible point are very much more substantial than they would be at Shenfield. In the case of Stratford, an order of magnitude; in the case of Ilford and Romford at least five or six times as the case would be in Shenfield. That is why the decision was made to go Shenfield.

6067. Moving to Shenfield, can you explain why it is necessary to construct a new platform on the western side of the Shenfield station, which was a relatively recent change to the scheme?

(Mr Berryman) That is right, yes. Shenfield currently has five platforms. The E-line trains—that is to say the existing stopping service trains—currently use platforms 4 and 5, but platform 4 is also shared with the trains going to Southend. So effectively at the moment the E-lines have one and a half platforms to handle their turning trains. We would be increasing the number of trains using this line. Our operational modelling demonstrated that this was a significant problem for time keeping on the line, and of course when you get into Central London we would be running a very intense service and it is important that trains are presented at the tunnel mouth on time at regular intervals, and it is for that reason that we need to keep a high level of reliability of time keeping. The model demonstrated that trains were being delayed at Shenfield either by the passage of the Southend trains or the lack of platform capacity, and therefore an additional platform was needed to make the service flow.

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6068. The third question: moving to the east side of Shenfield Station, can you explain why fairly intensive track modification works are necessary and, at the same time, explain what the activities in the Hunter Avenue worksites are going to be, so that Mr and Mrs Ennals understand that.

(Mr Berryman) This is a view of the layout which exists at present. Perhaps Mr Bennett could demonstrate where the Southend loop line goes. This carries trains which use platform 4 and go around the outside of the layout at this point. This means that any trains going into these sidings have to conflict, they have to cross over the trains going to Southend, to get into the sidings from the E-lines, and this is operationally difficult. Could I have number 20?⁴⁰ Number 20 shows what the arrangements would be afterwards. We will move the Southend loop line so that it is closer to the mainlines and indeed further away from the residential property in Hunter Avenue, and we will construct three new sidings on the spaces released. The works to construct the sidings in terms of earth works are not particularly big. If you look at the area where the embankment needs to be enhanced on the cross-section—there is the blue arrow pointing to it now—you can see that that is a fairly typical cross-section so the earth marks are not massive. But there are significant works in terms of grading the land, putting in new drainage, putting in electrification masks, putting in new signalling and the like. The first task would be to move the Southend line from its current position to its new position. That would require some work to be done in possession—that means at night or weekends. Once that is done the familiar blue fence that you have seen along the railway can be put up and the work to the north of that line, that is to say the new sidings, can be constructed in normal working hours. There will still be possessions required when we fit the switches to connect to the main line and when we do the commissioning of the signalling system and the electrical systems, but generally speaking much of that will be done in daylight hours. The main reason for needing the Hunter Avenue car park, or part of it is three things. Firstly, to allow facilities for staff—messing and so on; secondly, to allow for the delivery of materials, such as drainage components or electrification components; thirdly, to allow for assembly of some of the larger components for switch gear, immediately before they are craned or walked into position. Typically most of the activities would take place within probably about 20 per cent of that site, but the 35 per cent that we need allows for delivery of materials and storage and movement of lorries and so on. We may very occasionally need to go to 50 per cent for the odd weekend when we are doing track work, but that should be very occasional and not happen very often. The other one at the moment that would be kept there is plant would be stored there and the short access run to get at the railway.

6069. I am going to ask a fourth question. Could you just pull up the plan to show where the hoardings can

be placed in order to provide a noise barrier while the works are going on?⁴¹ This was a point that was expressly raised. If it is not shown with the pointer perhaps it could be shown where the hoardings go around the worksites?

(Mr Berryman) It is just about visible on this plan with a green line. Of course this plan was drawn when it was the intention to take the whole of the Hunter Avenue car park and we have drawn back from that now. Basically the hoarding goes around the car park, along the back of the houses in Hunter Avenue, between the houses and our works, and then there is another hoarding on the south side of the railway, which will provide some mitigation against the noise transmission.

6070. **Ms Lieven:** Thank you very much, Mr Berryman.

Cross-examined by **Mr Stoker**

6071. **Mr Stoker:** Mr Berryman, can you I take you to Appendix 2 in Mr Boyton's appendices, which is a letter from Crossrail. I want you to confirm that Crossrail had not undertaken any feasibility studies for terminating Crossrail eastern route west of Shenfield, whether at Stratford or Romford or elsewhere, and that all documentation showed that the business cases and business plans were predicated upon that basis. Is that a fair and accurate description?

(Mr Berryman) That is certainly a fair and accurate description. We have never undertaken any form of feasibility studies. We have done very high level reviews at the time when the London East-West study was being done, and subsequently when the project was restarted. We did a very high level review of all of the possibilities but there was nothing in there that indicated to us that a full-scale feasibility study would be justified in this project.

6072. In order to balance the various options should one not have some form of comparative feasibility study that is in the public domain so that we can look at it?

(Mr Berryman) I think some of these things really do not pass the commonsense test. If you just look at a site and see whether it is feasible I think that is very often as high a level as you need to go in that kind of analysis.

6073. **Mr Stoker:** With a project of this size and this expense, is it right to do it "on the hoof", in that way? Should there not be something in the public domain so it can be scrutinised?

(Mr Berryman) I think that that is not the scheme that we took forward. Certainly on things where there are finer issues we have done documents that are in the public domain but in this instance, as I say, it just does not pass the common-sense test. On a visual inspection of the site you can see there is no way of doing it.

⁴⁰ Crossrail Ref: P70, Shenfield Station—Eastern Sidings Proposed (BRWDBO-14904-020).

⁴¹ Crossrail Ref: P70, Map of the initial intention to take the whole of the Hunter Lane Car Park/noise barrier explanation (SCN20060329-001).

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6074. When it says in that letter that Shenfield features in these plans on the basis of what is described as “predicated upon terminating at Shenfield”, this was an ongoing assumption, was it, that was in place for many years?

(Mr Berryman) Yes. There has been a long-standing assumption that Shenfield was the natural terminus for the scheme, which goes back to the previous incarnation of Crossrail in the 1990s. Certainly when we undertook the East-West study in 2000 which led to the re-establishment of the project, these issues were reviewed again at high level and then, subsequently, as I say, once the company was established.

6075. That is the situation. So, as I understand it, when one looks at document A7, which is the “Selection of the Northeast Terminus” and, also, those parts of the impact statement that deal with this issue, this is after the event, is it not, where you have already decided on the design of the network including that branch leading up to Shenfield, and you are now trying to explain, after the event, why that is the case. Is that right?⁴²

(Mr Berryman) I would say that is a fair comment. What we are trying to do is perhaps set down in text something which most competent engineers would know, as I said, by inspection.

6076. Is that not flying in the face of the normal approach of an impact assessment, where you are trying to keep an open mind of the options, compare them and then arrive at some form of consensus of the result?

(Mr Berryman) That certainly is the way that one would do it, but there are obviously literally millions of options that could be looked at for a scheme the size of Crossrail, and there are many of those which are dismissed at first pass, because they are clearly not viable and not worth taking forward.

6077. It has been done that way, as it were, to justify decisions that had already been made. Is that fair? You had a decision on the scheme to promote and then *ex post facto* you sought to justify it in the impact statement?

(Mr Berryman) I would not put it quite like that. As I said earlier, the impact statement set down in text what had been decided at workshops at a high level in the first instance.

6078. When one looks at A7, the governing points, in looking for the consideration in the round of a number of factors, benefits and disbenefits, social issues, construction issues, costs, my eye falls on 5.14 at page 5 where it is suggested that Shenfield is considerably less work than would be required at

locations such as Romford or Gidea Park.⁴³ Is that really the key to the Shenfield decision: that it is the cheapest option?

(Mr Berryman) It certainly is a factor in any decision which is taken in design, of course, but I think when we are looking at very high level we are not really looking at the cost in the first instance. The fact that much more work would be required at the other sites, as you say, would result in a higher level of demolition and a higher level of disruption to the people who live in those places. Moreover, it would require a higher level of disruption to the rail services. So while the scheme is being built the existing suburban services would be significantly disadvantaged. The main argument, I think, for going to Shenfield is the operational one; the need to have a network which is, as far as possible, insulated from the rest of the rail network, so that the very high levels of reliability that we need to achieve to get the benefits from the project and to get the high number of trains through the central area can be achieved. The closer we can get to a segregated set-up system the more likely we are to achieve that target.

6079. I hear what you say but there is no, as I see it, information in the public domain on that point, is there, in any detail, so one can see that point and test it?

(Mr Berryman) There is no timetable of studies being done but it is a matter of common perception amongst railway designers and operators that segregating lines one from the other is more likely to lead to a reliable service. I think there is a standard work on Metro design from the 1920s which we have uncovered.

6080. I do not know about that but there we are. Certainly, if one looks at wider issues than costs, there does not appear to be a tangible benefit to the residents of the borough for whom I act when one peruses the various statistics on certain matters including social exclusion, journey times and the question of passenger growth. We have seen those matters in our appendices. You do not take issue with them factually?

(Mr Berryman) I do not take issue with them. I am not quite sure that I agree with you as regards the whole borough. Clearly, Brentwood Station would get a significantly enhanced and improved service. As you pointed out and as you do not dispute, from Shenfield there is a fast line service which gives a much quicker time into central London than a suburban, metro-type train such as Crossrail ever could. You would not dispute that because it is true. I think if you are taking the borough as a whole, it is not true to say that there are not any benefits because the Brentwood people do get benefits.

⁴² Crossrail Information Paper A7 Implications of Terminating Crossrail at Stratford, Assessment of Options (LINEWD-IPA7-001 to 006; SNC20060329-001 to 004).

⁴³ Crossrail Information Paper A7 Implications of Terminating Crossrail at Stratford, Assessment of Options Para 5.14 (SNC20060329-005).

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6081. I take the point but I want to understand factually whether there are any issues. Our appendix 4.⁴⁴ We have not got the statistics for Brentwood, but in terms of Shenfield the savings in time are, I would suggest to you on the basis of table 18.1, either non-existent or very small.

(Mr Berryman) I am not absolutely sure that I can accept that. Certainly with regard to Heathrow—no, I am not sure that I could accept that.

6082. Zero is very small, is it not?

(Mr Berryman) Zero is very small if that were to be the actual time saving. My calculations would indicate bigger time savings than that. However, one has to bear in mind that there are a whole range of possibilities opened up by Crossrail. So a passenger from, say, Shenfield going to Tottenham Court Road could, if they wished, take a fast train to Stratford and change onto Crossrail at that point. They would get a much quicker journey than if they took a fast train into Liverpool Street, as now, and then changed to the Underground. You have to be very careful that you are actually comparing optimum with optimum.

6083. Absolutely. This would be the advantage of a proper, reasoned comparison in the public domain so that we could look at it. It has not been done.

(Mr Berryman) A comparison of timings?

6084. Yes.

(Mr Berryman) We have done quite a lot of comparisons of timings. The whole business case is actually, as you may well know, based on time savings which will be experienced by passengers. We have a huge range of calculations that have been done for that.

6085. Appendix 3, in terms of access for those (you talk about the wider area of Brentwood) who have not got a car, shows that there is zero benefit for Brentwood and that, really, the lion's share of the benefit lies inside the London conurbation.

(Mr Berryman) Yes, I would not deny that the lion's share of the benefit lies inside the conurbation because that is where the lion's share of the people live. Inevitably that is the case.

6086. Appendix 6, in terms of actually meeting some form of unmet demand, or leading to a situation where there is passenger growth at the end of the line at Shenfield, looking at 18.44, that is almost statistically insignificant, at 3 per cent, is it not?

(Mr Berryman) Yes, it is a very low number. As has been pointed out by many speakers, Shenfield has a very good fast line service and we would expect a significant proportion of the people, most of them, would continue to use that fast line service.

6087. So, in the round, Shenfield takes that work in terms of the terminus for the benefits for London.

(Mr Berryman) I would say one could make that argument, yes. I think Shenfield does get benefits but because it is the terminus of the route (and, as I think Ms Lieven mentioned yesterday, the same argument applies with any terminus of this nature) the benefits are less than they would be the further you get into town.

6088. Just so one takes stock of what we have got, at the moment, in terms of those who live at Shenfield and Brentwood, there is an existing, functioning metro service. I think that provides some seven trains in terms of frequency. Is the seven figure correct per hour?

(Mr Berryman) It is around that number.

6089. You postulate 12 trains per hour for Crossrail. There is a fast service that you can take—have you taken it—for about 16, 17 minutes to Stratford?

(Mr Berryman) I have used that, yes.

6090. It is very quick and effective, is it not?

(Mr Berryman) It is a very good service indeed.

6091. Where you can join the Tube system and you can get to Heathrow, you can shop in Bond Street, and you can get to your work in Canary Wharf—you can do all that with a 17-minute trip in on the fast service.

(Mr Berryman) You can get to Stratford in 17 minutes but that does not mean you can get to Canary Wharf or any of those other places in that time. You have got to change; some of the interchanges are not particularly brilliant. Getting to Heathrow, in particular, involves a number of complex, long walks, lots of steps to go up and down. Not easy. As a regular rail user, I find the inconvenience of some interchanges quite annoying. For instance, I use the Midland Mainline into St Pancras and I find the interchange from there to the Underground to be particularly annoying.

6092. **Chairman:** So do I.

6093. **Mr Stoker:** Sir, trying to keep the questions short, I will leave it there.

6094. **Chairman:** Mr Welfare, can I just, before you start, point out that I am conscious of costs and charges and time and effort, and really we do not have many more minutes left before a vote at five o'clock, and then we can come back at about a quarter-past five for a further 15 minutes, whatever the case may be. If you feel that you can finish in that time I wonder if you can indicate and try and be helpful to the Committee.

6095. **Mr Welfare:** Sir, I was not quite sure I caught the last part of what you said. Were you saying that to me that I did not think I could finish in that time?

6096. **Chairman:** I just need you to indicate whether or not you think you are going to finish in such time.

⁴⁴ Committee Ref: A69, Environmental Statement, Appendix 4, Table 18.1 Journey Time savings (Platform to Platform) to and from Shenfield; and Table 18.2 Route Window NE17— Temporary impacts (BRWDBO-14905-048).

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6097. **Mr Welfare:** I think it possible that my cross-examination of Mr Berryman, depending on his replies, may be over by the time of the vote. I am conscious that Mr Berryman is not the only witness we are due to hear in this final session and there is then cross-examination of that further witness. There are then closing submissions. I suspect it would be ambitious to expect that to take place in a quarter-of-an-hour after you return from the vote.

6098. **Chairman:** We will proceed.

6099. **Ms Lieven:** I am happy to indicate that we think that in the last day-and-a-half the Committee has heard a sufficient amount about the environmental impacts and the impact on parking at Shenfield to understand the issues fully. We are content not to call Mr Anderson on that basis. He is here and if the Committee wish to hear from him he is available, but, from our side, we think the issues have been thoroughly explored by now and we are not sure the Committee will be assisted by hearing any further evidence from Mr Anderson. I will leave that in the Committee's hands.

6100. **Chairman:** Mr Stoker, what about yourself? How long do you think you will be summing-up, bearing in mind we have heard quite a lot of detail?

6101. **Mr Stoker:** It is a question of how long do you want me to be! Certainly on the basis that, at the moment, it is simply my witness on parking, and I note what has been said by my learned friend, five to 10 minutes, perhaps, in overall terms.

6102. **Chairman:** Then I am content. Mr Welfare, if you could cross-examine and then we will move on to summing-up in the time, if possible.

6103. **Mr Welfare:** I will see what I can do, sir.

Cross-examined by **Mr Welfare**

6104. **Mr Welfare:** Do I take it, from the general layout of the room, that Mr Berryman is in the unfortunate position of hearing me from behind him?

(Mr Berryman) Indeed.

6105. I do apologise. Mr Berryman, you told the Committee just now that (and I do not want to put words in your mouth) one of the main benefits of the scheme was that people in Shenfield could catch a fast train to Stratford and change on to Crossrail and go into the centre of London.

(Mr Berryman) I did not say that was one of the main benefits. I said that was one of the options which would be open to them.

6106. The point I simply make to you is that that is an option that would be open to them were Crossrail built without the extension to Shenfield.

(Mr Berryman) Indeed it would, yes, that is true.

6107. Therefore it says nothing in support of the argument that Crossrail should be built out to Shenfield.

(Mr Berryman) No, it does not. We were not talking about that at the time, of course, we were talking about the journey opportunities from Shenfield which would be opened up by Crossrail in all aspects of the scheme.

6108. There is no argument, therefore, that if you built the Crossrail scheme across and underneath the centre of London the people of Shenfield could get to it via the fast link that they already have. That says nothing about the question before us at the moment. I am grateful for your acknowledgement of that. You accepted what my learned friend Mr Stoker said that, to some extent, document A7, the explanation of the argument for Shenfield, is an explanation after the event. So it is fair comment that that is the case. You said it was a common-sense test that a visual inspection by an engineer would demonstrate—I think you were referring to the lack of space at Stratford.

(Mr Berryman) At Stratford and at Romford, and the other place we looked at was Ilford. I think we had a look at Gidea Park as well.

6109. I want to come back to Stratford in just a second. You said it was a long-standing assumption. You used the phrase several times “high level”.

(Mr Berryman) Yes.

6110. That the thing had been looked at at a high level, it had been reviewed at a high level recently and, indeed, you said that high level does not look at cost.

(Mr Berryman) Except in the broadest terms. When you are looking at a high level, you are looking at something “Is it going to cost £100 million or £1 billion?”.

6111. Would another word for “high level” be “strategic”?

(Mr Berryman) “Strategic” would be another word, yes.

6112. Perhaps from those sorts of comments, Mr Berryman, you will recognise that the view of the residents of Shenfield is that there really are not any significant benefits to them from the terminus and, as my learned friend Mr Stoker put to you, there has been no analysis which actually demonstrates the high level conclusions, as you put it, you have come to.

(Mr Berryman) You would have to ask them as to whether they felt there were any benefits or not. We certainly feel that there are benefits.

6113. No, I am asking you to recognise that that is their view, as demonstrated—

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(Mr Berryman) As demonstrated by their Petitions, I certainly recognise that is the view of the Petitioners, yes. That does not necessarily mean everyone who lives in Shenfield feels that way.

6114. No, but all the views that have come to this Committee are—

(Mr Berryman) Perhaps that is because all the views that have come to this Committee are the Petitioners’.

6115. The Committee has to take what is put in front of it. You have not disputed the argument that there is no significant benefit in terms of travel where you have already got a fast line on your doorstep which takes you to the places where this service can be joined most conveniently. You agreed with my learned friend Mr Stoker—and he gave an opportunity to update this letter from December of last year when it was written—that there has been no feasibility study of the eastern route of Crossrail west of Shenfield.

(Mr Berryman) Crossrail west of Shenfield?

6116. Yes.

(Mr Berryman) You mean for a shorter termination point?

6117. Yes.

(Mr Berryman) There have been, as I said, strategic (as you prefer to use) reviews done of whether that is still the appropriate thing to do.

6118. Yes, but the letter is clear and you have accepted that things have not changed; there has been no feasibility study.

(Mr Berryman) There has been no formal feasibility study. As I said earlier on, a strategic review, or a high level review, indicated that these options just did not look at all viable.

6119. In document A7 the figure given for an Underground stop at Stratford is in the range of £300–400 million.⁴⁵ I think you mentioned that figure this afternoon.

(Mr Berryman) Yes, I think that is probably a low-side estimate because it ignores the fact that the running tunnels would be longer (they would have to be extended from Pudding Mill Lane to Stratford) and it ignores the over-run tunnels which would be required. Since the Moorgate accident about 25 years ago any Underground station where trains terminate has to have quite long over-run tunnels, and they would have to have a means of escape from the end of those tunnels. It ignores the surface works which would be required on Stratford Station itself, which has already got substandard platform—

6120. Mr Berryman, forgive me, I have not asked a question yet. The question I wanted to ask was that, as you are illustrating what you are saying, Ms Lieven informed us yesterday that what we have—I

think the phrase was—is a personal appraisal of £500 million arising from the sort of considerations you have mentioned to the Committee now.

(Mr Berryman) Yes, I think 500 would be on the low side.

6121. The point is that there is no proper estimate, there is no quantified estimate, there is nothing on paper—as my learned friend Mr Stoker put it, nothing in the public domain—other than the one paragraph in document A7 which you now say is wrong, to set out the basis of the cost of a terminus at Stratford. That is right, is it not?

(Mr Berryman) That is right, but there are other issues which would arise with such a terminus, and that the quality of interchange for passengers changing from one train service to another would inevitably be poor. Stratford Station, as you will be aware, is already a two-level station and this would require going down to a third level. There are many, many underground difficulties on this site; the Channel Tunnel Rail Link is immediately adjacent to the site, there is a river underneath the station called the Channelsea River and there is what we can only describe as very, very bad ground in the area.

6122. Mr Berryman, forgive me. It is difficult that we are addressing each other in the strange way that we are, but I am conscious of the time and the Chairman’s desire to see the session through by the time the division is likely. If we can constrain ourselves, please, to the question. There is no proper estimate of Stratford, there is no estimate—it is right, is it not—of the individual stations, the cost of them, along the route were there to be a stop at other places along the route where it would be practical?

(Mr Berryman) Yes, that is correct. There is no formal estimate.

6123. There is no demonstration. You refer in paragraph 5.2 of A7 to the physical constraints at Stratford on the surface level, that is to say the Stratford City Development, the Transport for London upgrade including, I know, plans to cater for the Olympics which, I think I am right in saying, were only agreed relatively recently, and then the DLR’s plans to take over the North London Line.⁴⁶ You mention those as physical constraints in the way of surface development at Stratford. That is right, is it not?

(Mr Berryman) Yes, that is correct. They are all physical constraints. Of course, irrespective of whether the Olympic decision had been to award the Games to London or not, the Stratford City Development is immediately adjacent to the site as well.

6124. The point I am attempting to put and getting towards is that there is no detailed demonstration of why those schemes are in place. The case has been made to demonstrate the physical difficulties that you claim to exist at a surface level in Stratford

⁴⁵ Crossrail Information Paper A7, Para 5.3, Great Eastern Electric Lines Options (LINEWD-IPA7-004; SCN20060329-002).

⁴⁶ Crossrail Information Paper A7, Para 5.2, Great Eastern Electric Lines Options (LINEWD-IPA7-004; SCN20060329-002).

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thereby constraining you to consider going underground. That is right—there is no such demonstration.

(Mr Berryman) A cursory glance at an aerial photograph would probably suffice for that.

6125. Yes, but we are talking about schemes that are in place alongside the Crossrail proposal that is already there. I am merely positing, from the residents' point of view, that if it is the case, as you argue, that there is simply no possibility, that could easily be demonstrated. If it is the case that there are arguments that could be had about what is desirable at Stratford that, too, would be worthy of demonstration and discussion in the public domain.

(Mr Berryman) I think there are tests of impossibility, are there not? Saying a scheme is impossible, of course, is never really true because all things are possible if you chuck enough money at them, but we are getting, with a Stratford terminus station, either on the surface or underground, towards the extreme end of what is possible, never mind what is feasible.

6126. Moving on to the practical question of finance, the major reason for opting for Shenfield is the practicality of it in those terms. Yet for the reasons we have just been discussing there are no firm figures to demonstrate what the case for Shenfield is in those terms, are there?

(Mr Berryman) Indeed there are. The feasibility studies that we have done, the business case for the project and so on, set that out quite clearly.

6127. Mr Berryman, if you cannot quantify the cost of Stratford, which would be the most likely alternative, and you cannot quantify the cost of Romford or Gidea Park or any other potential terminus against Shenfield, then you cannot make a case in financial terms for Shenfield, in terms of the figures. Can you?

(Mr Berryman) The process of design—and what we are talking about here is the design of a railway system—involves high level decisions to see which options are worth pursuing. It is completely impractical to look at every scheme, however unfeasible it may be.

6128. Mr Berryman, I have not asked you to compare the schemes or suggested that you should but—

(Mr Berryman) There are a number of other options for the Crossrail project which are more practical than those you are suggesting, which we have not looked at because we simply know they are not going to work.

6129. This particular proposal at Shenfield is controversial, I am sure that is recognised. Whatever the high level, as you put it, view is taken on an engineering basis, surely it is right both from Parliament's point of view (which is why we are here) and from the point of view of the residents of Shenfield (which is why these particular Petitions

have been brought) for the case to be demonstrated and set out so that people can be satisfied it has been examined and know what it is.

(Mr Berryman) The case is set out in the Environmental Statement.

6130. The financial case for Shenfield as being the place to go is not set out in the way that can be tested against any criteria or can be questioned simply because it is not there, other than in a couple of paragraphs. To reinforce my learned friend Mr Stoker's point, there is therefore no cost-benefit analysis. Because there are no figures you cannot set against the figures, can you, Mr Berryman, an analysis of the benefits balanced against the cost.

(Mr Berryman) The first thing to say is that we do have a cost-benefit analysis for the Shenfield scheme. We do have some transport benefit work which is being done, again at a very strategic level, for terminating at Stratford. We do have some very strategic cost work that has been done for Stratford. These are enough of a test to allow us to make a decision as to whether we proceed with a feasibility study. If something looks as if it is never going to work, if we are a mile out on things like the benefit-cost ratio, there is no point in pursuing it. We only pursue things which look halfway viable, otherwise we would be here for a hundred years.

6131. Mr Berryman, the argument that you are now making is that it is right to make a high-level decision and then to assess what is subjected to a feasibility study after that, but the difficulty is that we are now in the public domain and we are in a democratic domain, and Parliament is seeking to make decisions and residents are seeking to understand those decisions, and what we have here is a situation where it is not possible to balance, to see clearly what the costs and benefits are against each other because, if I may say so, the clearest indication or claim for benefits to Shenfield were the cross-examination notes that Ms Lieven put on the screen an hour or two ago. That is the clearest statement we have yet, weak though it is, with the greatest of respect, of the actual benefits that will come to Shenfield, and in no sense, I am sure you would accept, is that something that can be balanced against costs simply because of its brevity.

(Mr Berryman) Yes, but on the other hand, the line must end somewhere. As we have already established, and I think it is common ground between everybody, there is a fast service from Shenfield, therefore the benefits of Crossrail are not as great as they would be from a station where there was no fast service, but that does not detract from the point that Shenfield is the obvious terminating point because it is the end of the four-track section, it is the point at which we can make a reasonable disposition of services between the fast lines and the Crossrail lines and it is an appropriate location for stabling and the other things which need to go with the terminating point of this particular railway.

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6132. Mr Berryman, would you accept that there is also no consideration following from what I have been saying of the wider effect on the social, economic or environmental impact, good or bad, on Shenfield?

(Mr Berryman) Not at all. I would not accept that at all. The environmental impact statement sets out what the impacts are for all sections of the route.

6133. Yes, it sets them out in terms of individual effects but in terms of the character of an area, the community of Shenfield, the impact on the community of Shenfield is not part of the consideration that has been put forward, is it?

(Mr Berryman) There is a community impact assessment done as part of that document. Mr Anderson will be a better person to give evidence on that if it is required, but certainly that is covered in the environmental assessment. I think it is worth mentioning, by the way, that the kind of works we are talking about here are works which are routinely done on the railways. They are not out of scale with what Network Rail do as part of their normal track reconstruction and rebuilding from time to time.

6134. Do Network Rail expect compulsorily to acquire or take over the use of car parks as part of that, for example?

(Mr Berryman) They certainly would of Hunter car park, because they own it, of course, but you are right, they would not expect to do that.

6135. They would not expect to disrupt the community in the way that is sought here. Mr Berryman, the difficulty is, from the point of view of the residents, that even the conclusion that it cannot be done elsewhere, which is the way colloquially it was being described in yesterday's hearing, cannot properly be demonstrated in a way that can be tested. You have given us your professional judgments but it is not something that is open to examination because the case is not set out for and against or cost and benefit-balanced on paper in the way I have sought to describe.

(Mr Berryman) No, but, as I say, it is the opinion of myself, our consulting engineers and all our design team, when we looked at this in the first instance—and I am going right back to the beginning now—that none of the other options were really worth spending any time on.

6136. Mr Berryman, the view of residents is that the benefits are negligible or not significant. The case for Shenfield is a matter of assumption; it is not demonstrable conclusions. Perhaps we should attach some significance, would you agree, to your statement just now that actually, the aim is for reliability of the Crossrail system, and the creation of a segregated system is perhaps underlying some of the arguments that we have been having?

(Mr Berryman) Yes, that is certainly one of the strongest arguments for this proposal.

6137. From the point of view of residents and people in Brentwood, that argument and that system and that assumption are not in the public domain, not demonstrated and argued through in the public domain in a way that enables them to assess the benefits and the costs.

(Mr Berryman) That was certainly covered in the London East-West Study. I think it has been covered subsequently, although where you would actually go in the documents to find it, I could not tell you off the top of my head, but certainly it is in the public domain. The reliability issue is very much an important and significant factor.

6138. From the point of view of residents in Shenfield it is not something that has been put to them, it is not something that obviously affects the way that the system would work for their benefit, and the difficulty with all of this is that the Crossrail proposal in this respect has been put forward without adequate consideration for human impact and community impact, apart from in relation to individuals as far as Shenfield is concerned.

(Mr Berryman) As I just said a moment ago, the community impacts were considered as part of the environmental impact statement.

6139. Yes, but in relation to individual houses and the effect on individual people seeking insulation or having to move out.

(Mr Berryman) Individual people's cases were considered under the various headings of noise, dust and the like, but then there is an overall impact on the community which was considered.

6140. In that event, the recognition of the potential loss of character of Shenfield, the change to its character and the consequences that that may have for those who live there appears, sadly, to be lacking.

(Mr Berryman) I completely refute the statement that there will be any change in the character of Shenfield at all. When we have gone, it will be put back exactly as it was before, with the addition of one platform on the railway station.

6141. Despite the noise impacts and the scale of operation that will then follow and the long-term impact on parking and other aspects of the quality of life in the town.

(Mr Berryman) There should not be any long-term impact on parking. As I say, when we go away, we put things back exactly as they were, except with the addition of one rail platform.

6142. **Chairman:** Are there any other listed petitioners who would like to question Mr Berryman?

Cross-examined by **Mr Jardine**

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6143. **Mr Jardine:** Christopher Jardine, representing petitions 43 and 253. It might be helpful if we could have the drawing 020 up again.⁴⁷ Mr Berryman, can you tell me the purpose of the eastern sidings, as they will become once you have done any work?

(Mr Berryman) Yes, the eastern sidings will be used for stabling trains overnight and possibly for stabling trains inter-peak, when the service is reduced during off-peak times.

6144. How long are the existing sidings? Are they long enough for the Crossrail trains?

(Mr Berryman) I believe they are not quite long enough, no. The existing trains, I think, are 160 metres in length and our trains are 200 metres in length.

6145. Would the existing sidings be capable of being extended without too much alteration to other track work?

(Mr Berryman) I do not think they would. Could we have 022?⁴⁸ You can see there that what is called the Chelmsford Loop passes closely across the end of those sidings, and that would make it difficult to extend them without moving that loop. In addition, you will notice that those sidings would require a crossing movement from trains from the Crossrail lines crossing over trains going to Southend to get into the sidings.

6146. But the Chelmsford Loop—surely trains could instead cross over to the main line before those sidings, could they not?

(Mr Berryman) They could do, but I understand that that is used frequently so that they give themselves more flexibility of platform occupation at Shenfield.

6147. The point I am trying to make is that if there were some way of using the existing sidings, then perhaps there would be no need for earthworks and whatever else is proposed, thus reducing the disturbance to the entire area. Indeed, what I would like to suggest to you is that if trains came into platform 5, that is, the existing slow line away from Liverpool Street into Shenfield, were to run into sidings and then go into platform 4, surely that would do away with the need for your new platform, and indeed, would bring some degree of certainty to passengers, because they would then know that they always had to go to platform 4 for the train to London.

(Mr Berryman) Yes. That would require trains to turn in a siding, which is normally frowned on by the Railway Inspectorate. It can be done. Under our proposal, people would go to an island platform, platform 5 and 6, and the train on one side or the other would be waiting to take them.

6148. The Railway Inspectorate frown upon trains going into sidings because of the danger of people being on the trains still.

(Mr Berryman) That is correct.

6149. How long would those trains be in the sidings in normal operational circumstances? Is it likely that the train would remain in the siding under normal operational circumstances for more than, say, five to 10 minutes?

(Mr Berryman) No, it would not be likely but we would still be required to inspect trains before we went into those sidings to make sure there were no passengers, which slows down the process.

6150. Is it true to say that exceptions have been made in other locations?

(Mr Berryman) There are a number of areas where grandfather rights, so-called, operate, where they allow things which have been done since time immemorial to carry on being done, but with a new scheme it is very unlikely. We have not asked them so we cannot be sure, but it is extremely unlikely.

Cross-examined by **Mrs Ennals**

6151. **Mrs Ennals:** May we have the picture of the Hunter Avenue car park up, please, which actually shows the proposed extent of its use by Crossrail under construction for 21 months.⁴⁹ I understand from Mr Berryman that there is going to be sited in that area both toilet facilities and a canteen. To adjoining residents, there is already a problem from refuse and rats. Our local borough council has had great problems in the area. What kind of refuse will collect? What kind of smells will the adjoining property “enjoy”? Where exactly will these buildings be sited on that 35 per cent? How will the railway embankment be accessed? Will it be actually behind the properties in Hunter Avenue which adjoin the car park? Also, in the diagram that was shown earlier, showing that the three sidings would necessitate the building up of the railway embankment behind our properties, it seems that therefore the railway bank will encroach nearer our properties. Will trains actually be standing on the earth that is put newly into the railway bank to take the third siding? I am told it will need no support. How safe will it be? Also, what will be the visual impact on those properties with the sidings closer to them?

6152. **Chairman:** That is quite a lot of questions, Mrs Ennals.

6153. **Ms Lieven:** I could ask one of the engineers to talk to Mrs Ennals while the division is going on.

⁴⁷ Crossrail Ref: P70, Shenfield Station—Eastern Sidings Proposed (BRWDBO-14904-020).

⁴⁸ Crossrail Ref: P70, Shenfield Station— Eastern Sidings (BRWDBO-14904-022).

⁴⁹ Crossrail Ref: P70, Brentwood Borough Council, Hunters Avenue Car Park, Promoter’s proposed reduced worksite area (BRWDBO-14904-001).

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6154. **Chairman:** I think it is a very good idea for you to do that, because there is a division. We will take at least 15 minutes for that division, therefore the law on this occasion has defeated us and we are going to resume this hearing tomorrow.

6155. **Ms Lieven:** I am ever so sorry, sir, but Mr Berryman is just not available tomorrow. If necessary, I will put another engineer on the stand to try to answer the questions.

6156. **Chairman:** You may have to do that. I really do want these petitions out of the way so that we can continue, so I am now going to pause the Committee. I am sorry, Mrs Ennals but we will get the engineer to talk to you in any event during the break. You can come back tomorrow on the stand or we can get the Promoters to write to you about it to see if you are satisfied about that. We have to now go. It is a vote. Order, order. We will resume tomorrow morning at 10 am.

Thursday 30 March 2006

Before:

Mr Alan Meale, in the Chair

Mr Brian Binley
Kelvin Hopkins
Mrs Siân C James

Mr Ian Liddell-Grainger
Sir Peter Soulsby

Ordered: That Counsel and Parties be called in.

6157. **Chairman:** I cannot see Mrs Ennals here. Do you know whether she is coming?

6158. **Ms Lieven:** Sir, she was not certain last night. She had a long conversation with Mr Berryman. He said he would write to her to confirm various points and she said she would go away and check whether she was content with that. The fact that she is not here would indicate that she was content. I do not mean that she withdraws her petition and her points, but that she had no further questions for Mr Berryman.

6159. **Chairman:** She is perfectly aware that she is expected to be here this morning and if she does arrive there are still submissions. I think we should proceed with your case.

6160. **Ms Lieven:** Thank you very much. In the hope of speeding things up—the Committee will be aware that we have a very full day today—I have typed a note. It is not wildly comprehensive, but it covers the main points, and at the end it covers, in brief, some of the individual petitioners who raised specific points not raised in the note. I intend to spend five minutes now summarising what we think are the key points.

6161. **Chairman:** That document is A69.¹

6162. **Ms Lieven:** Sir, the first topic I cover is the terminus at Shenfield, which is set out in IPA7.² I am not going to repeat that. For those present at the Committee on Tuesday and in the transcript I summarised the case for terminating at Shenfield. I would wish to stress that there are benefits to people using Shenfield, as I set out in the very brief note I put in yesterday, P71.³ I would also stress to the Committee that it is wrong in principle to divide benefits up by saying “There are no benefits to Shenfield and therefore the train should not go to Shenfield.” There are enormous benefits to London, as the Committee already knows from the project as a whole, and those do depend, in part, on the north-east limb; for instance, we would not achieve the

relief in overcrowding on the Central Line without the north-east limb, and it has to terminate somewhere.

6163. There was extensive cross-examination yesterday on: Why can we not stop at Stratford? And: Why do we not have a feasibility study on it? On matters which, in the view of Mr Berryman, simply do not pass the commonsense test, there is really very little point in spending public money on carrying out feasibility studies. Crossrail has already spent vast amounts on consultants carrying out studies on various things. This one just was not worth thinking about any more, because it was going to be hugely disruptive and hugely expensive. Mr Berryman is of course, as you will recall, an enormously experienced engineer.

6164. Turning to what we are doing at Shenfield, Mr Berryman explained yesterday why we need the extra platform and why the additional track works are needed to segregate Crossrail and I do not think I need to say any more about that.

6165. I am conscious that Mrs Ennals is now here. Mr Berryman, as I explained yesterday, is not available today. I do have Mr Walters, Mr Berryman’s assistant, here.

6166. **Chairman:** I would prefer to proceed. Mrs Ennals can bring up questions in her summing up.

6167. **Ms Lieven:** Mr Berryman has set out why we are doing what we are doing at Shenfield. There was an issue raised on Tuesday about alternative sidings. As I made clear on Tuesday, those alternative sidings are at the wrong level and involve crossing other lines and are therefore operationally unacceptable.

6168. Turning to the impact of noise, which is a matter of great concern to a number of the individual Petitioners, Mr Thornely-Taylor has explained the assessment process which has been gone through in relation to construction noise—and it is important to stress that that assessment process is wholly objective. It relies entirely on technical analysis of noise levels and the various barriers, topography, etc, that lie in the way. There is no need for an independent element at that stage because there is no discretion: it is an objective, scientific process.

¹ Committee Ref: A69, Notes for Promoter’s Closing in relation to Shenfield petitioners and Brentwood Borough Council.

² Crossrail Information Paper A7, Selection of the North Eastern Terminus <http://billdocuments.crossrail.co.uk/>

³ Crossrail Ref: P71, Crossrail Benefits Shenfield Brentwood List (SCN20060329-005).

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6169. So far as the mitigation is concerned, mitigation at receptors is explained in IPD9 and is, in effect, the noise and vibration mitigation scheme.⁴ It is important to say publicly that the Promoter does not shy away from the fact that there will be an impact on residents in Shenfield as a result of these works, but I would like to stress the point Mr Thornely-Taylor made yesterday: there is a difference between audible noise and noise which falls within that which requires to be mitigated through the policy set out in D9.

6170. I would also like to emphasise, as has been said throughout in other petitions, that experience shows that the assessment carried out in the ES is likely to have been pessimistic and noise impacts will almost certainly be significantly less than those predicted. We cannot give a guarantee of that, but that is the experience from both the Channel Tunnel scheme and the Jubilee Line Extension.

6171. As far as operational noise is concerned, the assessment shows there will be no material increase, and that entirely accords with what one would expect from understanding the scheme.

6172. The Committee has already been through environmental impact and pollution. There is the Construction Code which is set out in IPD1.⁵

6173. On visual impact and privacy, the ES accepts that there will be some properties in Shenfield where Petitioners are likely to experience an adverse impact on visual amenity. Most of these are temporary. There is a small number, where the Embankment will come closer to them, where there will be some impact on visual amenity but these are houses with relatively long gardens and trees at the end.

6174. Impact on businesses and shopping is closely related to parking and I will go through that in slightly more detail. On short stay, pay-and-display parking for shoppers it is our submission that the Council's position is highly inconsistent. On the one hand they say they are deeply concerned about Shenfield town centre and the viability of the shopping. The Promoter has carried out two parking surveys to establish the use of those two car parks by shoppers, and the evidence quite clearly shows that, for the time the Friars Avenue car park is used for Crossrail, there is sufficient space in the Hunter Avenue pay-and-display car park for the shoppers who currently go to Shenfield, so long as the Council restrict the grant of parking permits for one year to office workers; in particular the workers of one business. Therefore, there is no need for there to be any adverse effect on the retail sector of Shenfield at all.

6175. The inconsistency is that, on the other hand, the Council refused to say that they will not grant those 55 permits, thus going contrary to their own perfectly clear parking policies in the local plan which give priority to short-term users through management of car parks, and which seek to control and even reduce long-stay parking and contrary to the Council's own stated concern. I would suggest, sir, that the essence of the Council's argument is that Crossrail should provide a car park in the Green Belt for a local business. That is contrary to local and national policy on parking and land use and a plainly inappropriate use of the Green Belt and it is difficult to see that such a development would justify the grant of planning permission. If the Council truly believes it is essential to replicate current parking provision for local business, they can do that by relaxing on-street parking controls for just one year. I would suggest, with respect to the good people of Shenfield, that that is hardly a major sacrifice for local residents.

6176. As to commuter parking, the Petitioners have expressed concern that commuters will be unable to park in the Network Rail car park and will park outside residential properties instead. In reality, that is simply not a significant problem. The Promoter is committed to taking an absolute maximum of 50 per cent of the Hunter Avenue commuter car park and believes it will be able to reduce that to 35 per cent or even less. That means there will be a relatively small number of displaced commuters, and surveys show there is capacity in the Mount Avenue car park and, if necessary, capacity in the Brentwood car park. Yes, sir, that may involve some inconvenience to the people who have to drive to Brentwood and take the slower train for something in the region of a year, perhaps a bit more, but it is impossible—it is an important point to stress to the Committee—to build Crossrail without there being some inconvenience to some people for a relatively short time.

6177. Finally on parking, we have offered to enter into discussions with the relevant train operating company, Network Rail, and the council to facilitate the efficient use of the remaining car park space.

6178. On traffic and congestion, I have two points to make: the relevant amount of construction traffic in Shenfield is relatively low. There was a lot of reference to disturbance which had already taken place when the council closed the Alexander Road bridge for structural works for a period. We are not closing any roads in Shenfield and it is likely that the level of traffic impediment will be much lower than a road closure such as that.

6179. Impact on the character of Shenfield is really closely related to the car parking issue, but can I stress that there will be no impact outside the temporary construction period. There is no long-term impact on Shenfield from this scheme, save the beneficial effect of the increased train service.

⁴ Crossrail Information Paper D9, Noise and Vibration Mitigation Scheme billdocuments.crossrail.co.uk/

⁵ Crossrail Information Paper D1, Crossrail Construction Code billdocuments.crossrail.co.uk/

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6180. As far as compensation is concerned, obviously this is a matter of great concern to individuals. We completely understand that and have done our best to give them full information, but we do urge on the Committee, as I know we already have—and as I think this Committee has suggested the case for—that there is a fair and principled regime for compensating people set out in the National Compensation Code, and it would be wrong in principle to depart from that on individual cases, thus creating real unfairness between people who are impacted at different locations or on different projects. There is, importantly, in relation to Shenfield’s particular concern, a hardship policy which Mr Smith has explained to you.

6181. In relation to trees, we have said we will do all the work in accordance with the British Standard. Where trees are to be removed, we will, where appropriate, provide replacements.

6182. Disabled access was perhaps left slightly hanging in the air yesterday. Shenfield Station is fully accessible already. Brentwood, the other station, has been designated as one of the stations to receive funding through the Access for All funding package which was announced the other day by the Department of Transport, and that will provide funding to improve accessibility at Brentwood.

6183. Sir, I hope I have covered the main points. As I say, there are short comments at the end of the notes on individual Petitioners where they have raised specific points.

6184. **Chairman:** Thank you.

6185. **Mr Stoker:** Sir, may I deal with two outstanding matters. As of last night, we endeavoured to contact the company in relation to whom it had been suggested their season tickets would be taken away. I have received a letter from the Chairman which I would like to put before the Committee, if I may. It is addressed to the Committee.

6186. **Chairman:** Can we list that as A71.⁶

6187. **Mr Stoker:** I am told that a copy, signed by the Managing Director, should be here within the hour. It reads: “Our Managing Director, Peter Townsend, spoke to you last week and was horrified to hear about the proposal by Crossrail for the Council to take back 55 season tickets they let us purchase from the Hunter Avenue and Priors Avenue car parks. This will cause us a very major problem with finding alternative car parking spaces in the area, even to the point where we may have to look for new premises outside the Shenfield area. There are approximately 150 staff members of Burrows and we feel we have financially contributed to the local economy in

various ways. Burrows have 30 parking spaces that are attached to the building and we are horrified that Burrows have been singled out. I believe you are petitioning the Parliamentary Select Committee. Could you please bring our strong views to their attention.”

6188. That is the letter. I will not say any more about that, but there is a copy signed by the Managing Director which I think will be here in the hour.

6189. **Chairman:** Could I point out that it is a bit late in the day. If the local authority were so concerned about this matter, then perhaps they should have paid more attention to some of the businesses in their area. There seems to be a large range of information to the general public in the Brentwood area but not to businesses.

6190. **Mr Stoker:** Yes. I accept that criticism, although things have moved in the last few days. It is clear this one firm was singled out and we have tried to contact them.

6191. There is one other housekeeping matter. We identified a copy of *Railways for All* which hopefully has been sent to your Clerk. If I could flag up paragraph 3.6 at page 10.

6192. **Chairman:** For the record, that is A70.⁷

6193. **Mr Stoker:** I am grateful. That is the section dealing with train operating companies—Crossrail will become that when they take over the metro service from One Rail—and it indicates the obligation on the operating companies who are responsible for the station environment and making sure those who are disabled have access to it.

6194. Could I briefly respond to my learned friend’s notes of submissions—only the two parts directed at my case. On the terminus at Shenfield, if I could draw attention to paragraph 4 on page 1, which I think fairly lists the benefits, there are enormous benefits to London from the project. Of course it is our case that the benefits are to London—and not to Brentwood Borough Council’s area, in particular Shenfield.

6195. Also, at paragraph 6, there is the puzzling suggestion that it is not really necessary in a billion pound scheme such as this to have feasibility studies because it is simple enough for the experienced engineer to apply a commonsense test. I think that is quite an astonishing point to make and I will develop that in a moment.

6196. If I could go to the car parking part, you will see that they have pinned their colours to the mast in respect of the 55 permits. This is really the

⁶ Committee Ref: A71 Petitioner’s Document—Letter to C G Brimley Head of Transport and Parking, Brentwood Council from Burrows, Shenfield on parking and permits holders (SCN20060330-001).

⁷ Railways for All, Strategic Rail Authority, March 2005 www.dft.gov.uk/stellent/groups/dft_control/documents/homepage/dft_home_page.hcsp

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opportunity they say for unlocking this issue. One has the letter from the company and I will deal with that in a moment.

6197. As far as paragraph 24 is concerned, this question of the Green Belt seems to be a wholly new point. You will remember yesterday that I called Mr Boyton, who is a senior planner. He was not cross-examined about planning issues. He said that this was perfectly possible as an alternative in the Green Belt and there was no cross-examination of that witness at all, so I am puzzled by that point.

6198. One then sees the rest of that—which seems to be a thrust of, “Well, if people park on the street, the residents of Brentwood borough will just have to put up with that as an inconvenience”—and, in my submission, that is not mitigation.

6199. Turning to my closing submissions—and I did ask for one document to be put up, appendix 4 of Mr Boyton’s appendices—I would like to make six points.⁸ The first point is that the north-eastern limb of Crossrail is part of the project that, in my submission, essentially benefits London and the suburbs. The other branches of the project self-evidently have other matters justifying them. When one thinks about where the growth is, there is the area out to the west in the Thames corridor. There is substantial growth there: it goes to Heathrow. When one goes to the east, it goes down into the North Kent area, where, of course, under the Thames Gateway provisions, there is major growth. But, when it goes to Shenfield, that is not a growth area. There is no indication of growth at Shenfield.

6200. The benefits flow essentially for London. It is clear in my submission from volume 1 of the Environmental Statement that the benefits in fact can be specifically related to Stratford and the Central London tube and rail stations where there is increased capacity. There is nothing about Shenfield at all. Also, in table 7.3 of the Environmental Statement, it shows that Stratford, Ilford and Romford gain on the question of accessibility to people who do not have a car—the benefits seem to be focused there. It is all about London.

6201. My second point is that the benefits to Shenfield, in my submission, are fairly minimal. It is telling that with the comprehensive consultation exercise that has been carried out over a number of years now, it has still been a matter of concern to my clients as to understand those benefits, and we found them listed for the first time yesterday in Ms Lieven’s note which was handed in during the course of cross-examination.

6202. The third point is: Why then has Shenfield been selected? It appears that the plans that have been drawn up over time have simply been

predicated on the basis that it will terminate at Shenfield. Trying to grapple with what that means: in my submission, it is an untested assumption that has been there for many years, perhaps a decade.

6203. The fourth point is that it is claimed that the Shenfield option is the least expensive one but we do not have a proper cost-comparison exercise in the public domain which would enable us to test that proposition.

6204. The fifth point is that Mr Berryman, as the expert—and no doubt he has assisted in the production of the information paper A7—has come to a decision which involves the quite astonishing contention yesterday, when he was pressed, that it was a matter of common sense.⁹ It is not common sense at all. It is a technical, complex issue involving multimillion pound/billion pound project and the information should be in the public domain in our submission.

6205. Finally, my sixth point. When one looks therefore, at the question of whether a credible case for Shenfield has been advanced, the highest it is put before this Committee is that it is a matter of commonsense. I submit that is woefully inadequate for demonstrating this particular point. There should be proper feasibility studies that we can analyse to demonstrate the point, providing credible evidence, and it is conspicuous by its absence.

6206. I then turn to the mitigation of Crossrail works within the context of what I have asked to be put up: table 18.2.¹⁰ I opened our case on this basis and I close our case on this basis: there will be a loss of two car parks. It is described by Crossrail as a significant impact and they have committed no mitigation to it. In my submission, that is an astonishing situation in which to find oneself.

6207. I would make nine points. First of all, it is common ground between us, without any reservation, that the consequence of taking these car parks is significant.

6208. The second point is that, with those car parks adjacent to the town centre, that is clearly correct, but taking those car parks for some 21 months will, in my submission, jeopardise and undermine the viability of that centre’s trade.

6209. The third point is that the Crossrail development takes those car parks, it gets the benefits, and they have said that they have committed no mitigation in the Environmental Statement. In my submission, this is an abdication of a point of principle, that: if you develop a project like

⁸ Committee Ref: A69, Environmental Statement, Appendix 4, Table 18.1 Journey Time savings (Platform to Platform) to and from Shenfield; and Table 18.2 Route Window NE17— Temporary impacts (BRWDBO-14905-048).

⁹ Crossrail Information Paper A7, Selection of the North Eastern Terminus <http://billdocuments.crossrail.co.uk/>

¹⁰ Committee Ref: A69, Environmental Statement, Appendix 4, Table 18.2 Route Window NE17— Temporary impacts (BRWDBO-14905-048).

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this, if you take the benefit, you should mitigate the consequences. They are significant and they should be mitigated.

6210. Fourthly, if one asks oneself as to the consequences of what is being proposed, one has a situation where these car parks will be out of order for up to 21 months, with a common period of both impacted for 12 months. In my submission that is justifiably significant.

6211. My fifth point is: What do they suggest? They do nothing. It is for the borough council to contact one thriving local company that has been singled out to take back their 55 season tickets and deal with it in this way. In my submission, this is not a responsible approach to mitigation.

6212. The sixth point is that Crossrail have not approached this company. This is the point they have worked up. It is the key to it. They have not contacted Burrows and assessed the impact. As I understand it, all they have done, with the greatest respect to them, is flown over the area in a helicopter, taken an aerial photograph and done parking surveys on the three days. That is a summation of it.

6213. In my submission, what you have in terms of evidence is Mr Brimley having talked to the company, assessing the impact that would take and explaining how the strategy has been set in terms of the balance of the provision of car park between short-stay and season ticket, and you now have the letter which underpins that point.

6214. The eighth point is to withdraw those season tickets, which would lead to a situation where there will be impact on a local firm and parking on the roads. This is nothing more, in my respectful submission, than indifference by Crossrail as the Promoter. In my submission it is not a responsible approach.

6215. The ninth point is this: a temporary car park has been discussed in the past. At one stage it was on the table and we would ask for the strong recommendation from this Committee that this matter be looked at and addressed properly. It is not satisfactory to have a significant impact but with no committed mitigation is wrong in principle.

6216. Unless I can assist further, sir, those are my closing submissions.

6217. **Chairman:** We have received a letter from the Managing Director. We will list that as A72.¹¹

6218. **Mr Stoker:** Thank you, sir.

6219. **Mr Welfare:** Sir, your Committee has heard extensively from residents and myself over the last two days on the issue of the terminus at Shenfield and the issue of the consequence for the area and for

individual residents of the works and operation of Crossrail. Residents in Shenfield, whom I represent—and I am sure that is true of others who were here in person—are grateful to have had the opportunity to put those views before you. The basic issue for residents is that the case for Shenfield has not been made, nor even attempted to be made at any serious level in Parliament and before the public. I think I can say that the Promoters have been trying in the last few days to plug that gap. There is no transparency about the decisions leading to the proposals which have come before your Committee in relation to Shenfield. The case, even now, essentially amounts to a negative one: it cannot be done elsewhere on the line without greater cost. Yet even that argument, as my learned friend Mr Stoker has said, is not costed, nor, indeed, is the justification for a line east of Liverpool Street or Stratford seriously set out.

6220. The residents whom I represent, and those who have come in person, have said from the outset that, if Crossrail ends in Shenfield, they will continue to use the fast line to Liverpool Street or Stratford, changing at one of those two stations on to Crossrail if they wish to use Crossrail, for the simple reason that it is much quicker. Ms Lieven in her submissions and Mr Berryman in his evidence yesterday have now accepted that the estimates for extra passenger use for Crossrail—an extra 3 per cent at Shenfield—bear that out. The residents say there is little or no benefit to them. While the factor that Crossrail avoids changing to each of the destinations on the route was brought in, the key factor from their point of view was the speed of service, and they say that they will continue to use the fast service and change accordingly.

6221. Sir, the case has not been made in a way that has been documented or tested in the public domain. Proceedings in the last two days have established, as Mr Stoker has said, that there is no feasibility study of possible termination anywhere west of Shenfield, and Crossrail have confirmed that to you as well as in correspondence. There are no firm estimates of the cost of the alternatives, be that Stratford or the other major stations along the route; therefore, there is no ability to compare the respective costs of those different options or to assess the package as a whole. Nor is there any assessment of the needs of Shenfield as a whole and the impact on it as a community, beyond the isolated references to which the Promoters have drawn attention in the Environmental Statement which reflect one or two factors but not the community as a whole.

6222. From that, no convincing conclusion is possible in the absence of such an analysis. The assertion that Stratford cannot provide a service alternative is not supported with any evidence beyond the bold assertion in document A7 which has been repeated again today.¹² Indeed, the official estimate of the cost of the works if they were

¹¹ Committee Ref: A72, tbc.

¹² Crossrail Information Paper A7, Selection of the North Eastern Terminus <http://billdocuments.crossrail.co.uk/>

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to be underground at Stratford—assisted, one understands, by Mr Berryman’s personal estimate—grew in the course of your proceedings from three to four hundred million to five hundred million. That gives an idea of the sort of basis upon which these decisions are being taken. Mr Berryman told you yesterday—and seemed pleased with the fact—that they were, as he put it, “high level” decisions: there has been a longstanding assumption that the terminus would be there. That assumption did not appear to be one which needed, in his view, justification to the public or justification to your Committee beyond the simple assertion. We say that it is simply not sufficient, as has happened again today, to state that view without supporting evidence which can be assessed by residents, and, more particularly, by yourselves and your committee and Parliament as a whole.

6223. Sir, we say the case for the terminus at Shenfield has properly yet to be made in a way which can be tested in Parliament. Attempts by my learned friend Ms Lieven to produce a positive case for it, with all due respect, show how thin it is.

6224. In relation to issues of mitigation, to which residents drew attention in areas of concern, Ms Lieven has responded to a number of those in her paper which is now with you. Perhaps I may just pick up a couple of points from that. In paragraph 16 of her note, she states that the assessment of it is that the operation of Crossrail at Shenfield will not give rise to any significant increase in noise levels; in other words, in the future, once the thing has been built. Residents doubt that. They doubt that because of the frequency and the scale of the trains. It is simply an unproven assertion at the moment and it is something that is causing them concern. However, if there is an assurance there, that is something of which residents can take note.

6225. In relation to construction noise, Ms Lieven draws attention to the role of Brentwood Borough Council in controlling working hours, monitoring and noise mitigation. Those are undoubtedly desirable developments from the point of view of residents and they will look to those with interest.

6226. In relation to visual impact, privacy and loss of amenity, Crossrail accept that some properties of Petitioners will experience an adverse effect. They envisage a particular problem over the removal in the long-term of vegetation. Those are the people who may suffer visually in the long run from the development of Shenfield Station. Nothing that I have heard—unless I have missed it—has met the residents’ demand that, if trees and other vegetation are taken away, mature replacements should be put in—those which can give them some benefit in the immediate or ensuing two or three years, rather than waiting the many years that they may take to grow.

6227. In relation to the impact on business and shops, the statement is—Ms Lieven said with force this morning—that the impacts in terms of business

and particularly parking in Shenfield would be temporary and there would be no long-term negative impact. We do not know that. Residents are unconvinced that parking problems will not continue simply because of the presence of a terminus in their area, particularly if the predictions for passenger ridership prove wrong. In fact, the long-term effect in terms of the town centre could well be a loss of business in the short term, during the construction phase, from which the town does not recover to the same level.

6228. An assessment of that, and any serious analysis of what may happen in response to that, has not been put before you. Instead, we have the two proposals from Crossrail in relation to parking. One is that Burrows—the firm to whom my learned friend Mr Stoker has referred and you have now seen their letter—should lose their parking permits; the other is that parking should be released on to the residential streets. To the Promoters this appears to be a solution, in that they can simply subtract that problem from the numbers that they are otherwise facing, but there is no proposal, as my learned friend Mr Stoker has said, for Crossrail itself to match its take, if you like, with provision itself in terms of parking.

6229. In relation to the impact on the character of Shenfield, the Promoter does accept there will be a significant cumulative impact (paragraph 32 of Ms Lieven’s note) on the community of Shenfield. It takes the view that those impacts, virtually all of them, are temporary and that the area will not permanently lose the character of which residents have spoken. There will be more traffic; there will be the sight lines and visual impacts I have spoken of; there will be less parking in the short term and we do not know what will happen in the long term; and there will be long-term effects of the temporary disruption, as I have said. The problem to which the residents are trying to point is that they have an area of great character, the impact on which is uncertain and the long-term effect on which is uncertain. It simply is difficult to see how the Promoter can, with such conviction, make a statement that there will be no long-term impact on the character of Shenfield when none of us can know.

6230. There is a statement—and I am not sure if Ms Lieven referred to it—to the effect that there would be some impact on retail services while the construction was going on, but that will be scheduled to minimise the impact (paragraph 34 of her statement) and residents will note that as well.

6231. On the issue of blight and the value of houses, Mr Smith explained that blight rules themselves do not apply and therefore we are talking about the hardship policy that Crossrail put forward.

6232. Much was made, incidentally, of the panel system that will administer the hardship policy, and the role of an independent panel member. So there is no confusion about this, the decision in such matters

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is made by the Secretary of State. There is a process of appeal, but the Secretary of State has said that he expects that to apply only when material circumstances have changed since the application. So it is a very narrow ground of appeal and one which will not apply in most instances.

6233. Mr Smith accepted in cross-examination, in response to me, that the hardship policy will not apply in a number of cases that I sought to outline in cross-examination. Reference has been made (Ms Lieven's note, paragraph 37) to Mr and Mrs Wood, and the possible inability of Mrs Wood to continue teaching music. In response to me, Mr Smith accepted that Mrs Wood might not qualify under the hardship scheme. Depending on the circumstances, it would be a matter of judgment as to how many pupils she had lost and the degree of hardship suffered, and therefore its effect on whether or not they would be obliged to go elsewhere.

6234. The point about hardship policy is that those who are worried about the value of their house have some comfort, provided they have lost more than 15 per cent of the value of their house, if they are compelled to move. That does nothing, for example, for the elderly residents who have petitioned your Committee, sir; for example, Mr and Mrs Watt, Petitioners 257, who are aged 80 and 77 respectively and were looking to sell their house to realise some of its value to provide for their old age. They are not compelled to move; they wish to move. Nor is a young family that wants a better house compelled to move, but they have now had to face suffering that the loss of value that this development will bring to them. Nor, indeed, have the elderly—and there are quite a number of elderly petitioners who petitioned you, reflecting the nature of the area of Brentwood, where a quarter of the people are elderly—in terms of what their successors may inherit, been put in a position where they can at least be sure about what they will be passing on.

6235. As I say, the possibility of the involvement of Brentwood Borough Council is something residents will welcome in things like flexible working hours and the other elements of the hours of operation and we will see how they work out in practice.

6236. I need not trouble you further, other than to underline that the residents who appear before you are looking to this Committee with a sense of great importance to them of what they have brought before you and I trust, from the way you have responded to what they have had to say, that you appreciate the importance of the submissions I have put before you.

6237. **Chairman:** Mr Jardine, would you like to sum up?

6238. **Mr Jardine:** If I may, sir.

6239. Crossrail have sought to say that the hardship scheme is in place now. In my questioning of Mr Smith, with indeed some help from him yesterday morning, I demonstrated the fact that in the case of existing ill-health that is not always the case and the hardship scheme does not come into play until nine months before work commences in the facility concerned. I do not think that is just. In that particular case I hope that Crossrail will change their position, or that your Committee may be empowered to have words with them in that respect.

6240. During my presentation two days ago and again in my questioning of Mr Berryman yesterday evening, I attempted to show that there are alternatives available. I may not have perfected my case, in view of my lack of expertise, but there are other places where sidings can go, such as White Gates or the other side of the Southend loop line, adjacent to White Gates, where access can be sought by means of a temporary track and less disruption to Shenfield town centre.

6241. I also believe that better use could be made of the existing sidings and the existing track arrangements at Shenfield Station—what are known as the eastern sidings, the present eastern sidings. I do not think they have sufficiently taken on board these options and I think they have too easily discounted them. I do hope that perhaps further consideration can be given to other options which will result in less disruption perhaps to the entire Shenfield area or certainly into a considerable part of it, the Hunter Avenue section, for example.

6242. That is really all I wanted to say. Thank you very much.

6243. **Chairman:** Just for the record, Mr Jardine, I do not think you should be worried: you presented the case very well and you should be quite pleased with it.

6244. **Mr Jardine:** Thank you very much.

6245. **Chairman:** Mrs Ennals, would you like to summarise?

6246. **Mrs Ennals:** Mr Chairman, Members of the Committee, we thank you and have greatly appreciated the opportunity to ask questions. Last night Mr Berryman told us that it was intended to place only single story Portakabins on the Hunter Avenue worksite for the purpose of providing approximately 20 people with toilet, rest and cloakroom facilities. Mr Berryman said there was no intention to provide canteen facilities. At present the final layout of the site has not been decided so our queries as to placement remain unresolved.

6247. If the worksite is placed at the eastern end of Hunter Avenue we would respectfully request that the Portakabin housing toilet facilities be sited away from 69 Hunter Avenue. We asked if it would be possible to place the worksite at the western end of

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the season ticket car park, thus providing a buffer, with parked season ticket cars at the eastern end of the car park and providing some protection for houses at the eastern end. There is already a buffer between the maisonettes at the western end provided by the short-stay car park.

6248. We understand that the Promoter wishes to lay track at night, during some weekends, and we would ask, please, that the residents of properties backing on to the railway embankment be forewarned when this is to take place. We would ask for an undertaking that the Promoter would take all possible actions to mitigate the unsocial effects of the proposed works on affected residents and we would appreciate an undertaking by the Promoter to keep affected residents informed and consulted.

6249. We would also ask for an undertaking that the car park will be reinstated as it at present stands, without two entrances and exists. We do have general inquiries or queries which we have already made and agree with the points previously made.

6250. Thank you.

6251. **Chairman:** Thank you very much indeed, Mrs Ennals. My remarks earlier to your colleague Mr Jardine apply to yourself. Thank you very much for your presentation to the Committee.

6252. We will now move on to Ms Meldal-Johnsen.

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Mr Human appeared as Agent.

Ms Meldal-Johnsen appeared in person.

6253. **Chairman:** Ms Meldal-Johnsen, would you like to begin? I understand that you are a little bit nervous, but you are probably the most seasoned professional in parliamentary affairs.

6254. **Ms Meldal-Johnsen:** But I am not used to doing much talking, sir. Sir, my name is Ingrid Meldal-Johnsen and I am speaking today not only for myself, but also on behalf of my neighbours, fellow Petitioners, Mrs Alison Human and her husband who has been appointed her agent, and Mr Antoine Lurot. I gather that the Committee has already heard from several Petitioners in person. I hope that I do not do or say anything that I should not before you, but I hope that you will bear with me if I do.

6255. We are all residents of Bathurst Mews in W2, which is just between Paddington and Hyde Park.¹³ All three of our properties will be affected by the Bill in the same way. Each of us owns the freehold of our

houses, though Mr Lurot has acquired his since we lodged our Petition. At that time he was the leaseholder.

6256. The Bill will enable the compulsory acquisition of the subsoil and under-surface of the land consisting of our properties to the extent that it lies more than nine metres below the surface and this is because the eastbound tunnel will be directly beneath us. Our Petition raised a number of concerns about the Bill. The two main issues we are worried about are settlement or other structural damage caused to our properties during construction and noise and vibration where our main concern is really the noise levels in our homes when trains are passing in the tunnel beneath during the operational phase of the project.

6257. We have been in correspondence with Crossrail since about this time last year and we met with them to discuss our concerns on 7 February and have since exchanged further letters with them. I am sure you will be pleased to hear that, through a combination of the contents of the Promoter's Response Document and what was said at our meeting on 7 February, Crossrail have put our minds at rest on some of the issues, including settlement. We have decided that we are not concerned enough about some of the other issues to bring them to your attention today. The upshot is that it is noise and vibration that is our remaining concern. This was addressed at paragraphs 8 to 10 of our Petition.

6258. The main issue that we would like to raise with you is that we do not think that the Bill and the surrounding framework of controls provide us with sufficient right of redress if the noise significance criterion that will apply to our properties is exceeded once the project is up and running. We have, therefore, been asking Crossrail for a contractual undertaking that the significant threshold will not be exceeded.

6259. It is worth mentioning at this point that Mrs Human owned her house during the life of the previous incarnation of this project. At that time what was then Crossrail had agreed in principle to give her and various other residents of the Mews an undertaking on noise and other matters. The undertaking was never signed as it was still under negotiation when the project collapsed. We have put before you today a copy of what was the latest draft of that undertaking for your reference.

6260. I should also mention in passing the other documents that we have tabled before the Committee.¹⁴ These are three letters that we wrote to Crossrail before submitting our Petition. I do not intend to refer to them specifically, but the reason we wanted to make them available to you is because you may have noticed that Crossrail included their

¹³ Crossrail Ref: P73, Map Location of Petitioners 51, 52 and 24 Bathurst Mews (WESTCC-1403-001).

¹⁴ Committee Ref: A73, Correspondence from Ingrid Meldal-Johnsen, Alison Human & Antoine Lurot—Petitioner No 14 to CLRL.

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letters to us in Appendix C of their Response Document and we thought it unhelpful for the Committee only to have one side of that particular story before them.

6261. Turning to what we see as the key issue, it is: what rights of redress will we have if the noise threshold is exceeded? The Environmental Statement sets out that the level that Crossrail has adopted as the threshold of significance for groundborne noise in residential properties is 40dBLAmaxS and it says that this will be adopted as the performance specification for the railway. The Environmental Statement assessment is based on a set of assumptions that various mitigation measures will be taken. We were told at paragraph 9 on page 37 of our Response Document that the nominated undertaker will be required to design a permanent track support system so that the level of noise does not in all reasonably foreseeable circumstances exceed the significance criterion.¹⁵

6262. So far, that all sounds good, but what causes us difficulty is the following: that various Crossrail papers, including the Promoter's Response Document, make it absolutely clear that the adoption of mitigation measures is only likely to result with the criterion for the performance specification not being breached, and there is no guarantee, and that is found at paragraph 11 on page 7 of our Response Document.

6263. The question that arises is: what rights do we have if, once the railway is up and running, it turns out that the noise level in our properties exceeds 40? It seems to us that that could happen as a result of one or two things: firstly, that the noise levels might exceed 40 because the mitigation measures are not taken or fully complied with; and, secondly, it might happen even where they are taken, but, once the train operation commences, they prove to be not enough to bring the noise in the tunnels down below 40.

6264. In the first situation where mitigation measures are not taken, Crossrail have told us in a letter of 22 February from Winckworth's that the Secretary of State would be required to take action to ensure compliance with the mitigation measures. We understand from a further letter from Winckworth's of 24 March that the basis of this requirement is the fact that Information Paper D10 on groundborne noise and vibration, which sets out the obligation on the nominated undertaker to take mitigation measures, will be included in the register of commitments and undertakings, and, with Information Paper D3 on compliance of undertakings and assurances, we understand that

the Secretary of State will take those steps he considers reasonable and necessary to ensure compliance with all the relevant undertakings.¹⁶

6265. It is the nature of this undertaking by the Secretary of State which causes us concern. We understand fully why the Secretary of State can only undertake to take steps that are reasonable rather than all steps, but we also do not find it hard to imagine a scenario where it could rightly be concluded by him that it would not be reasonable for action to be required to be taken by the nominated undertaker to put the mitigation measures in place further down the time-line of the project. We can see that if, for example, what was required involved substantial reconstruction of the tunnel, it could well be that the Secretary of State would think it unreasonable to require Crossrail to do that. It may also be reasonable that we would not have a personal right of enforcement in those circumstances, but what we think is wholly unfair is that we would not have a claim for compensation against Crossrail.

6266. The second scenario I mentioned is one where the mitigation measures are taken, but the noise levels are still too high, that is, Crossrail has misjudged the effects of the railway and/or mitigation measures. In that situation, there appears to be nothing for us to rely on at all. There is no undertaking by the Secretary of State or anyone else that the threshold will not be exceeded. We understand we would have no right of enforcement or to claim compensation against the nominated undertaker and nor would the Secretary of State even be obliged to consider doing anything.

6267. We think it is unjust that we will not have the right to claim compensation and, if you will bear with me, I will try and explain why. The Committee of course know that the compensation settlement we will receive on compulsory acquisition of our subsoil will be governed by the National Compensation Code. It is with some relief that I say that I have not had an occasion in my life to become even anything vaguely approaching an expert on that Code, but we have looked into it to see what effect it will have on us. We asked Crossrail in our last letter to confirm that we have understood the position correctly, but Winckworth's reply of 24 March unfortunately did not cover the point. Therefore, if I may, I would like briefly to set out what we understand our position to be.

6268. The compensation settlement will be determined, and this is the crucial point for us, at the time of compulsory acquisition. This will of course be a significant amount of time before the railway is functioning. The compensation we will receive will consist of two elements. The first is the market value of the subsoil and, given that we are talking about subsoil, it is not surprising that we have been told that we can expect the market value to be nominal.

¹⁵ Crossrail Ref: P73, Promoter's Response Document to Ingrid Meldal-Johnsen, Alison Human & Antoine Lurot—Petitioner No 14.

¹⁶ Crossrail Information Paper D10 Groundborne Noise and Vibration and D3 Excavated Material and Waste Management Strategy, <http://billdocuments.crossrail.co.uk>

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The second element is compensation for severance and injurious affection caused by the presence or operation of the railway. We understand, and we get this from ODPM's Compulsory Purchase and Compensation booklet, that injurious affection includes loss of amenity due to noise and vibration, et cetera, as a result of the use of, in this case, the railway.¹⁷ That is at paragraph 2.36 of that booklet. Therefore, to the extent that the operation of the railway causes loss of amenity due to noise, we should be compensated for it.

6269. We asked Crossrail at our meeting how compensation for noise was assessed and calculated at the time of compulsory acquisition which is many years before the project is up and running and so many years before the actual occurrence of any injurious affection. What we were told was that this would be done on the basis of the information in the Environmental Statement. In other words, in calculating the compensation, the same assumptions, and I stress that they are just assumptions, albeit expert ones, will be made as were made to determine the mitigation measures and the resulting noise level predictions. That, we respectfully submit, is circular. Given that the Environmental Statement predicts that the noise in our properties will be below the significance criterion, it will be seen that compensation for injurious affection will also be nominal.

6270. The point was also made by Crossrail when we met with them that the compensation settlement is full and final, so there is no opportunity if their assumptions turn out to be incorrect to revisit it, say, 10 years down the line or whatever it will be once the railway opens.

6271. Therefore, it seems to us that there is a gap in the provision made by the Bill. To our minds, the Compensation Code recognises the principle that those subject to compulsory acquisition should have a right to be compensated for injurious affection arising out of the relevant project, but, because of the nature of this project and the fact that the compensation settlement is determined at a time when the real, rather than projected, extent of injurious affection cannot yet be known, we will not have the benefit of that right. That seems manifestly unfair to us.

6272. It is for this reason that we have asked Crossrail to give us an undertaking that the noise caused in our properties by the operation of the project will not exceed the significance criterion. Without such an undertaking, we do not seem to have a right of compensation and that is a right which we think the Compensation Code recognises. I think I am correct in saying, in fact I think I heard this earlier this morning, that the Promoter of the Bill has been keen in these proceedings to impress upon the Committee that the principles in the Compensation Code should not be put up for debate

on this project, but we respectfully submit to you that that is not what we are doing in making this case.

6273. To put it in a slightly different way, without an undertaking of this sort from Crossrail, we are in effect being required to take the risk that the experts acting for Crossrail, who have formulated the predictions and determined the mitigation measures required to meet them, have done their calculations correctly and we think that is unjust and that that risk should be properly borne by the Promoter.

6274. We think it is also worth pointing out that we do not really see the difference in principle between what we are asking for on noise and what Crossrail are already offering in relation to settlement. The position on settlement, simply put, is that, if there is physical damage to our properties during the construction phase, Crossrail will make it right and compensate us. That is not based on the predicted levels of settlement included in the Environmental Statement today, but on actual damage resulting from construction then, and we are unsure why noise is not receiving the same treatment.

6275. There is another point which we would like to ask you to have in your minds when you consider whether what we are asking for is reasonable. I am sure that, if you have not already, the Committee will at some stage be hearing complaints about the depreciation in value of properties along the proposed route as a result of the fear and uncertainty about the project and the effect it will have, and property values will remain that way at least until construction is complete and the trains are running. I am not sure we have actually put them to the test on it, but I doubt that Crossrail would disagree that our houses are worth less today than they would be if no one had ever thought of Crossrail or had put it somewhere else, and they will stay that way for some time until the real effects of the project are known. Mr Lurot, who is a fellow Petitioner, is also the Chairman of Lurot Brand Estate Agents which specialises in mews houses in central London. He has 35 years' experience in this area and tells us that buyers are already being put off by the Crossrail project and the unknowns it brings with it. Buyers are harder to come by and are expecting large discounts, and will continue to do so in the long run-up to Crossrail becoming a reality.

6276. At the point that the construction of the railway is completed or, in any event, soon afterwards, the real effect of the trains running beneath the properties will be known and so will be quantifiable and we can expect the value of the properties to adjust accordingly, but should any of us want to sell our properties during the very long run-up from today until completion, we will be adversely impacted by the downwards effect on property values caused by the fear factor.

¹⁷ Compulsory Purchase and Compensation booklets <http://www.communities.gov.uk/>

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6277. There is obviously no provision for any compensation for that depreciation in the value of our homes and we understand the reasons for that and have thought better than to ask the Committee for compensation for the current loss in value, but we respectfully suggest, when considering whether what we are asking for in relation to noise is reasonable or not, that the Committee might like to take into account not only the effect on our daily life if the noise threshold is exceeded should we be living in the Mews when construction is completed, but also the financial disadvantage we will be in should we want, or need, to sell before completion. An undertaking on noise either in the Bill or on a contractual basis would, we believe, help us to combat the fear factor that buyers have in the run-up to the railway's operation, should we decide to sell in that period.

6278. Crossrail keep telling us that we do not need to worry and that the railway will be built in accordance with the Environmental Statement and that the noise levels will be below the threshold, or at least are likely to be. On that assertion, we do not see why giving such an undertaking should trouble them. In fact their reluctance even to discuss it with us would give a cynical man cause for concern about the levels of confidence that they have in their calculations and predictions on noise. They are clearly more confident that they have got it right on settlement.

6279. There is only one other point on noise which we would like to raise, but you can breathe a sigh of relief because I shall be very brief. The noise threshold for residential properties is currently set at 40dBLAmaxS. We have spoken to Graham King at Westminster City Council who, I think, has already appeared before you, and we gather that not only Westminster but other local authorities have raised, or intended to raise, the issue with the Committee as to whether that is the appropriate level. We strongly support the local authorities in their assertions that 40 is too high, and we mention it so that our support for the authorities' position is on the record.

6280. Sir, that brings what we wanted to say to the Committee to a close. To sum up, we think that the Bill and the surrounding documents offer insufficient protection to us in relation to noise. For the reasons I have explained, and will not rehearse, we think that it is unfair that, as subjects of compulsory acquisition notices, we have no right of compensation against Crossrail where the noise threshold, whatever it may be, is exceeded. The Bill makes provision for such compensation and that is why we have been asking Crossrail for an undertaking on the point. We think that an undertaking that the noise levels in our properties will not exceed the residential threshold, whether that turns out to be 40 or something lower, would redress the current imbalance and produce a fair result. We, therefore, ask the Committee to consider

the points on our behalf. Sir, thank you to you and the rest of the Committee for bearing with me and I shall be more than happy to answer any questions.

6281. **Chairman:** Mr Human, do you wish to add to that submission or are you content?

6282. **Mr Human:** Thank you, sir, I have nothing to add.

6283. **Chairman:** Mr Taylor?

6284. **Mr Taylor:** Sir, the Committee has already heard from Mr Thornely-Taylor with regard to the way in which the commitment set out in Information Paper D10 operates.¹⁸ I do not know whether you wish me to call him to deal with those matters again or whether you prefer me just to move on to make submissions in response.

6285. **Chairman:** We are well aware of the points which have already been made to the Committee, but that does not mean you should not address the points in the Petition which have been made.

6286. **Mr Taylor:** Well, I will certainly address those in submission, if I may, now. Information Paper D10 provides a commitment that the nominated undertaker will be required to design the track support system so that the level of groundborne noise near the centre of any noise-sensitive room is predicted in all reasonably foreseeable circumstances not to exceed 40dBLAmaxS in respect of residential properties. That commitment does not mean that the level of groundborne noise within the Petitioners' properties will be as high as 40dBLAmaxS; indeed Mr Thornely-Taylor has explained to the Committee on Day 8, paragraph 2,351 that that 40dBLAmaxS level is not a target. In fact the actual noise within properties will vary across the project. The commitment has been designed so that any uncertainty in the model will be taken into account in the design process, as you will recall. Mr Thornely-Taylor has modelled that the likely impact on the Petitioners' properties will be a noise level of 28dBLAmaxS, as set out in the letter to the Petitioners that Ms Meldal-Johnsen has already referred to, dated 24 March 2006, which I believe is before you. Now, that level, the likely level that Mr Thornely-Taylor has identified, is below the level of protection offered to sound-recording studios.

6287. The project has identified that the standard track form which uses resilient base-plates will be used and the rail will be continuously welded, and that is explained in Information Paper D10, paragraph 2.8. In 1994, Mrs Human was provided with a draft undertaking which was never concluded and I think it just may be of interest to look at clause 4(a) of page 5 of that draft undertaking for a moment to see what was being offered then so that

¹⁸ Crossrail Information Paper D10 Groundborne Noise and Vibration, <http://billdocuments.crossrail.co.uk>

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we can compare it with what is being offered now.¹⁹ If we look at the bottom of the page, here we can see that the undertaking was that: in the construction and maintenance of the authorised works, and in working the railway comprised therein, “the Company shall . . . employ all means which are reasonably practicable (i) to minimise noise and vibration to and within the protected property by inclusion beneath the protected property of a permanent, resilient track with continuous welded rail designed to the specified noise and vibration aims”, so it is a resilient base-plate with continuously welded rail.

6288. If we can turn on in the document, I think, to a later page which is the definition of the ‘specified noise and vibration aims’, which I think is page 7, we can see at (ii) on this page: “the term ‘specified noise and vibration aims’ shall mean (1) for noise inside any building forming part of the protected property—a level of noise not exceeding a maximum sound level of 40dB(A) caused by a vibration transmitted through the ground due to the passage of one train”. So it can be seen that that is exactly the same commitment as is provided by Information Paper D10, a resilient base-plate with continuously welded rail and a design aim of 40dB(A) as a maximum.

6289. So far as enforceability is concerned, the Secretary of State has given an undertaking that he will take such steps as he considers are reasonable and necessary to secure compliance with the environmental minimum requirements, and you will remember that that commitment was given by Mr Elvin on the first day. The environmental minimum requirements include a commitment in Information Paper D10. The enforcement of the EMR has already been explained to the Committee by Mr Anderson on Day 13, paragraphs 3,922 to 3,924 and by Mr Elvin on Day 14, at paragraphs 4,024 and following. The environmental minimum requirements will be a contractual requirement imposed on the nominated undertaker by the Secretary of State and that is a model which has been used successfully on the CTRL scheme.

6290. My learned friend is asking me to make the additional point that, in the light of that, we do not anticipate that there will be any reasonable prospect of the 40dB(A) level being exceeded. If that were to occur, then the National Compensation Code provides a mechanism for compensation in a manner which has been set by Parliament for a number of years, and we say that is sufficient to deal with the concerns that the Petitioners have raised.

6291. **Chairman:** Just for clarity, the Petition which was being negotiated at the time, you are saying that more than meets the criteria contained in all of that?

6292. **Mr Taylor:** We are saying that we are offering exactly the same undertaking, albeit it is not an undertaking offered personally to the Petitioners, but it is offered by the Secretary of State through Parliament through the process that I have just explained, so there is no difference between what was being offered then and that which is being offered now. Indeed Mr Thornely-Taylor has calculated what the likely impact will be and it is likely to be significantly below the 40 level simply on the basis of, as I understand it, using the standard track form, even without the introduction of floating slab tracks.

6293. **Chairman:** I understand what you are saying, but they have come to you and said, “Can we start from there with that as the basis?”, which is the major plank of their Petition, saying, “We want this as a minimum”, and what you are saying is, “We are reaching that by the undertaking given by the Secretary of State”?

6294. **Mr Taylor:** Yes.

6295. **Chairman:** Can you not then provide a letter of comfort which will say that in relation to that? Indeed, if you will give me just a second, I will call the Petitioner back to see if they are satisfied with that undertaking.

6296. **Ms Meldal-Johnsen:** Thank you for the opportunity to say a few more words, sir. There are actually a couple of points I would like to make in response to that. Firstly, in case Mr Taylor misunderstood us on the question of 40 and 28, in terms of what we are asking for from an undertaking, we know that the actual predicted level of noise in our properties is much lower than the residential property threshold significance, and it is only an undertaking at the significance level we are looking for, be it 40 or, if the Committee decides to bring that down after they have heard from noise experts to, 35 or whatever it may be, so I hope there was no misunderstanding on that.

6297. Secondly, whilst we can see Mr Taylor’s point, that the substance of the undertaking before you, the draft one, and that of the one given by the Secretary of State are similar, there are two things I would like to say. The first is that it makes a difference for us to have something personal which you can wave under a prospective purchaser’s nose as it gives them more comfort and puts us in a stronger position should we need to sell before completion. The second thing is that I do recognise that what we are asking the Committee for goes beyond what is in that draft undertaking, which is a right of compensation where, even though all measures are taken as they are supposed to be, as set out in the Environmental Statement, nevertheless, because Crossrail have miscalculated and got things wrong, the noise levels are exceeded. Mr Taylor has mentioned that that is something that the National Compensation Code provides for, but, on our understanding, which I set out to you earlier, it does not so provide. We have asked Crossrail about this on several occasions,

¹⁹ Crossrail Ref: P73, 1992-93 Draft Crossrail Bill Undertaking to Alison Human (WESTCC-1405-005 to-007).

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including in our last letter, and I asked them to confirm in advance of today's proceedings that our understanding of that is correct because I did not want to waste your time. We have not yet been told how under the National Compensation Code we could make a claim given those circumstances, and I would appreciate hearing that.

6298. **Chairman:** Mr Taylor, would you care to respond to those points?

6299. **Mr Taylor:** The key point here is the nature of the undertaking that has been provided and that is to design this railway to a level which will ensure there will be no significant impact on the Petitioners' properties, and that is what is given in the commitment in IPD10. You have heard the evidence on that and you have heard evidence about whether 40, 30 or 35 is the right level and I am not going to trawl over that matter again.

6300. So far as the enforceability of that commitment is concerned, the point is quite a straightforward one and it is this: that it is far easier for the Secretary of State to enforce the particular undertaking that has been given than for lots of individual Petitioners. The process of enforcement has been explained to you and I have provided you with references to Mr Anderson's evidence and to Mr Elvin's submissions on that particular point. If the Committee feel it appropriate, I have got instructions that the Promoter is happy to write a confirmatory letter to the Petitioners, explaining the point that I explained before with regard to the comparability between the undertaking offered in 1994 and what is offered now. The real issue here is what we have identified as a 'route-wide design criterion' and we do not feel it is appropriate to alter the route-wide criterion to cater for particular Petitioners because the level is set at a level which is appropriate for all residential properties.

6301. So far as the compensation issue is concerned, I am not going to take up the Committee's time going into the details of injurious affection—

6302. **Chairman:** Mr Taylor, I find it odd that you are willing to give the undertaking by the Secretary of State, but you are not willing to give a personal undertaking. It is bizarre really when all the Petitioner is asking for is basically that—but I am grateful that you have offered to write a comfort letter now, explaining the position, but that is not quite the same.

6303. The second point was on the aspect of blight, or should I say value from problems which may affect them. I just wondered, because you have not replied to the request from the Petitioners as yet, if you would give a commitment here for ongoing attempts to try and find a solution, and whether it is successful or not is down at the end of the day to the Promoter and the Petitioners themselves, but that the door continues to be open until we get to the end of this?

6304. **Mr Taylor:** Sir, I am happy to say this: as you know, the Promoter's position is that the National Compensation Code is sufficient to deal with matters of compensation and insofar as that needs further explanation for the Petitioners, we are happy to have those discussions and to continue those discussions.

6305. **Chairman:** That I am grateful for.

6306. **Mr Taylor:** My learned friend helpfully reminds me that of course the hardship policy set out in the Information Papers which are before the Committee applies to these Petitioners as much as anybody else as well, and there is always that as a fall-back to take into account, and I am sure the Committee will bear that in mind.

6307. **Chairman:** I understand the case on the hardship point, but that is not quite the same as the question of blight. I just ask that you continue and the door always remains open until this Committee finalises its decision. I think one or two valid points are being made for letters to be exchanged. Whether or not you can come to an agreement is largely down to yourselves, but, as I say, I think the Committee would find it helpful if you could proceed along those lines. I think we have got to the end of your Petition, Ms Meldal-Johnsen, and the response and I thank you both very much for attending.

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The Petitioner appeared in person.

6308. **Chairman:** I would just like to explain to the other people present that the reason why Mr Walters has been shunted up the list is because he has an important event later on today which he has to attend, so we have reversed the order, so to speak, to help him in that respect.

6309. **Mr Walters:** Chairman, thank you for that. I actually have to leave at 4.30.

6310. **Chairman:** My understanding is that you will not still be going at 4.30!

6311. **Mr Walters:** No, I do not think so, no. Chairman, members of the Committee, I have been involved in this project probably since about 1992 as a resident of Mayfair, and I was the former Chairman of the Residents' Association. The first thing I would like to point out to you, sir, is that this same Crossrail route was rejected on 10 May, as you probably know, sir, in 1994 by the Opposed Bill Committee of the House of Commons of both parties, Labour and Conservative, and chaired by Tony Marlow. I attended a lot of those hearings. There were 33 days of hearings when all the evidence was heard for and against and it was rejected. That was at the time when the estimated bill for Crossrail was £2.4 billion.

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6312. Now, sir, the main reason for the rejection, as I recall, was that the scheme even then, which was this scheme, which was conceived in the mid-1980s was already out of date and passenger demand had in fact reduced by some 18 per cent since 1988 when it was conceived, so even at that time, 11 years ago, in 1994, passenger demand was 25 per cent below that forecast for that year by the Central London Rail Study on which Crossrail was based.

6313. Another reason, sir, why in 1994 it was rejected was that this Crossrail route did not meet modern requirements of the 21st Century for a strategic route across London, similar to the RER in Paris. For example, there was no interchange with the rail link to St Pancras. I am not a rail expert, sir, but it seems so non-strategic, this particular route. The forecast for employment, which was the main passenger demand factor in 1994, showed that Westminster and the City of London could expect at that time an increase of only 8 per cent between 1994 and 2011.

6314. Another reason was that the economics of the project were poor, even at £2.4 billion, with a benefit:cost ratio between 1.22:1 by the Promoters and 0.76:1 by the Petitioners. I mention these figures, sir, because I actually attended, as I said, a lot of these hearings. The substance of evidence favoured the Petitioners' position. Financial returns to any private sector party appeared highly marginal at the time and uncertain, and the Government's requirement at that time, as far as I can make out, with a major private participation was that at least 45 per cent would be unlikely to be achieved. The benefit:cost ratio of improving the existing system was far higher.

6315. The final reason on the rejection in 1994 was that only about 15 per cent of passengers, of traffic, was estimated to benefit from Crossrail. This left 85 per cent to benefit from improvements to the existing network, which was in an appalling condition and still mainly is, and unfunded.

6316. The latest estimate for Crossrail is, I believe, sir, £16 billion. I heard it in the House of Commons from Alistair Darling, and I believe it has even gone up since then to £20 billion. I think we all know what happens to building cost estimates. I was involved in the development of the air terminal at Kennedy Airport and I know from personal experience how these estimates can increase. Was it not the Scottish Parliament, for example, which was estimated at £40 million and landed up with a bill of over £400 million?

6317. On another point, sir, when considering the cost estimates, the fact, and this is since 1994, that Great Britain has won the Olympic bid surely would have an enormous effect on building costs if these were done simultaneously. I believe that the former Chief Executive of the Cross London Rail Link, Mr

Haste, who quit last May has said that Crossrail should not be commenced until after the Olympic Games.

6318. Another factor, sir, since 1994 is terrorism in central London and, in particular, for the proposed lorry routes either side of the American Embassy in Upper Grosvenor Street and Upper Brooke Street which is causing great concern to the Embassy. You have seen the Embassy personally, sir, and they have expressed their concern, and also to their residential neighbours, together with the general public and tourists in that part of London.

6319. Another point, and this is, I think, a cardinal point: does it make sense to spend billions and billions of pounds on a non-strategic route across London simply to bring more people into an already crowded Oxford Street and Bond Street? It is far better to spend less money on improving the existing Underground system. We also know that Oxford Street is already overcrowded, so what is the point in bring in all those extra people there?

6320. Another point, sir, is that the rejection of this present Crossrail route in 1994, some 11 years ago, it appears from my limited experience, and I am not a rail expert, that the Promoter has never seriously looked at alternative routes, and I really feel that, sir, that they really have not, from all the information I have had and so on. They have obstinately kept to the present route which, as stated previously, is dated as long ago as the 1980s. There is, as I understand it, a much better strategic alternative, the Crossrail northern interchange route, the CNIR, with Channel Tunnel rail links to St Pancras and King's Cross, on which others will give evidence in detail, I suspect. This becomes even more attractive with the current massive redevelopment proposals in the King's Cross area, only approved, I believe, by Camden Council last week. Part of the CNIR includes what is known as the 'Wigmore alignment' on which others will give evidence today, sir.

6321. As members of the Committee will know, the development of employment lies not in the West End because it is already done in the West End and you cannot build high-rise buildings in the West End and the Mayfair Conservation Area, it has already been done there, but north of Euston and the Marylebone Road you can build high-rise buildings and that is where we suggest the link is. High-rise buildings are not feasible for the majority of, as I have already said, the West End and the Mayfair Conservation Area.

6322. Sir, there are real concerns, and I have left this to last, within the Mayfair Conservation Area of the dangers of settlement to hundreds and hundreds of Listed and un-Listed buildings, together with the major disruption that will be caused right in the heart of London for anything up to 10 years. Can you imagine any situation right at the heart of the

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West End of London with all this going on, with lorries going backwards and forwards, and all the things already described to you.

6323. Finally, sir, it is interesting to note that the Grosvenor Estate Petitioners, although they support, as we all do, the east-west rail link, they do not support necessarily this particular route. Thank you, sir.

6324. **Chairman:** Can I just say briefly that your points 1 to 6 are really not within the jurisdiction of this Committee. What you are intimating in all of those sections is the possibility of us actually looking at this to see if there is a case against Crossrail, but that is not within our remit at all. This House has decided that there shall be a Crossrail and it is just a matter for this Committee to report the best way forward for that, so I let you go on to make your point, but it is only from point 7 onwards really where you make your case for your objection on a reasonable basis.²⁰

6325. **Mr Walters:** I am obliged, sir.

6326. **Chairman:** Mr Mould?

6327. **Mr Mould:** Of course the difference between the early 1990s and now is that then it was a Private Bill which was promoted to this House and now we are concerned with a hybrid Bill and, as you have just indicated, that means that the principle of the Bill has the support of the House of Commons.

6328. **Chairman:** And indeed we are obligated to go in that particular direction.

6329. **Mr Mould:** Precisely, sir. Lest there be any doubt, we have explained in opening statement from Mr Elvin the very substantial transport, planning and economic benefits that will flow from Crossrail and, as this Committee has already heard from the City of London and indeed from the Confederation of British Industry, in relation to those matters this Bill enjoys the very clear support of the local and wider business community.

6330. Sir, you are going to hear later from the Residents' Association of Mayfair in relation to the proposed northern line along Marylebone Road, which I think was touched on by the Petitioner. I am not going to anticipate the hearing of that petition, it seems appropriate if I were to leave that, that is a matter to be dealt with later in the day. Suffice to say, as you will hear, the case against that alternative is a very powerful one.

6331. Sir, turning to the one matter that was raised which relates to local issues, firstly the question of security. Sir, you will not be surprised to hear that the Promoter is very alive to the need to ensure that security issues—the question of terrorism was raised—are taken into account properly and

appropriately during the construction phase and that measures are taken to ensure that the prospect of those with the fairest motive seeking to take advantage of Crossrail are controlled and guarded against as appropriate.

6332. Sir, I refer you simply to the proposed Crossrail Construction Code. You will recall that that is before the Committee attached to information paper D1 and one of the provisions of that document relating to public access and highways is a general requirement that, amongst other things, the Promoter and the nominated undertaker prepare traffic management plans which are produced and implemented, prepared in consultation with highway and traffic authorities and with—this is the important point—the emergency services and obviously that will enable concerns about risks associated with lorry routes. I think the particular concern raised by this Petitioner is lorry routing through the northern section of Mayfair in the vicinity of the American Embassy in Grosvenor Square. That is something that will plainly be taken into account within the embrace of that group requirement of the code and appropriate consultation and appropriate measures taken to ensure that the routes are not such as to give rise to risk to the security of the Embassy and indeed wider security issues wherever they may arise within the construction area of the route. I hope that gives the Committee sufficient comfort to know that that point is taken into account.

6333. Finally, as to the question of the impact of the construction phase on the Mayfair conservation area and the area of Mayfair generally. We make the point repeatedly, of course we accept that the construction of a major railway project such as Crossrail is going to have impact on the environment and impact on local people whilst the work is being carried out. It is precisely for that reason that the Promoter is taking all reasonable practical measures to ensure that that impact is limited and to provide appropriate package of mitigation. You have heard a great deal about that already and you will, I fear, hear more about it as the weeks of this Committee sitting go on, it is right that you should do.

6334. In relation to settlement, you will have heard from Professor Mair, who has provided you with a presentation on day 8 of the Committee, he explains how the settlement process works and unless there is any more you would like to hear from me now on that, I simply remind you of that and refer you to that and raise that point on the record. Suffice to say that settlement has been taken into account in great detail and will continue to be so through the document process as the design moves towards its detailed stage and to implementation.

6335. Finally, in relation to disruption, again we have given a range of commitments about dealing with noise, disturbance, air quality, dust, all those things that were touched on by the Petitioner, the Construction Code deals with those in detail, we

²⁰ Committee Ref: A73, Correspondence from Leo Walters Paras 1 to 9 (SCN20060330-002 to -005).

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have explained how the mitigation packages work, unless there is anything else I can help you with on that at this stage I would not propose to do more than simply remind you that those matters are in place.

6336. **Chairman:** The matters raised in Mr Alder's address in relation to Mayfair we will deal with as one of the petitions later in the day.

6337. **Mr Mould:** As I understand it, it is possible that those matters may be raised. If they are raised more specifically and in greater detail then we will deal with those more specifically in greater detail as appropriate at that time, but given that they were raised, I hope I do not do any disservice to the Petitioner saying they were raised at a relatively high level in his address, I hope that a relatively high level of response I have given is sufficient for your purposes.

6338. **Chairman:** Thank you very much indeed. I am now going to adjourn the Committee until 11.50.

After a short adjournment

6339. **Chairman:** I am going to change the order of business, I am going to deal with firstly Mr George Iacobescu and others and we are going to deal with that first and then go on to Mintel afterwards. I understand speaking on behalf of Mr Iacobescu is Ramon Greene.

Mr Timothy Mould appeared on behalf of the Promoter.

The Petition of George Iacobescu, CBE and others.

Mr Ramon Greene appeared in person.

6340. **Mr Greene:** Mr Chairman, I do speak for the Grosvenor Mayfair residents and the Chancery Neighbours, Chancery being the American Embassy, and I therefore speak for several hundred residents in the area.²¹

6341. I would like to deal with the question that previous Petitioners have already talked about clearly in the disturbance of the traffic going down Upper Brook Street and Upper Grosvenor Street in order to access the Bond Street Station. We have heard from previous Petitioners the possibility of an alternative route and we come up with the alternative of not having Bond Street Station. If Bond Street Station itself was eliminated, which is only to bring people into Oxford Street. You see we approve of Crossrail, we think that crossing the capital is very important for both business and the capital itself, but the route is the one we are complaining about particularly.

6342. Upper Brook Street is, by definition, built on a brook and the subsoil is sand. There are going to be between 190 and 250 lorries a day passing down that street. The disturbance, the vibration, the environmental damage will be enormous to the residents who live there and likewise going back down Upper Grosvenor Street and so our concern is for that and, of course, the value, the blight, that we suffer at this very moment. It is impossible to dispose, to sell houses in that street today with the forecast of Crossrail.

6343. What I want to bring your attention to specifically is the terrorism threat. We have been negotiating with the American Embassy and Westminster City Council for the last four years to remove the concrete blocks and the wire netting that surround the Chancery, which is the American Embassy and there is a current planning approval which will be completed by a one in six agreement as we speak which allows hydraulic bollards to go up and down in Upper Brook Street and Upper Grosvenor Street, closing those streets off as and when the Metropolitan Police decide that there is a terrorist threat. Whether they know before or after the event we have to wait and see. Unfortunately our lives are at stake while we wait and see. To date they have never been able to know when there is a terrorist threat, terrorists do not seem to advise them early enough.

6344. The question that has to be asked of Crossrail is that if you have got circa 200 lorries a day going down Upper Brook Street and Upper Grosvenor Street and you close those streets by order of the Metropolitan Police, then how are you going to deal with the problem.

6345. In my discussion with Crossrail their answer was, "That is a problem for Westminster". Whichever way they send the traffic is the way we will send the traffic. The main arteries of Mayfair are Upper Brook Street and Upper Grosvenor Street and therefore we will use them until we are told that we cannot use them. That seems to me to be totally inadequate.

6346. If you remove Bond Street Station, then you do not need to have that problem and that should be noted and I think it should be considered as a very important aspect of Crossrail.

6347. In all other respects, Mr Chairman, I would like to deal with the total lack of compensation that previous petitioners have talked about because our houses, as I said, are built on sand. This is an 18th century preservation order area. Our houses shake now and we are talking about some of the most valuable properties in England with each house costing millions. If those claims under the present Compensation Act come to Crossrail they will be rejected. That is entirely unfair on the residents and I think the compensation clauses should be seriously looked at, they are just totally inadequate.

²¹ Crossrail Ref: P73, Map Location of Petitioner—3,4,8,48 Upper Brook Street Raymond Greene, Shirely Greene & Sarah Cooper, George Iacobescu Petitioner No 234 (WESTCC-23403-001).

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6348. I do not think, other than that, I have more to say except to invite you to look at the terrorist threat. May I just say, it was mentioned earlier, that the police, of course, in other construction projects not as big as this have interviewed all the lorry drivers and checked all the lorries and done everything to make sure that there is security. Of course we agree with all that, but what is to stop a suicide bomber dubbing up another lorry and just joining the queue? No one would ever notice another lorry coming by. The traffic will be backed up. Every time there is a pedestrian crossing the traffic is backed right up past our roads and a bomb could go off.

6349. I remind you that the American Embassy is one of six major targets in the world. This House is one of them, but this House is protected by hundreds of feet from the road; our house is seven metres from a lorry and there is nothing to stop a suicide bomber coming along with a lorry and blowing himself up and us to pieces. The women who live in the street are ill from the anxiety and the worry and what we are looking at is another 200 lorries a day coming by.

6350. We are not objecting to the traffic, we are objecting to the terrorism act, we are objecting to the vibration, we are objecting to the possibility that we will never sell our houses, that we will never be able to move away and those of us who would like to retire and go elsewhere cannot, we are locked into our properties, it is entirely unfair and we would like the Committee to look at it seriously.

6351. **Chairman:** Thank you very much, Mr Greene. Can I just say that terrorism is not within the remit of this Committee to deal with, but certainly traffic and compensation and disturbance is and we will take your Petition and your statement into account. Counsel?

6352. **Mr Mould:** Sir, can I ask Mr Anderson just to respond briefly on the lorry routing aspect of this.

Mr David Anderson, sworn

Examined by **Mr Mould**

6353. Mr Anderson, first of all the suggestion has been made that the proposed lorry routes, taking in as they do at the present time a route along Upper Brook Street, that that is what is perceived to be an unjustifiable proposal in relation to Crossrail, that could be avoided by the removal from the scheme of Bond Street Station. Can you just summarise, very briefly, please, to the Committee and for the Petitioners' benefit, the benefits of a provision of a station at Bond Street as part of the Crossrail scheme?

(Mr Anderson): Yes. The first method would be for a direct service to the West End area which is obviously a major employment retail centre. Secondly, Bond Street is currently served by the Central Line and whilst needing the benefits of Crossrail it will lead to congestion on the Central

Line. Obviously by serving the stations currently served by the Central Line it enables us to relieve the Central Line in that way. Thirdly, and related to that point, if there was no station at Bond Street Crossrail would run from Paddington right through to Tottenham Court Road which would be quite a lengthy gap in the service in the centre of London. There would be a question mark as well as to whether Tottenham Court Road could actually cope. It is the most extensively used Crossrail station on our forecast, it would be the busiest Crossrail station and we would have to look very carefully if there was no station at Bond Street at the extra demands placed upon it. Finally, the station at Bond Street does provide the opportunity for interchange, particularly with the Jubilee Line running north/south.

6354. Can we turn, please, to the question of lorry routing? I just want to be clear about the location of the Petitioner's properties in relation to the line of the route.²² We see the eastbound and westbound tunnels to the north, just in the north of Lees Place, crossing over at Park Street and going towards North Audley Street there, do we not, Mr Anderson?

(Mr Anderson): Yes.

6355. And then to the south of that on the north and south side of Upper Brook Street respectively, we can see shaded there the Petitioners' properties?

(Mr Anderson): Yes.

6356. They are somewhat distant from the line of the route?

(Mr Anderson): Yes.

6357. Can we then go to the lorry route, please? We have here the transport and access arrangements that were assessed for the purposes of the environmental stage of the project in relation to Bond Street Station. Can you just take us through the current proposed routing arrangements for lorries, please, in the vicinity of Brook Street, Grosvenor Square and the northern sector of Mayfair?

(Mr Anderson): There are two work sites there, one for the Davies Street end of Bond Street Station and one for the Hanover Square end. Clearly Park Lane itself is a major traffic artery through the area and we have a circulatory system shown for lorries there. Upper Brook Street would take lorries from Park Lane, down through Davies Street and Hanover Square. Grosvenor Street would allow them to egress from the area.

6358. I think I am correctly showing the northern side of Upper Grosvenor Square going into Brook Street and Upper Brook Street, past the Petitioners' properties with the arrow?

(Mr Anderson): Yes.

²² Crossrail Environmental Statement Bond Street Station Transport and Access Map/Plan (LINEWD-ES40-011).

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6359. Insofar as the road hierarchy is concerned, can you just explain what the status of the roads is, please?

(Mr Anderson): Upper Brook Street is a local distributor road, undefined as such, and these roads that are generally used to distribute traffic through an area, they are generally well signed local routes, 'bus routes, or routes which carry reasonably high volumes of traffic.

6360. And Mr Greene raised the concern about the impact of lorries in terms of vibration impact on properties on the north and south side of Brook Street. Can you give an idea, please of the character, level of traffic on Upper Brook Street, have we carried out surveys to measure that?

(Mr Anderson): We based our assessment on a survey undertaken in 2003 and that shows over 10,000 vehicles during the working day, including a number of police vehicles.

6361. Can you give us a figure for the number of heavy lorries shown on that survey passing down Brook Street?

(Mr Anderson): It was 240.

6362. 240 during the working day. Have we an idea of how many heavy goods vehicles would be used that street during the construction phase of Crossrail?

(Mr Anderson): Yes, during the peak of the construction, it would be up to 90.

6363. And what role does the Westminster City Council have to play under Schedule 7 to the Crossrail Bill in relation to the determination and control of lorry routing during the construction phase?

(Mr Anderson): Lorry routing is one of the matters set out in Schedule 7 as being for later determination by the planning authority and that would be undertaken in consultation with the police and emergency services.

6364. Does that embrace consideration of alternatives in deciding whether on further detailed analysis the route shown in the environment statement merits some revision or refinement?

(Mr Anderson): Yes, it does, and indeed matters which may arise between now and the construction stage.

6365. As things stand at the present time this is the route, in consultation with the City Council, which has been proposed and assessed as being appropriate to serve the Bond Street work site?

(Mr Anderson): That is correct, yes.

6366. In relation to the petition presented by the previous petitioner, I said little to the Committee about the involvement of the emergency services in consideration of traffic management and lorry routes from the security perspective and I referred to a paragraph in the Construction Code. Did I get that right?

(Mr Anderson): Yes, you did.

6367. **Chairman:** Mr Greene, do you want to ask any questions of the witness?

6368. **Mr Greene:** No.

The witness withdrew

6369. **Mr Mould:** Not really very much to say by way of closing, I am not going to repeat what has just been said to you by Mr Anderson, but perhaps I ought to touch, just briefly, on the question of compensation in deference to the Petitioners' concerns.

6370. As you know, our case to you is that the statutory provisions which we describe as the national compensation code, ought properly to be applied to Crossrail as they do to any other scheme of public works. Under those statutory provisions compensation is available in principle to those who have no land taken from them as a result of the works, but only in certain circumstances and it would be necessary for them to show that the works have been carried out in a way which was consistent with all reasonable care, but that some private proprietary rate of theirs had, nevertheless, been interfered with and the obvious example of that is in relation to access, if someone's access is impeded or obstructed as a result of the carrying out of the works and there may be a right of compensation. You heard that from Mr Elvin, I think, earlier in the proceedings. I make that point just to illustrate why it is most unlikely that any right of compensation would arise in relation to these Petitioners given where they are located in relation to the works. Most of them, one might expect, that they would suffer and I understand their concerns on this square is that there may be some additional disturbance as a result of an increased number of HGV vehicles along the route. That would not be the subject of a legitimate compensation claim on the part of these Petitioners.

6371. Sir, the other concern that was raised, not I think in relation to these particular properties, but more generally in relation to residents of Mayfair, was the question of the impact of the works in relation to settlement and so forth, I think you heard Mr Greene make that point. On a number of occasions I have explained that we have a process in relation to settlement and that process is, put shortly, designed to ensure that the impact of the scheme in terms of ground movements and so forth, such that it is, is controlled, mitigated and thereby any significant damage is avoided, although if any damages does occur it is remedied and that responsibility is with the Promoter. The reason why that scheme is in place, just to tie it in to the legal framework is that if you carry out works which have a potential to undermine somebody's land and it does so, you plainly have a right of redress in law and you would be able to claim compensation for any damage that flowed from that activity. That explains why we have a settlement policy and a settlement

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process in the way that we do, it is designed precisely to control and, where possible, to avoid that kind of damage occurring.

6372. I hope that is helpful, I am sorry if that is repeating what has been said before, but it is in deference to the Petitioner just to explain where we are.

6373. **Chairman:** Mr Greene, would you like to say anything further?

6374. **Mr Greene:** Yes, if I may. That argument was just slightly fallacious. The compensation claim on the basis of vibration that we are talking about has been based on what we understand as party wall awards, so that if a house adjoining another house were being demolished, then you would take the position of the current house, its condition and it would be photographed and it would be enumerated in writing as to exactly its condition, so that if the condition changes with the demolition of the adjoining property, then you could judge what was before or just after.

6375. Here we have a situation where hundreds of lorries are going down a complete street and unless Crossrail are prepared to take the condition of every property they pass they will then argue that how do we know the recourse for settlement, how we do know that all the traffic that was before did not cause the settlement and so we are going to have tremendous arguments? How do you prove that Crossrail caused the settlement problem, with the exception of under Green Street where you are actually tunnelling where it becomes obvious? Therefore, all those where we have traffic, unless Crossrail are prepared to take a standard of condition of each property, we will be unable to prove our compensation loss and they will simply use it as a defence and we will receive nothing, added to which, of course, you have got the obvious planning blight, because on every search it will say Crossrail and what is going on and you will not be able to sell your property and they ignore planning blight and therefore values. That is it, Mr Chairman.

6376. **Chairman:** Thank you very much indeed. We will then move on to the next Petition which is Intel International Group.

Mr Reuben Taylor appeared on behalf of the Promoter.

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Mr Clive Newberry QC appeared on behalf of the Petitioner.

Sharpe Prtichard appeared as Agent.

6377. **Mr Taylor:** Sir, if I can introduce this Petition briefly. Intel International Group Limited owns the freehold property at 18-19 Long Lane in the City

of London, you can see that on the plan that is being brought up on the screen.²³ The property is outside of the building, but it is adjacent to the limits of the proposed Lindsey Street Ticket Hall at Farringdon Station. The Committee has already heard a lot about the Lindsey Street works.

6378. The property is to the south of the proposed running rails and to the east of the platforms of the proposed Farringdon Station. At this point the track level would be some 32.3 metres below ground. The property also adjoins Hayne Street, which you can see on the diagram in front of you, which is proposed to be stopped up at one end.²⁴

6379. The Petitioner provides consumer media market research services and it is primarily concerned that the noise, vibration and noise effects of construction activity of the Lindsey Street work site and issues relating to access and power supply interruption potential are such that it wishes to re-locate operation permanently and it seeks an undertaking that the costs of such re-location should be paid by the Promoter.

6380. Undertakings have been offered by the Promoter relating to the mitigation of all of those matters because it has been accepted that Intel are a special case because of the particular proximity of their building to the work site and the substandard nature of the existing attenuation by the single glazing on the property.

6381. The mechanism that has been offered, if I may summarise it briefly just to paint the picture, is that the Promoter has offered an undertaking to carry out the works in the Lindsey Street work site in a manner that will mitigate the omission of noise and vibration as far as reasonably practicable. It has offered a noise and vibration mitigation package that will be based upon noise limits that will be identified at a point in the future, taking into account a number of factors, including the particular usage of the site at that particular time and the more detailed information that would be available at that stage in relation to the design of the project.

6382. The basic purpose of the undertakings is to identify a mitigation package which would then be introduced to ensure that the noise and vibration from the construction would not significantly affect business operation of the premises and it is really the extent to which, as I understand, that that mitigation package addresses their concerns is the matter at issue before the Committee today. I think if that is sufficient I will sit down and hand you over to my learned friend.

²³ Crossrail Ref: P73, Map Location of Petitioner—18-19 Long Lane Intel International Group Ltd Petitioner No 5 (LONDLB-503-001).

²⁴ Crossrail Ref: P73, Environmental Statement Farringdon/Barbican Station Crossrail Proposals (LINEWD-ES56-011).

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6383. **Mr Newberry:** Sir, one of the key factors in this matter you have got to look at is proximity. The building owned or occupied by Intel is five metres from the works that you have just heard about and, without being too precise about it, I suspect five metres is about where the stenographer is, so that gives you an idea of how close the works are and the period of time which those works will take place is of the order of four and a half years, so you are concentrating on what we regard as a sensitive office user being at that level of proximity for that amount of time and we regard that as a serious state of affairs.

6384. The company, you will hear from the company shortly, is a world leader, it is not just a market research company, it is a world leader in its field, but that work requires a quiet environment as the name "research" implies. The work they do involves detailed analysis and is highly demanding to meet their clients which are of an international variety. Sir, the work that goes on in what is just described broadly as offices is not only work of a highly demanding nature, but it is also carried on from time to time in various languages, because the clients are international, the staff are bilingual, many of them, and therefore there are contractual negotiations concerned the content of report all carried on in this building at one and the same time, so I will be asking you to find in due course that we do have a noise sensitive, vibration sensitive user in this building which is not to be brushed aside by simply saying it is an office user; it is an office user, but it is a very sensitive one.

6385. The work contemplated, you probably heard before, it obviously involves the demolition of the building opposite, Hayne Street, as well as extensive construction involving banks of escalators and then subsequently a three to five storey building, so a long construction period and also doubling up, as I understand it, as work site.

6386. Sir, so far as noise is concerned, the outside noise level, I understand it, the figures are between 80 and 85 LAeq and that is noisy. The internal level currently is of the order of 60/63 and when we have that external noise level Mr Griffiths will be telling you in due course that the noise climate within the building is unacceptable, unless there is some form of double glazing we have doubts as to whether or not, if there were glazing, it could actually bring it down below the relevant standard.

6387. So far as vibration is concerned, the figures you will be hearing are 1.5-7 millimetres per second and those are the Crossrail's own figures. Mr Griffiths will tell you in due course that he has actually been in a building where work was going on relatively nearby which achieved three, that is under half what is contemplated here, and he will tell you that that is frightening and that the building work was ordered to be stopped, so on Crossrail's own figures they are contemplating levels which are over twice what my witness will tell you was a very

disturbing and frightening level and it is accepted, as I understand it in Crossrail's specialist report, that the threshold of significance for screening purposes may be exceeded at the building on Hayne Street, so they are accepting they are going to exceed it.

6388. We do not feel that what Mr Taylor has indicated to you as a package actually meets the problem. We are sufficiently open-minded to be persuaded, but our current position is that we do not think that a package that is being offered will get below a level which is acceptable both in terms of the building and those that work within it.

6389. In addition you heard about Hayne Street and I have indicated that is five metres wide and you have just heard that it is going to be closed from one end. You will see, in due course, that on Hayne Street is where deliveries take place to Intel. There are a considerable number of packages that come into Intel on a daily basis and we have concern over two areas. First of all, if there is going to be work carried on of demolition et cetera, we cannot see how Hayne Street is going to be kept open or, if it is, how we are going to get our delivery traffic down it. Secondly, Hayne Street provides the emergency exit point from the basement of the building and we are concerned that the level of activity contemplated on the site opposite that there may well be difficulties getting out of the building, particularly for those that may be mobility impaired.

6390. It is on that basis that we say that four and a half years of constant activity involving high levels of both noise and vibration, we do not feel that a noise sensitive user should be exposed to that for that period and we think that the best way forward is to re-locate us at an early stage.

6391. Can I just correct Mr Taylor? We wish we were the freeholders, but we are not, we have a leasehold interest which may, in the context of re-location of course, represent less of a bill but, having said that, we do recognise that the request for re-location does involve public expense and we take that into account in considering whether or not we should be asking for it and we feel, in the circumstances, the impact on a world-class business is sufficiently adverse to ask you to recommend that.

6392. **Mr Newberry:** Against that background can I call Mr Jason Thomson who is the company representative?

Mr Jason Thomson, sworn

Examined by **Mr Newberry**

6393. Just before we start going through your presentation, Mr Thomson, can you tell the Committee who you are and what position you hold within the company?

(Mr Thomson) My name is Jason Thomson and I am Director of IT at Intel. I graduated from Newcastle University with a Master of Engineers

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degree in Microelectronics and Software Engineering. I then went on to work for British Telecom and from there I went on to work for Reuters, and in 1997 I joined Intel as Director of IT. I have been a member of the executive team since that time. When I joined there were 70 people in the offices in Long Lane. There are now considerably more. In my position as IT Director I have overseen from an IT perspective four expansions overseas in America and several expansions in our office in Long Lane.

6394. Just looking at your presentation, can you take us through these points?

6395. **Chairman:** For the record, this is A74.²⁵

6396. **Mr Newberry:** Just take the Committee through these points. First of all, tell the Committee who Intel are.

(Mr Thomson) Intel International are a global provider of market research. We cover 98 per cent of consumer markets. A consumer market is an industry where the businesses are selling to consumers, so things like toothpaste, shoes, cars, credit cards, bank accounts, insurance. In any business transaction between a business and a consumer we cover 98 per cent of those industries. We have global coverage in some of the products and services that we provide. We have offices in London, Chicago, Sydney and Shanghai. The Shanghai office is a relatively new office. We opened that earlier this year. There are only two people there at the moment but we are anticipating significant growth there. We have over 400 directly employed staff at Intel. In addition to that we have a network of field associates around the world whom we subcontract to do surveys for us, to do audits, to pick up products from supermarkets and so on. We also have a team of freelance experts, freelance writers, that we use to help us with our report writing. We have repeatedly been voted a business superbrand by peers within the business community, and if I can just read you the criteria for being voted a business superbrand, "A business superbrand has established the finest reputation in its field. It offers customers significant emotional and/or tangible advantages over its competitors which consciously or subconsciously customers want, recognise and are confident about investing in". We consider that we offer tangible benefits rather than just emotional benefits. We are the first market research company to be awarded this. To give you an idea of the other people who have been given these awards, they are people like IBM, KPMG, Microsoft—Microsoft are on the opposite page to us. We have a daily presence in the press. Yesterday there was an article on the BBC website talking about exploitation of immigrants in domestic help, and they used some of our research to back up that report. They took some information from our British Lifestyles Report 2005, and that report told them that one in 10 households in the UK have some form of domestic

help, whether it is gardeners, cleaners, things like that, and that the market is worth three billion pounds. Another article that you may have seen recently, which has been extensively covered in the press, is about the Impact of Terrorism and Natural Disasters Report that we put out a couple of weeks ago, and the thing that people were picking up there was that two-thirds of Britons, two-thirds of consumers in the UK, are not deterred by terrorism from travelling abroad. That is the kind of information that we provide. We were given an award by the British and American Business Council for our work in Chicago and they gave us an award in 2004 for "our enviable customer focus and innovation" and our ability to provide a unique overview of a market's dynamics and prospects. We were numbered six in last year's *Marketing* magazine's league table of research companies in the UK and we are still experiencing significant growth, so we are a very successful company.

6397. Just on that point about significant growth and its relevance to the impact of Crossrail, what is your average level of expansion in terms of staff?

(Mr Thomson) It depends on which location. In the US we are expanding more quickly than we are in the UK because it is a bigger market and our focus for making money is in the US. In the UK it is currently running at approximately five to 10 per cent a year.

6398. You have 400 directly employed staff?

(Mr Thomson) Yes. There are 200 employed in the UK.

6399. So you are looking at adding between 20 and 30 jobs a year?

(Mr Thomson) Worldwide, yes.

6400. The next presentation tells us what you do. You have indicated that to some extent already. Is there anything there you need to expand on?

(Mr Thomson) If it is okay I will just colour in some of the things we do. One of the main things that we do is consumer market research, of course, on which we are considered consumer experts. We are renowned throughout the UK and the US for the information we provide on consumers, so if we do a recent report on make-up, for example, we will commission research, we will take that research in-house, and the research will tell us things like, in the case of make-up, that 17 per cent of women wear no make-up and 25 per cent of women are influenced by make-up that has not been tested on animals. We understand why people buy things, what they buy and so what influences what they buy. We then layer our analysis on top of that research so we add value to that research by providing analysis and insight. It is that analysis and insight that takes the real skill and experience that we bring to it. Another product that we have is the global new products database and that is a database of new products that have been launched throughout the world. We have field associates in 50 countries throughout the world monitoring supermarkets and retail outlets for new products that have been launched on the shelf. For

²⁵ Committee Ref: A74, Intel Presentation.

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example, we might pick up a new product in Japan. Someone has recently launched a curry-flavoured new toothpaste. In other places there have been things like banana-flavoured mayonnaise. We find these products, highlight them as innovative and put them on to our database. We have the packaging sent to us from these 50 countries throughout the world. We take pictures of the packaging from every angle, we take off the information from the packaging, we put it on to our database and then we deliver that to our customers over the web.

6401. **Chairman:** Mr Thomson, I understand it is very exciting but I think we have got the message of what you do.

6402. **Mr Newberry:** Can you supply us with cheap banana mayonnaise?

(Mr Thomson) We may have some samples back at the office.

6403. I think the Committee have got the point about what you want to do. I want to look at it from those whom you supply and the significance of it. If I am a company that employs you and I want to expand my company into either an existing area or new areas, do you provide research which would enable me to do that, thereby increasing the scope and range of my company?

(Mr Thomson) Absolutely. We directly contribute to other companies' success. We help them to make business decisions that improve their competitiveness, help them to deliver products and services that consumers want.

6404. Do you ever concern yourselves as to when would be the optimum time to launch a particular product that you have identified?

(Mr Thomson) Absolutely. We have a customer solutions arm that will work with clients on specific projects and those kinds of projects might well be working with them on new product development, on determining what to launch and when.

6405. Do you ever advise clients not to go ahead with a suggestion that they may have brought to your attention?

(Mr Thomson) Absolutely. That is part of the new product development process.

6406. If we go over the page, it looks as though we get a rather more serious aspect here rather than banana flavoured toothpaste, because here you have indicated some of your clients. Just take us as briefly as you can through the significance of that type of work which you identify there because these are government contracts, it looks like.

(Mr Thomson) Yes, that is right. These are just some examples of the work we do for government departments. We work with the Pesticides Safety Directorate and we have an ongoing project where we send out field associates to distributors throughout the country to pick up fruit and vegetables that are destined for schools. They pick up samples of the fruit and vegetables—tomatoes,

carrots, bananas, apples—and they take those samples and send them off to the Central Science Laboratory. The Central Science Laboratory then tests those for pesticide residue to ensure that the food that we are sending into our schools is safe. We do other work for the PSD as well.

6407. **Chairman:** Mr Newberry, Can we draw this on a bit? What we really want to know is how Crossrail will affect Intel and what you want us to do about it. I think it is all marvellous but we need to progress.

6408. **Mr Newberry:** Can we, before we focus on the Chairman's question, approach it in this way? In regard to the reports that you prepare, in terms of their complexity and length and the scholarship that may be required, how demanding is the preparation of the reports that you prepare?

(Mr Thomson) It is hugely demanding. There are huge amounts of data that people have to process. They have a lot of multi-tasking to do. They bring lots of different people and processes together in order to prepare these reports. It requires a huge amount of concentration.

6409. In terms of the internal noise climate within your building at present, is it of an order whereby your work can be carried out efficiently?

(Mr Thomson) At present it is. If I could clarify something you said in your opening remarks, I think you said that the current situation is 63 dBs. That was outside, was it?

6410. Yes.

(Mr Thomson) Inside it is currently between 40 and 50.

6411. The thrust of what you are saying is that you need a quiet environment in order to carry out your research.

(Mr Thomson) Absolutely.

6412. If it were the case that there were internal noise levels which were outside the standard that is currently enjoyed by you, what do you say to the Committee would be the impact on your ability to prepare efficiently, properly and accurately the reports which you are currently renowned for?

(Mr Thomson) It would certainly make it very difficult, if not impossible, to accurately prepare these reports because it does require huge concentration. It is not just the reports; it is every aspect of the things that we do which require a huge amount of concentration. As was said earlier, we have over 20 languages spoken by our people in our building, speaking to people from all over the world. There are 2,000 phone calls go on every day, one every 15 seconds on average. Often that is to far-off places with bad phone lines, so we need quiet in order to speak to our field associates and our clients in distant places as well.

6413. And in terms of this multilingual aspect of the company's work do those calls and conferences that you have involve discussion of technical matters?

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(Mr Thomson) Often, yes, technical matters, contracts, clarifications of work requested to fulfil contracts, a broad range of subjects.

6414. If the ability to hear accurately what was being said translated itself into an error in one of your reports what is the effect of that on your market reputation, particularly given you are a superbrand?

(Mr Thomson) It would obviously be hugely detrimental to our market reputation, as indeed would be providing the wrong products to a client that requested them. Obviously, correctly carrying out the work that we have been contracted to do is important. If there is confusion or there are inaccuracies introduced by difficulty in working, concentrating on communicating, it will obviously have a detrimental effect on our business.

6415. Do you, in addition to work involving telephone conversations and research, also have a video studio in which presentations take place?

(Mr Thomson) We have a board room—we call it a board room; it is a big meeting room—where we have audio-visual equipment in order to do presentations and so on. We also have a video-conferencing room that we use to liaise with our colleagues across the Atlantic, which is in constant use in the afternoon when they are awake, so yes, there are several meeting rooms. We have lots of facilities that we use to help us efficiently go about our business.

6416. I do not think we have a picture of it but where are the board room and the video-conference room in relation to Hayne Street?

(Mr Thomson) They both overlook Hayne Street. I was going to come on to this later on, our building and the location.

6417. Perhaps we can look at number 12.²⁶

(Mr Thomson) This is our video-conference room and the building you can see in the near foreground is the Hayne Street development, the Lindsey Street development.

6418. To go back to the order in which we were dealing with this, you have put some recent press coverage there; I think we can probably take that as read. Then you go on to tell us a little about your employees and again I think you have covered that. Number 7 deals with the location, and I just want to ask you about Hayne Street.²⁷ We need also to have a finger in a couple of other pictures—number 19.²⁸ Can you tell the Committee about Hayne Street and how that relates to and functions in the operation of the building?

(Mr Thomson) Hayne Street is the street that separates us and the proposed development. It is approximately five metres wide. It is used for

deliveries. It has the only ramp access. There is a side exit, a car park and at the side exit there is a ramp which facilitates accessibility. It is the only place we could put a ramp exit because the other entrance did not have enough space to do a shallow enough ramp. It is in constant use throughout the day by our sales people when they are going to meetings and the car park is in constant use throughout the day when our sales people are going to meetings and attending meetings at our offices. There is a fire escape in the car park as well. The side exit with the ramp is used for many deliveries throughout the day. We receive over 8,000 products through our doors every month for our floating products database.

6419. How do they deliver? Do they come by van down Hayne Street?

(Mr Thomson) Yes.

6420. Looking at 19, that shows the parking area. Is where we see the cars where goods are delivered?

(Mr Thomson) No. That is to the right of the picture where those gates are. You can see some metal gates.

6421. What do vans do? They come down it or up it? Which way do they come?

(Mr Thomson) Normally they come down the street, so from the distance towards us as this picture is taken, and then they park up outside the car park and deliver their goods or collect their goods. Post is collected from there every day.

6422. And that is where the majority of your deliveries take place, is it?

(Mr Thomson) Yes.

6423. If you cannot get your deliveries in through that route what happens in the real world?

(Mr Thomson) In the real world we would obviously try and get them through some other route but the problem is that the only other practical route would be through reception and some of these deliveries are very bulky and there is nowhere to store things in reception. It is the main thoroughfare for people entering the building. It would make it very difficult indeed.

6424. Could you indicate to the Committee—if I am coming up from the basement, and you mentioned an emergency exit—where do I come out?

(Mr Thomson) It is towards the back of the car park. You come out the fire door and then walk through the car park outside.

6425. If the road itself were obstructed what sorts of problems are you envisaging there, or if it was closed off?

(Mr Thomson) If the road was closed off because of safety concerns, if it was closed off because it was not possible to walk down the road, then I do not know what position we would be in with respect to the fire regulations and so on. I suspect it would not be acceptable for the road to be closed off because of safety.

²⁶ Committee Ref: A74, Petitioner Intel International Group Ltd Presentation Slide 12 (LONDLB-505-036).

²⁷ Committee Ref: A74, Petitioner Intel International Group Ltd Presentation Slide 7 (LONDLB-505-031).

²⁸ Committee Ref: A74, Petitioner Intel International Group Ltd Presentation Slide 19 (LONDLB-505-043).

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6426. Could you put up number 8 please?²⁹ That is looking down Hayne Street. There we can see its width and the building to be demolished. On your own building there where is the video-conference room and board room on that elevation? It is first, second or third floor?

(Mr Thomson) What you can see immediately in front of you with the big yellow Intel sign is the reception, the main entrance. Immediately behind the reception and the main entrance is the board room. Immediately above the reception on the fourth floor is the video-conference room.

6427. Number 9 is the direction from which the van would come if it is delivering, is it?³⁰

(Mr Thomson) That is correct. That is from the other end of the street. That is the direction from which the van would arrive.

6428. We can see the full extent of the building to be demolished.

(Mr Thomson) Can I point out that everything you see there, apart from our building and the pub in the background, is going to be demolished as part of the Crossrail works. There is a small house that abuts our building and that is going to be demolished and everything else there to the right is being demolished.

6429. Is that the one with the blue shutters?

(Mr Thomson) Yes, that is correct.

6430. Number 10.³¹ You identify the areas of concern that you have. They are listed: vibration, noise, access, power supply and dust. Technical evidence will follow but what is your concern about vibration?

(Mr Thomson) The levels of vibration which we have been given to understand are going to be prevalent, or at least prevalent for part of the process, are going to be so disruptive that it will be impossible to work in the office, as I have been led to understand. That will affect every part of the office, certainly in 18-19 Long Lane. My understanding is that desks would be jumping, things would be falling over, and it would be a very unpleasant and scary place to work. That is my understanding. We have some slides to illustrate some particular areas. I do not know if you want to look at them.

6431. What have you got in mind?

(Mr Thomson) If you look at slide 11, these are the people who are gathering the information about the products that we collect.³² They need intense concentration in order to accurately enter data from these products, and also they take pictures of the products from multiple angles, and so they carefully line up products to take photos of them. With random vibrations occurring throughout the

building we do not feel that it will be possible to take those pictures because they will be falling over. It will make it very difficult to do that.

6432. If we put up slide 14, you have had experience of a similar problem in your American offices?³³

(Mr Thomson) Yes, that is right.

6433. Tell the Committee about that.

(Mr Thomson) In Chicago in early 2004 there was a smaller sized project to this undertaken on a building opposite a building we occupied in Chicago, so it was approximately 20 metres away from where we were. They demolished that building and then started reconstruction. It made it an almost impossible environment for our sales people to work in and for our people to concentrate. At one point there were polystyrene ceiling tiles falling from the ceiling and we were getting comments from the people we were speaking to on the phone asking where we were working, was there something wrong. In this particular instance we were fortunate in that we were already planning to relocate before the construction started, and in fact we managed to relocate two months after the disruption started, so in that case we were relocating because we were expanding; we were relocating because we were moving to different offices.

6434. You suffered the impact of vibration and so on?

(Mr Thomson) Absolutely.

6435. On the subject of vibration, you have told the Committee you are IT Director. At photograph 20 what does that show?³⁴

(Mr Thomson) This is our server room. This room contains over 40 computer systems that we use to run our business. It is the nerve centre of everything we do. Everything within Intel worldwide relies on some of these servers and we have back-up power supplies, we have redundant systems to ensure that things do not go wrong, we have dual redundant air conditioning. We take great steps to ensure that nothing goes wrong with this. If we were to have a single failure of something in this room we could deal with it, but if we were to have multiple failures of systems in this room it would interrupt our business for a period of days or even weeks.

6436. **Chairman:** I think everybody has got the message that this company is going to be affected. What we need to know is what you want us to do, what you want us to consider.

6437. **Mr Newberry:** That will come from the technical witness, sir. I have got the point, sir.

6438. **Chairman:** It is just that we have been 58 minutes.

²⁹ Committee Ref: A74, Petitioner Intel International Group Ltd Presentation Slide 8 (LONDLB-505-032).

³⁰ Committee Ref: A74, Petitioner Intel International Group Ltd Presentation Slide 9 (LONDLB-505-033).

³¹ Committee Ref: A74, Petitioner Intel International Group Ltd Presentation Slide 10 (LONDLB-505-034).

³² Committee Ref: A74, Petitioner Intel International Group Ltd Presentation Slide 11 (LONDLB-505-035).

³³ Committee Ref: A74, Petitioner Intel International Group Ltd Presentation Slide 14 (LONDLB-505-038).

³⁴ Committee Ref: A74, Petitioner Intel International Group Ltd Presentation Slide 20 (LONDLB-505-044).

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6439. **Mr Newberry:** It is an important matter to them, sir. That is the reason it is taking the time. I just want you to explain to the Committee, and I think you have tried to look at your specifications for equipment that you have, and you have tried to ask whether or not the vibration levels that we know might happen would or would adversely affect those pieces of equipment.

(Mr Thomson) That is correct.

6440. Have you got a definitive answer from your suppliers yet?

(Mr Thomson) Our suppliers told us that they did not have any data on this kind of vibration, so they would not be able to tell us whether or not it was going to be affected.

6441. So it is an unanswered question in that area. All right. Finally, could you go to number 21?³⁵ That is quite a graphic photograph because that shows the building to be demolished in relation to your roof terrace. Is that just a recreation area where the staff go and enjoy themselves?

(Mr Thomson) Everyone can use that at lunchtime but we often hold informal internal and external meetings out on the roof terrace because it is a nice environment to work in.

6442. **Mr Newberry:** We will hear from Mr Griffiths as to what effect that will have on the matter. Thank you.

Cross-examined by **Mr Taylor**

6443. Mr Thomson, the offices that you occupy are open-plan, as I understand it. Is that right?

(Mr Thomson) That is correct.

6444. You mentioned in your evidence that there were a large number of phone calls made and presumably received during the day.

(Mr Thomson) That is correct.

6445. We can see from page 41 of the documentation that you have presented, slide 17, four people face to face in the open-plan office, all of whom are on the phone.³⁶

(Mr Thomson) Yes.

6446. That is a common occurrence, is it?

(Mr Thomson) Yes, it is. Their job is to liaise with our field associates throughout the world, so they are managing 1,000 field associates throughout the world on various different jobs for our clients.

6447. And these people sitting within feet of one another are able to speak on the phone in various foreign languages notwithstanding that they might be speaking different foreign languages sitting feet apart from one another?

(Mr Thomson) That is correct.

6448. And they can do their job with the phones ringing around them?

(Mr Thomson) Yes.

6449. So far as dust is concerned, your premises are fully air-conditioned, are they not?

(Mr Thomson) That is correct.

6450. And you are aware that you have been offered the tier three mitigation to be provided along with mitigative works?

(Mr Thomson) That is my understanding, yes.

6451. And that represents the highest standard of dust control which can reasonably be achieved; do you understand that?

(Mr Thomson) Yes, I do.

6452. And you understand that on the other side of the Lyndsey Street site there is Smithfield Meat Market?

(Mr Thomson) Yes, I do.

6453. Can you explain why the commitment to tier three mitigation is not sufficient for your purposes?

(Mr Thomson) I do not know whether it is insufficient. It is a serious concern of ours. We feel that it will make the terrace unusable and we have concerns about the dust, because inevitably there will be some dust, clogging up our air-conditioning units and our server.

6454. So far as access to Hayne Street is concerned, have you seen the information paper C7 that has been provided to the Committee?

(Mr Thomson) I am not sure if I have seen that.

6455. Perhaps we can find that. I am looking for the first page of C7, paragraph 1.3 in particular.³⁷ This indicates that where a highway is identified in the Bill which is to be affected, where powers are to be exercised in relation to that highway consent has to be obtained from the local highway authority and the nominated undertaker must ensure that pedestrians have reasonable access to any premises affected by the interference in paragraph 5 of Schedule 3 to the Bill, so that is one aspect of control in relation to pedestrian access to your premises, is it not?

(Mr Thomson) Okay.

6456. If we look further down the page at paragraph 2.2, there is a commitment to provide a reasonable level of access to all property and land that will be maintained throughout the period of construction of Crossrail, although it may involve diversions, temporary traffic controls and the use of temporary footways and roadworks. Do you see that?

³⁵ Committee Ref: A74, Petitioner Intel International Group Ltd Presentation Slide 21 (LONDLB-505-045).

³⁶ Committee Ref: A74, Petitioner Intel International Group Ltd Presentation Slide 17 (LONDLB-505-041).

³⁷ Crossrail Information Paper C7 Access to Residential and Commercial Property during Construction, <http://billdocuments.crossrail.co.uk>

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(Mr Thomson) I do see that.

6457. You have been provided, have you not, with a commitment that reasonable access will be afforded to your property in so far as is practicable and reasonable throughout the construction period?

(Mr Thomson) That is my understanding, yes.

6458. That relates to both pedestrian and vehicular access, does it not?

(Mr Thomson) It would appear it does, yes.

6459. In relation to concerns about power supply, do you have a guarantee of power from your utility company 100 per cent of the time at present?

(Mr Thomson) No, we do not.

6460. You have described to the Committee the number of measures that you have in place to cater for power outages, do you not?

(Mr Thomson) Yes.

6461. And you are aware, are you, of information paper D7, paragraph 1.3, in which the undertaker has set out the position in relation to maintenance of services, that there will be discussion with utility owners and operators during the development of the project and it will seek to develop and design construction arrangements to keep the disruption experienced to as low a level as is practicably possible?³⁸

(Mr Thomson) I do understand that. The concern that we had was that we have had interruptions of our power supply before and we know that there is a very weak power infrastructure in this area, so we want an undertaking that they will do whatever is possible to mitigate the risk, what is a very real risk and a very high risk, of interrupting our power. If our power is interrupted it will have a significant impact on our business.

6462. One last matter and it is about the growth of your business. I think you explained that there will be five to 10 per cent new staff per year in the UK; is that right?

(Mr Thomson) Yes, that is right.

6463. And you have 200 staff in the UK at present, all at the London office?

(Mr Thomson) That is correct.

6464. So you are experiencing a growth of 10 to 20 new jobs per year in the London office?

(Mr Thomson) That is correct.

6465. So by 2008 there will be a further 20-40 jobs in the London office?

(Mr Thomson) That is correct.

6466. You have acquired accommodation on the third and fourth floors of 13-17 Long Lane; is that correct?

(Mr Thomson) That is right.

6467. When did you acquire those premises?

(Mr Thomson) We acquired the first floor at some point in 2001 or 2002. I think at the same time we may have acquired the fourth floor but we were sub-letting it until 2005 when we moved one of our departments into there, freeing up lots of space in our existing building, and there has just been a tenant finish sub-letting the other part of the fourth floor and we are about to reorganise our offices there as well. We currently have space for approximately 50, 60, 70 people within the building.

6468. Which departments occupy 13-17 Long Lane?

(Mr Thomson) 13-17 Long Lane is the research department. There was a picture that we had showing the research department on the third floor. From the third floor it overlooks the visual line of sight of the construction site. On the fourth floor there is our telesales department, our marketing department, and they similarly overlook the construction site. Into the new space that we have taken at the front of 13-17 Long Lane we will be moving our sales department.

6469. Is there a direct connection between 18-19 Long Lane and 13-17 Long Lane within the building?

(Mr Thomson) Yes, there is, on the third floor.

6470. Is it the case that you are currently looking to relocate from the premises in Long Lane in any event?

(Mr Thomson) No.

6471. There has been no consideration of that within the company at all?

(Mr Thomson) Not at this stage. Our lease expires in 2011. We do not hold the freehold to the building at all. In 2011 we will examine our options. It is very disruptive when you move an office. Obviously, if Crossrail is still going ahead and it has not started at that point I suspect we may be moving, but if Crossrail is not going ahead or it is finished or whatever, then if we are able we will examine our options, and if we are able to we will take more space in 13-17 although I do know whether that would be possible. If we are not then we will relocate.

6472. **Mr Taylor:** Thank you. I have gone past one o'clock. Those are all the questions I have.

6473. **Chairman:** We will reconvene at 2.30 pm.

After a short adjournment

Re-examined by **Mr Newberry**

6474. Concerning access, Mr Thomson, your attention was drawn to C7.³⁹ I want to understand from the company's operational point of view, if

³⁸ Crossrail Information Paper D7 Maintenance of Public Utilities, <http://billdocuments.crossrail.co.uk>

³⁹ Crossrail Information Paper C7 Access to Residential and Commercial Property during Construction, <http://billdocuments.crossrail.co.uk>

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Hayne Street is closed off at one end (that is, it becomes a cul-de-sac) and only pedestrian access is afforded, what is the effect on the ability to deliver goods to the firm, and any consequential effects if there is an inability to deliver to the firm?

(Mr Thomson) It will make it very difficult to deliver goods to the firm. If we cannot get goods into the firm, then some of our services that we provide will suffer. If it proves impossible, if shipments go missing or things are misplaced, then it will cause us great difficulty.

Mr Newberry: Thank you very much.

The witness withdrew

Mr Jim Griffiths, Sworn

Examined by **Mr Newberry**

6475. **Mr Newberry:** Mr Griffiths, would you be kind enough to introduce yourself to the Committee, please.

(Mr Griffiths) Good afternoon. My name is Jim Griffiths. I am the Director of Acoustics for Capita Symonds Group. I am a fellow of the Institute of Acoustics. I am Chairman of the London Branch of the Institute. I have been practising acoustics and noise insulation for some 25 years.

6476. Could I ask for slide 9 to be put up.⁴⁰ This sets out the plan, as it were, for the length of work. Could you take us through that very quickly.

(Mr Griffiths) The only item that we are looking at specifically is nothing to do with the operation but to do with the demolition and construction. We have managed to obtain from the documents and some of the information we have been provided with in terms of the detailed noise predictions, the four areas of work which we understand are being undertaken on the site. The first is from June 2007 to about December 2007, about seven months of demolition. That is opposite the Intel building, about five metres from the site. There will be tower cranes, excavators, hydraulic breakers—which is a big, noisy vibration producer: levels of that are typically 92 dBA at 10 metres and that is a level that Crossrail have used—dumpers and spoil lorries. From December 2007 to August 2008 we have station box construction. As I understand it, they will be using piling rigs to pile and make, effectively, a wall within the site. That will be one pile next to each pile all the way through. That is going to take about nine months. Again, the tower cranes, there will be concrete mixers, lorries and so on. For the next seven months there will be underpinning, which is where they are taking some of the spoil away from the site. The site is going to be quite deep. I think there are three sets of escalators going down to the station. Then for 25 months we have the construction of the ticket hall and some tunnelling down to where the track is. It is quite an extensive period of demolition

and construction. The site is also being used generally for a work site throughout the four and a half years.

6477. **Mr Newberry:** Could you go to slide ten, please.⁴¹ That puts these areas of work on a time chart, so to speak, with levels of LAeq ten-hour on the vertical axis. Could you explain the significance of what we see between the two horizontal black lines?

(Mr Griffiths) On the left axis, we have the LAeq noise level, and that is the noise level over the 10 hours. I am sure the Committee have heard of the ten-hour average. That is then done on a monthly basis. I do not think the people doing this work knew from day to day what was going on, so they took a monthly average. For each month, we have the LAeq noise level, going from June right the way to December 2011. That is describing the four main activities along the bottom of the page. You can see the levels we have there, starting at the mobilisation levels at the site, going from 80, and then pretty well 85 for probably a year—sometimes going up to 87–88, then consistently above 80, then back to 85—and carrying on just below 85. So there are considerably high noise levels at the façade of the Intel building. These are predictions on the second floor: the third and fourth floors are very similar. The ground floor and first floor levels are lower, because mitigation, as I understand it, has already been provided by shielding—which is the 3.5 metre hoarding. There are the typical noise levels for each stage. Typically, for eighteen months, we have levels of 85 and over.

6478. We will come on to what that means in practice in a moment. Could we put up slide 11, please.⁴² What are you trying to convey by that over and above the levels which you just told us about?

(Mr Griffiths) Here I am trying to explain for the Committee what these levels mean. You may well have heard about the equal energy principle. The LAeq is an average over 10 hours, so you could have 88 for five hours and a lower level for the other five hours. It is very much an averaging process, so, when I am saying it might be 85 LAeq from the predictions from Crossrail, it could have higher levels for shorter durations.

6479. Could we have slide 12, please.⁴³

(Mr Griffiths) This is trying to explain exactly how bad these levels are. Being only five metres from a construction site is like being six metres from a lorry consistently for 18 months, continually exposed to those levels. It is like being next to a drill—and that is a typical drill breaker that you would see on the site. For the 18 months—and again these are Crossrail's figures—it would be at 85 or above. To put it in perspective, in the new Control of Noise at Work Regulations, which are coming out on 6 April,

⁴⁰ Committee Ref: A75, Demolition & Construction Plant (period, work phase/typical plant machinery used) (LONLB-505-055).

⁴¹ Committee Ref: A75, Crossrail Noise Predictions (during demolition & construction) (LONLB-505-056).

⁴² Committee Ref: A75, Noise Levels (LONLB-505-057).

⁴³ Committee Ref: A75, Noise Levels—Subjective Response (LONLB-505-058).

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in terms of hearing damage for people at work, the lower level is 80, at which time you need to wear some sort of protection, and 85 is the level on a daily basis when you need to protect your hearing. So it is very significant levels that we are looking at here on a daily basis.

6480. This is an external level.

(Mr Griffiths) This is the external level just one metre outside the façade of the Intel building and these predictions are those which have been produced by Crossrail.

6481. **Mr Hopkins:** As these are averages, the noise levels might be considerably higher than even those levels. For example, if you are pile driving, when it hits, that is an intense noise.

(Mr Griffiths) Absolutely.

6482. Do these levels take account of that? Do they represent the peaks?

(Mr Griffiths) These do not represent the peaks. The LAeq is the average, although it does take into account the peaks. It is an energy average, but the peaks would probably be about 10 dBA above that if you are measuring the peak noise.

6483. So that is double—10 dBA is double.

(Mr Griffiths) Yes. But just for very short durations. The good thing about LAeq is that it does at least take some of that energy into account more than just an arithmetic average. But if you are looking at the time level history, as I am talking now, the peaks would be probably 5 dBA to 10 dBA above these very high noise levels.

6484. **Mr Newberry:** Is that what is known as the LAmaxS.

(Mr Griffiths) It is. Similarly, I think we have heard today about the LAmaxS for groundbourne noise, which is the standard 35/40 dBA argument which you have probably come across.

6485. To round that point off about the LAmaxS, if something is 10 dBA above 85, what does that mean in the real world?

(Mr Griffiths) In subjective terms, just in terms of loudness—and we have to be a little bit careful about mixing units up—a 10 dBA change is a doubling of loudness, or a halving of loudness if you go down 10 decibels.

6486. We go on then to slide 13.⁴⁴ Does that add anything to what you have just said?

(Mr Griffiths) Again, I am trying to convey as many different things as I can in terms of what these levels mean. In terms of Crossrail's Environmental Statement for housing—and obviously this is not housing but is a sensitive commercial development, as you have heard—if the LAeq ten-hour is established at 85 for 18 months, that would trigger the rehousing threshold. There is a certain time limit. You have to be above it for so many days, but this

exceeds it because it is above it for 18 months. In terms of the mitigation for sound insulation, which is 10 dBA below the 85, 75, throughout the whole four and a half years we are above the 75. Again, these are Crossrail's predictions.

6487. Would you look at slide 14.⁴⁵ You then ask yourself, as it were, what these noise levels mean.

(Mr Griffiths) Yes, now asking what they mean moving inside the building. British Standard BS8233 recommends for offices that a good environment would be about 40 dBA and 50 dBA would be a reasonable standard. It is called Sound Insulation and Noise Reduction for Buildings—it is a code of practice. The levels we currently measure—and I measured them with the consultant from Crossrail in those offices—is round about 48 dBA LAeq. It varies from office to office, as you can imagine: in the quietest office, which was for video conferencing, it was about 45, and it went up to about 52 in other areas. The average environment was typically 48 dBA inside the office, as people were working: people on the phone, people having meetings. The existing glazing at the moment is a single glazed unit. You can open them, but they keep them closed because they have some mechanical ventilation there. With a single window, you get about 25 dBA reduction, but the current level in there is 48 dBA typically, as you move along the area.

6488. So 48 dBA is between the good and reasonable.

(Mr Griffiths) Yes, it coincides with the standard as it exists.

6489. Would you put up slide 15, please.⁴⁶ Having ascertained what the external levels are from the works, you then look at how they are going to impact on the building internally.

(Mr Griffiths) That is correct. One of the predictions shows 88 dBA for one month. So if you take the level of 88 dBA with the 25 dBA reduction—which is the standard for a closed window, and the Crossrail scoping report says that 25 dBA is a reasonable reduction—you would get to a level of 63 dBA inside, and 63 dBA inside is 15 dBA off what is there at the present time. Also, it is some 13 dBA above the 50 dBA reasonable standard. So it is quite a considerable increase. Coming back to the 10 dBA change being a doubling of loudness, it would be a very significant obstruction inside the building.

6490. Could we go on to slide 16, please.⁴⁷ That is from noise. Then you ask yourself the question: What do these noise levels mean?

(Mr Griffiths) Yes. This is assuming we have added in secondary glazing.

⁴⁴ Committee Ref: A75, Comparison with Crossrail ES for housing (LONLB-05-059).

⁴⁵ Committee Ref: A75, Increased internal noise levels caused by construction part 1 (Single glazing) (LONLB-505-060).

⁴⁶ Committee Ref: A75, Increased internal noise levels caused by construction part 2 (LONLB-505-061).

⁴⁷ Committee Ref: A75, Increased internal noise levels caused by construction (Single glazing & secondary window pane) (LONLB-505-062).

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6491. **Mr Hopkins:** There are different sorts of double glazing used for different effects. Narrow double glazing is for heat insulation but the secondary double glazing with a larger gap is for noise insulation.

(Mr Griffiths) Yes, absolutely.

6492. Is that what exists at the moment?

(Mr Griffiths) At the moment there is just one single pane with a reveal, so there is an area where you could put secondary glazing. I have one correction. I have 18 as the estimated sound level difference, and that should be 25, as it was in the previous slide. Could I apologise for that error. In essence, we have here 88 dBA outside. We can get a gap of about 130 millimetres—so quite a reasonable gap—and if you were to put a secondary pane in there, the levels would come down by about 34 dBA. There is a lot of debate about how much a window will give and it is based on the area of the window compared to the wall; how well it is sealed; the thickness and so on. This 34 dBA comes from PPG24, which is a noise and planning document, and it gives typical real-life values that are measured. It says, for road traffic noise, say, the typical reduction you would get from having secondary glazing. It is a pretty good average for what you would expect. The level then inside would come to 54 dBA, which is about 6 dBA above the existing level, and 4 dBA above the top end of the BS8233 level, which would be, again, the dominant source. We also need to remember that the soundscape would be quite different. It is not people talking; it is a drilling-type noise—which is a completely different type of noise—which will be the dominant noise in the room. The existing noise, as I say, is about 48 dBA. If we move even into the video conferencing room, which currently is 45 dBA—again, agreed measurements between myself and Crossrail—it is a very significant increase.

6493. **Mr Newberry:** On this window size, could you put up slide 14 again, please.⁴⁸ There is a picture of one of the elevations of the building, showing the relationship and size of the glass windows to the brickwork. Looking at what you see there and your past experience, what is the practical effect of that type of construction of large areas of glass?

(Mr Griffiths) The noise reduction of 34 dBA that I gave you was from a dwelling. With a dwelling you tend to get more wall around a window. The weakest link in the chain, as acoustics works, is the window. In an office, because there is less wall, the windows become less effective. As you see in the Intel building, it is pretty well glazing all the way around, apart from a few columns and obviously the wall below, which is different from the situation in a dwelling where you would have brick at the sides, so it tends to give a slightly worse attenuation. That is confirmed in PPG24.

6494. My learned friend Mr Taylor looked at one of the photographs which Mr Thomson produced, you may recall, of people sitting at desks opposite one

another, speaking on the telephone, and he seemed to be making the point that if you were sitting opposite someone who was on the telephone this was indicative that there would not be any problem because of that phenomena. Do you have any comment to make on that?

(Mr Griffiths) The background measurements that we took were while people were in the room talking. They were not shouting in any way, they were just having a normal conversation on the phone, and the levels we recorded were the 48 dBA LAeq, so we are pretty confident that is the sort of level you get in that particular office environment.

6495. Slide 17, please.⁴⁹

(Mr Griffiths) That is all I have to say in respect of noise. I am now coming on to vibrations. These are predictions which Crossrail have produced themselves from construction noise or demolition noise. Vibration levels at the foundations of buildings closest to the site are predicted to be in the region of 1.5-7 millimetres per second at buildings on Hayne Street opposite the site—that is, the Intel building. They are predicting levels of somewhere between 1.5-7 millimetres per second. That was in the Noise and Vibration Specialist Technical Report which was produced. The report also goes on to say that the threshold of significance of screening purposes may be exceeded at buildings on Hayne Street, so it is being recognised that they may be exceeding their threshold.

6496. That is the range they are predicting.

(Mr Griffiths) This is at the foundation of the building. It is recognised in the British Standard BS5128 that, as you move up a building, especially on modern type buildings, you can get amplification of vibration from the foundations because the building actually moves. It is not uncommon to get an increase of somewhere between 1.5 and 2.5 in vibration as you move up the building.

6497. **Mr Hopkins:** Can you explain to me what 1.5/7 millimetres per second means. Is that the speed of the movement?

(Mr Griffiths) If you have some vibration, you get an amplitude change in displacement. This is measuring the amount of displacement and over a certain period of time. It is the peak of that displacement over a specific period. It is the rate of change of the displacement over a given period of time. It also has a vector value: it has a value telling you whether it is going vertically, horizontal or sideways. It is a criteria that is quite often used for building damage, whether you are likely to suffer any building damage, and it is something that is useful to use for construction vibration, because it is of that sort of nature which is very peaky—you know, a hydraulic breaker—and it has a good indication of measuring that type of vibration. There is another unit, VDV, which averages the energy over 16 hours, but it is not appropriate really for this type of assessment.

⁴⁸ Committee Ref: A75, Increased internal noise levels caused by construction part 1 (Single glazing) (LONLB-505-060).

⁴⁹ Committee Ref: A75, Crossrail Vibration Predictions (LONLB-505-063).

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6498. There is another measurement, PPV. Can you explain what the difference is between MM/PPV and VDV?

(Mr Griffiths) Millimetres per second is the peak particle velocity, is the peak of the wave, whereas VDV is an average, a bit like the LAeq, energy over a 16-hour period. As the office is occupied only for eight or nine hours, the PPV is the most appropriate method to assess vibration for construction noise and demolition.

6499. Does one deal with the impact on people and one on buildings?

(Mr Griffiths) Yes, the VDV is quite often used for people in buildings for a period of time, in particular residential, and the PPV is quite often used for building damage. In this case Crossrail have tried to look at the values given for VDV as to whether they are acceptable or not and converting them to PPV in particular for construction noise.

6500. We will try to put that into context. Would you put up slide 18, please.⁵⁰ You then ask yourself the question: What do these vibration levels mean in the real world?

(Mr Griffiths) It is similar to when I was running through noise and asking what it means: What does it mean in vibration terms? The threshold of human perception to vibration is somewhere between 0.14-0.3 millimetres per second. It does depend on the frequency of vibration but that is typically the range, so you start feeling some vibration at about those sorts of levels. I was involved when they were building the first Canary Wharf development. I was some 25 metres away in a building while they were piling—a different sort of technique from that which is being suggested here, drop piling. I was in a building at 3 millimetres per second and people were very frightened at that range. Just to give you a feel: things were jumping on the desks as it was dropping the pile. It is a frightening experience. You would not want to be here at 3 millimetres per second. This is trying to give you a graphic view of what these levels mean. Especially when you consider that 0.1-0.3 millimetres is your threshold, if you are going up a factor of 10 more you would really be feeling that vibration and you would not be able to stand it for very long.

6501. In your practical experience, 3 millimetres per second is a frightening experience and what is contemplated here is 7 millimetres per second, so over twice what you have described in experience.

(Mr Griffiths) The Crossrail predictions are saying somewhere between 1.5 and 7 millimetres per second—and that is at the foundations of the building, not even taking into account any possible amplification.

6502. In relation to this point about the vibration, if we could go back to slide 10, please, I want to understand where along the construction process,

and for how long, what you are talking about there is likely to be experienced or could be experienced.⁵¹

Where is this level of vibration going to come from?

(Mr Griffiths) We have asked some more detailed questions of Crossrail and they are saying it is at the early stage. It is difficult to give precise lengths of time. It would be in particular during the demolition of the site, whilst we have this hydraulic breaker. Also, you have oscillatory piling, which is probably one of the better methods for piling in terms of reducing vibration, but the make-up of the ground in this area is about six metres of gravel and then you have the London clay, so they would probably have to shake a casing in for about six metres and then they would use the oscillatory augur pile, which would be basically going into London clay. Being London clay, it just keeps itself, so that you can then use that as a hollow. There could well be some vibration from the oscillatory piling. Looking at the piling grid that I have seen over the last few days, some of the piling is much closer than five metres. Some of it is probably four and even a couple of metres from the building.

6503. The oscillatory piling, in so far as it involves turning the spindle, so to speak, that in itself, you think, would not generate these levels of vibration but getting to that position could.

(Mr Griffiths) It can do. We have experience where you are putting a casing in, the initial part of the seven metres, when that is shaken into the ground. Then they augur inside that and bring out the spoil, and, once you go beyond that on the London clay, you should be able to drill out the London clay and it will keep itself. I am not a civil engineer but I have discussed this with our civil engineers and that is the sort of technique you could expect.

6504. To try to quantify this, the demolition of the site would take, what, of the order of seven months?

(Mr Griffiths) Yes. It has to be said that there is a range here of 1.5 to 7 millimetres per second. Clearly, when they are the other side, further away from the site, the levels would be quite a lot lower, but there would be a period—and I think we are talking maybe of six weeks—while they will be pecking away at the three or four storey building opposite. The length of time, I think, is very much down to the detail.

6505. That is the framework time.

(Mr Griffiths) It is the framework, and then they would move in or out of the building, and the levels, as you get further away, would generally decrease.

6506. If there were the problem that you have identified in relation to the piling, where in the timeframe on document 10 would that take place?

(Mr Griffiths) It would generally be during the station box construction, while they were making a wall, effectively, around the site, so that that could be excavated to do all the work underground.

⁵⁰ Committee Ref: A75, Case Study Vibration levels (LONLB-505-064).

⁵¹ Committee Ref: A75, Crossrail Noise Predictions (during demolition & construction) (LONLB-505-056).

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6507. That looks as though it is a four-month period—somewhere within that sort of period.

(Mr Griffiths) Yes, and, again, some of the piles would be some distance away, at the other end of the site to the west, and the ones of most concern would be the ones that are within, say, four metres from the site.

6508. Could you go forward to slide 19.⁵²

(Mr Griffiths) Again, this is looking to try to give the Committee a feel for what these levels mean. Crossrail produced a human response criteria in their scoping report, table 8.5. That gives a relationship of his VDV which I was telling you about, this vibration dose value, which is a low probability of starting to get complaints, and compare it to PPV, specifically because they realise that sometimes PPV is a better unit to use for construction, for example. They have produced what they call the threshold of significant impacts, again PPV, on the floor of the building. They are saying for office/retail/recreation 1.12 millimetres per second. As I say, that is the level where people's threshold is somewhere between 0.1 and 0.3, and here we have what they are calling the threshold of significant impact as being 1.1. Of course the predictions they are saying is somewhere between 1.5 to 7 millimetres per second.

6509. What is the concern about 1.2 which translates into the VDV?

(Mr Griffiths) The 1.12 is the threshold of significant impact as assessed by Crossrail. The levels that they are predicting are somewhere between 1.5 and 7 millimetres per second.

6510. Turn over to slide 20, please.⁵³

(Mr Griffiths) Crossrail also have a building and structures' criteria in their scoping report, following on from that, table 8.6. Again, people are much more sensitive to vibration than compared to levels that are likely to damage a building. You would expect the levels for damaging a building to be much higher. Usually that is quite good, inasmuch as people would alert themselves before a building gets any structural damage because they would evacuate the building. There the vibration limits in that scoping report are saying that for standard buildings the peak particle velocity should not exceed 5 millimetres per second. That is also stated in BS5228, part 4, which is the construction vibration standard. The predicted levels there, as we have said before, are somewhere between 1.5-7 millimetres per second. I think 5 millimetres per second is quite a cautious approach. Quite often in standards we see levels much higher than that, but that is certainly the responsible approach that Crossrail have taken.

⁵² Committee Ref: A75, Crossrail's building and structures criteria—Vibration levels (LONLB-505-066).

⁵³ Committee Ref: A75, Crossrail's building and structures criteria—Vibration levels (LONLB-505-066).

6511. When you experienced this figure of 3 millimetres per second to which you referred earlier, did the construction work that was causing that level of vibration continue or was it stopped?

(Mr Griffiths) It had to be stopped immediately. I was working for a client, a publisher, and we then immediately contacted LDDC and the local authority, Tower Hamlets, and the work had to be stopped. The remedy at the time was to reduce the height of the hammer and various other techniques—working outside of office hours—to reduce the vibration.

6512. At 21 are your conclusions.⁵⁴ Just take us through these.

(Mr Griffiths) I would just really bring out the point from my first slides, that my conclusions really are that the distance to the Intel building is 5 metres and it is a very important point. There is lots of mitigation that one might be able to look at here, lots of options, but with 5 metres, you cannot change the laws of physics and there is a high risk that there will be significant vibration and noise from the building site that is going to last for 4½ years. The predicted construction noise is above Crossrail's trigger limit for the provision of sound insulation and that is for the entire 4½-year period, the construction noise is above Crossrail's trigger level for rehousing for a period of about 18 months, again using Crossrail's figures, the vibration level is above Crossrail's acceptable limit for people working in offices, in their Scoping Report, and the vibration level is so high that it is predicted to be above Crossrail's building damage limit. I suppose, in short, it is too near the construction site for people to be there and it is going on for too long. It has excessive levels both in terms of noise and vibration next to what can be described as a 'sensitive building', and I think it is recognised that it is a sensitive building by Crossrail. I have to, from my client's point of view, give extreme caution in respect of the potential noise and vibration impact, and certainly relocation would be a very strong option on that basis.

6513. Mr Taylor may ask you about the offer that is going to be put forward by Crossrail. I would like to ask you about that against this background. The Committee has heard on many occasions various levels of dB which Crossrail are offering, 25dB for a recording studio, 30dB for this and 40dB for housing. Those figures are quite well known. Have Crossrail offered a figure to adhere to in relation to vibration?

(Mr Griffiths) No, they have not. They have said they will be looking into it, but they have not come up with a figure that they say is acceptable. The only figure is in the Scoping Report which quotes the level of 1.12 as the threshold of significance, but that has not been put to me as, "This is what's going to be used for this building". We have an undertaking which says, "We will look at the category of the building. We will look at the use", and there are about seven or eight categories, but there is nothing

⁵⁴ Committee Ref: A75, Conclusions (LONLB-505-067).

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specific, saying, “We will meet this level”, or “We will meet this internal noise level as well for offices” because everything is geared around dwellings. Clearly if we said that this is a sensitive building, like a dwelling, then we would be reaching the standard for rehousing and, relocation would be an option, but at the moment it is just specifying that for dwellings.

6514. Do you have, as a professional, a figure which you say to the Committee they should recommend that Crossrail aim for in getting appropriate vibration levels?

(Mr Griffiths) Well, I think probably a figure that has been used before is somewhere around 1 millimetre per second as the area where people will start to complain. That coincides fairly closely with the 1.12 millimetre per second which is put in Crossrail’s Scoping Report, but it is something where I think we would need to look at the facts and look at what is actually going to be used on this site and at the moment it is quite early days. At the moment, as I say, oscillating piling is being proposed, but again it is not specified, so they could be using, if they wanted to, another type of piling. I have to look at the risks for my client and at the moment it is very open and, as we move down the line, I think it is something where it would be nice to have got agreement for this.

6515. Is that 1.2 a figure which should be aimed for or is it a figure which should be bettered?

(Mr Griffiths) I think it should be bettered.

6516. Thank you.

Cross-examined by **Mr Taylor**

6517. **Mr Taylor:** Mr Griffiths, can we turn up your slide 16 to start with.⁵⁵ Here you set out the attenuation which might arise if secondary glazing is provided.

(Mr Griffiths) That is correct, yes.

6518. We are interested to understand whether or not there is mitigation available which could be used to mitigate the impact upon the premises from noise and also from vibration, are we not?

(Mr Griffiths) Absolutely.

6519. You identified that about a 34dB(A) reduction might be possible, and you quote that from PPG24, as I understand it. Is that right?

(Mr Griffiths) That is correct.

6520. It is possible with modern insulation to provide greater attenuation than 34dB(A), is it not?

(Mr Griffiths) Well, there are lots of test data available and you could certainly get probably 40. The problem is that a lot of that is laboratory tests and I think it is worth noting exactly what PPG24 says on that point. There they give a table of values

for different windows. It says, “The table is intended to give an idea of the insulation likely to be achieved in practice, not under ideal conditions”. Yes, I could get some test data which show that you can get levels greater than 40, but I also say that we have got this issue where it refers to the first of the tables and says: “Table 1 shows typical reductions in noise levels from common sources which would be expected from various types of windows fitted in brick/block walls in a dwelling. For other buildings, such as offices and schools, the proportion of glazing to brickwork may be greater and this will result in a lower noise reduction”. So yes, you can get values, but in the real practical world probably 34 to 35, and 35 is a figure in fact which is given in Crossrail’s mitigation report for secondary windows.

6521. The numbers that you have quoted from PPG24, those are for domestic properties with domestic thickness of glazing?

(Mr Griffiths) That is correct, yes.

6522. It is possible, is it not, to provide a commercial premises with much thicker glazing, as assumed in PPG24?

(Mr Griffiths) Yes, you could.

6523. And that would provide a greater amount of attenuation?

(Mr Griffiths) It would provide greater than 34, but pulling back from that, you have got a larger area of glazing than in dwellings, so you have got the two really cancelling each other out.

6524. If 34 is applied, we can see that the internal noise of a building reduces to 54dB(A). Obviously if we get, say, another 3 or 4dB(A) attenuation, we could get down to 50 or 51.

(Mr Griffiths) If you have another 3 or 4, absolutely right, yes.

6525. That is a possible amount of attenuation you would get then for a possible internal level to attain in this property, is it not?

(Mr Griffiths) It is possible. Again I am going on the practicalities of someone installing windows, but certainly I would not completely rule it out. If I had to give a realistic figure from the data here, in practice with a large area it would probably be 34/35, figures which Crossrail put up, but yes, I think there is always a possibility that it could do better.

6526. If we turn to your slide 4 for a moment, you produce examples of noise levels, Mr Griffiths.⁵⁶

(Mr Griffiths) Yes.

6527. If we look down your thermometer at 50 to 60, we see typical business offices, so the typical noise level in a business office is between 50 and 60dB(A)?

(Mr Griffiths) Absolutely, yes. The point about that, and I think that shows it very clearly, is the Intel situation because both the consultant from Crossrail and myself went and measured the noise in Intel’s

⁵⁵ Committee Ref: A75, Increased internal noise levels caused by construction (Single glazing & secondary window pane) (LONLB-505-062).

⁵⁶ Committee Ref: A75, Noise & Vibration Examples of Noise Levels (LONLB-505-050).

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offices and it was below the 50, so it is below what is a typical office because we measured typically 48dB(A) and, as I say, in the video-conferencing room it was 45, so it shows, I think, quite clearly that we have got quite a special case here. It is below what is a typical office, so we have got 48 and the predictions I am coming up with are 54, so a 6dB increase.

6528. Can we turn to slide 10 please.⁵⁷ Here we have an indication of the forecast noise levels and, apart from a period above the 85dB line during construction of the station box, we see that the majority of the forecasts are below 85dB.

(Mr Griffiths) Or at 85, yes.

6529. So, if one were to apply 40dB attenuation, one would get down to the 45dB(A) level?

(Mr Griffiths) You certainly would, yes.

6530. If one had 37dB attenuation, one would get to around about 48?

(Mr Griffiths) That is right. What we have got to remember, because these figures are the average 10 hours, as I was describing, is that the figure which is actually used by Crossrail to project these averages is with a hydraulic breaker and the hydraulic breaker level is 92 at 10 metres. Now, the building, as we know, is only 5 metres away, so when they are breaking on that particular property, you will actually get a level of something like 96 to 98LAeq over short periods.

6531. Can we just have a look at the measurements which were undertaken by yourself and Mr Thornely-Taylor, and I have a table which I think you have produced?⁵⁸

(Mr Griffiths) Yes.

6532. There are a whole load of numbers, all of which are very frightening, but we only need to look at a few by way of example. In a column headed, "LAeq 1 minute", if we look at the first figure in that column, ground floor boardroom talking, we see a dB level of 55.2.

(Mr Griffiths) We do, yes.

6533. So in the boardroom in this building with somebody talking, the levels are at 55.2?

(Mr Griffiths) Yes, they are in that case.

6534. If we come down to the third floor sales team figure, it is 54.7. Do you see that one? It is in the top section of the table.

(Mr Griffiths) Yes, I do.

6535. We can keep going down the table to see the reading for first floor services from 18 minutes past 3 at 54.9, third floor sales at 55.3, research at 53.1. I put it to you that your identification of 48 is actually

fairly low on the basis of the figures that were actually recorded by yourself and Mr Thornely-Taylor with each of the areas of the office.

(Mr Griffiths) I am afraid I have to disagree. If we look at the fourth floor, video-conferencing, we have a level there of 45. You are picking the higher ones. We have got the fourth floor telesales with 48/49, on the third floor we have got 48/49, third floor research we have got 46, so the range I stated was between 45 and around 52 and this is with people occupying the building, so I think my 48 is reasonable.

6536. The video room, when you measured it, was not being used, was it?

(Mr Griffiths) That was not being used, no, you are right.

6537. The only rooms where there is not a measurement that is above 48 are the fifth floor quiet room and the basement library. That is right, is it not?

(Mr Griffiths) There is the fourth floor video-conferencing room.

6538. Which was not in use when it was measured.

(Mr Griffiths) There was somebody in the room, but they were not actually using the video-conferencing facilities. The third floor research room is below 48 at 46.8.

6539. There is a measurement of 53 in relation to the third floor research room.

(Mr Griffiths) But there is also 46.8.

6540. Well, the Committee has got the numbers, so I will not take time repeating them.

(Mr Griffiths) And the first floor development IT is 47.8.

6541. The point I am going to put to you is that, on the basis of the attenuation that is achievable using mitigation, it is likely that a significant impact from airborne noise from construction can be avoided within this property?

(Mr Griffiths) I am afraid I do not accept that. I think that the reality is that when you actually look at PPG24 and look at what you get in practice, a large area of glazing, and you saw that on the slide, you will practically get about 34/35, and indeed Crossrail's own figures in their Scoping Report talk about 34 as being a reasonable standard.

6542. Can we turn then to vibration, to your slide 17 please.⁵⁹ There you are quoting from the specialist technical report on noise and vibration?

⁵⁷ Committee Ref: A75, Crossrail Noise Predictions (during demolition & construction) (LONLB-505-056).

⁵⁸ Table of Noise & Vibration from different floors and areas—occupation (SCN20060330-006).

⁵⁹ Committee Ref: A75, Crossrail Vibration Predictions (LONLB-505-063).

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(Mr Griffiths) Yes, I am.

6543. I think the passage that you are quoting from is in volume 4 at paragraph 2.3.11, which is at page 70.⁶⁰ If we look at that, we can see that you have actually quoted partially from the paragraph, Mr Griffiths, because it begins: “Vibration levels due to the use of the hydraulic breaker have been predicted at the foundations of unattached buildings for the worst-case situation, but the breaker works at ground level at the boundary of the site closest to each receptor”, and then it goes on to produce the figures you have used.

(Mr Griffiths) Yes.

6544. So the figures represent the use of a hydraulic breaker, but where the breaker is operating at ground level at the boundary of the site closest to the receptor?

(Mr Griffiths) Yes.

6545. So these figures do not relate to oscillatory bored piling, do they?

(Mr Griffiths) They relate to the hydraulic breaking, yes, absolutely.

6546. It is right to say, is it not, in relation to bored piling that that is a low-vibration technique?

(Mr Griffiths) Yes, it is.

6547. You would accept, would you not, that the use of that technique is not going to give rise to any significant vibration effect upon the Petitioner’s premises?

(Mr Griffiths) Well, my concern, as I stated during evidence, is that there are 6 or 7 metres of gravel which it has to get through and one tends to have to shake the casing in for that, otherwise everything just falls in, and there could well be some levels of vibration. I would not expect them to be anywhere near the 7, but they certainly could well be around the 1 millimetre or so because, looking at the piling plan, the piling is coming somewhere between 2 to 3 metres, maybe 4 metres, from the building.

6548. It is possible to programme that sort of work out of office hours, is it not?

(Mr Griffiths) It could well be.

6549. In relation to the hydraulic breaker, have you seen the correspondence from Crossrail, explaining that the maximum use of that is likely to be two to three weeks?

(Mr Griffiths) I did see a letter, but I thought it was saying more like six weeks, but again it was early days, I think, when we had the meeting at Stage C on a RIBA contract.

6550. I will get Mr Thornely-Taylor to explain that.
(Mr Griffiths) Thank you.

6551. So far as the use of a hydraulic breaker is concerned, there are alternative methods of breaking, are there not, the use of a cruncher, for example?

(Mr Griffiths) You could use that, yes.

6552. And that would not be as noisy, would it, or as vibratory?

(Mr Griffiths) I would have to check that. It probably would not be.

6553. There is also the possibility, is there not, of detaching continuity between buildings? We can see that from the page in front of us at 2.3.12 where you can use diamond sawing, for example, to alter the structure of continuity between buildings so as to mitigate vibration?⁶¹

(Mr Griffiths) You can do that, but, remember, the vibration will still come around in the ground. These vibration levels are opposite Hayne Street which is not directly attached anyway.

6554. The figures at 2.3.11 are figures produced, are they not, without taking into account that sort of mitigation? They are pre-mitigation figures, are they not?

(Mr Griffiths) Yes, I am aware they are.

6555. So far as the undertakings are concerned, I would just like to draw the Committee’s attention and your attention to what is proposed in relation to this particular Petitioner and noise vibration. It is section 4, ‘Noise and Vibration’.⁶² Here we have the undertaking which is being proposed. At 4.1 there is a commitment “to carry out the works in a manner which will mitigate the emission of noise as far as reasonably practicable”. In fact there is another undertaking which has been provided which is the same thing in relation to vibration.

(Mr Griffiths) Absolutely, yes.

6556. Then we see at 4.2, “The Promoter will prepare a mitigation package in respect of noise generated and will assign appropriate noise limits in relation to the property and in identifying such limits factors to be considered will include our commitment to the following . . . ” and then we see the criteria set out, yes?

(Mr Griffiths) Yes, we see a number of factors there.

6557. And again a similar approach is adopted in relation to vibration?

⁶⁰ Crossrail Environmental Statement Technical Report, Assessment of Noise and Vibration Impacts, Volume 4 of 8, Central Section, Noise & Vibration, para 2.311, <http://billdocuments.crossrail.co.uk> (LINEWD-STR112-074).

⁶¹ Crossrail Environmental Statement Technical Report, Assessment of Noise and Vibration Impacts, Volume 4 of 8, Central Section, Noise & Vibration, para 2.312, <http://billdocuments.crossrail.co.uk> (LINEWD-STR112-074).

⁶² Crossrail Ref: P73, Method Statement and Programme, Para 4 Noise & Vibration (LONLB-504-003).

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(Mr Griffiths) Absolutely, yes.

6558. It is sensible, is it not, to put off the identification of the noise limit to take into account, for example, change in the usage of rooms in the building in the future?

(Mr Griffiths) Just as there is for noise, one would expect noise and vibration standards to be applied at this stage so that in my client's particular case we would be able to have some comfort to say that we will be achieving these values, just as we have 35 or 40dB(A), but that does not seem to be the case. What I am hearing, and what my client has been concerned about, all the time is, "There is a possibility we can do this". It says here that they will assign appropriate noise and vibration standards. It leaves an element of risk to my client in terms of noise and vibration.

6559. In the context of the commitment to mitigate the emission of noise and vibration as far as reasonably practicable, yes?

(Mr Griffiths) Yes.

6560. It is also possible, is it not, to move around the uses which are undertaken by Intel within their properties so that you might be able to put particularly noise-sensitive elements of the user into the property next door, which is 13 to 17, I think, Long Lane because that building has double glazing? That would be possible, would it not?

(Mr Griffiths) It is not a question where you can move people. That is not for me, but I think it is probably for somebody from the operational side you will need to discuss that with as to whether people have to be near each other and so on.

6561. It is right to say, is it not, that there is a dispute resolution procedure included in the proposed undertaking?

(Mr Griffiths) There is, yes.

6562. So if your client was unhappy with the package that came forward, they could take that to dispute resolution and the issues could be aired?

(Mr Griffiths) They could be aired. I think the issue here is that at this stage Intel are very concerned. They know they are only 5 metres away from the construction site, I have raised a risk and they do not want to be further down the line—we have heard that pun before!—when Crossrail is being built, for example, and they have then got very little chance of having a reasonable settlement, so that is a concern at that stage.

6563. You wrote a report for your client on noise and vibration impacts related to Crossrail dated 16 September 2005?

(Mr Griffiths) Yes

6564. Am I right in saying that at no point in that report do you recommend that relocation is necessary?

(Mr Griffiths) Yes, I think you are probably right. That was in our initial review of the documentation.

6565. I am not probably right, Mr Griffiths, I am right.

(Mr Griffiths) I absolutely take your word for it.

6566. And if you had thought at that particular point that relocation was necessary, having reviewed the information provided, no doubt you would have recommended that to your client?

(Mr Griffiths) The title of that report is, I think, a 'critique', so we were looking through what had been done and we were not necessarily giving recommendations, I do not think.

6567. Thank you very much indeed.

Re-examined by **Mr Newberry**

6568. **Mr Newberry:** Mr Griffiths, let's deal with the double glazing point first of all. You have put the figure of 34 in?

(Mr Griffiths) Yes.

6569. That is the level of mitigation you expect, and you have indicated that there are difficulties in getting more than that because of the ratio of glass to brickwork in an elevation?

(Mr Griffiths) Yes.

6570. Mr Taylor, for his part, said that you could do it, that it could be overcome. What is your judgment on the issue of whether you can increase noise attenuation by glass, having regard to what he said on the one hand and your view of the structure of the building and the relationship of glass to brickwork?

(Mr Griffiths) My view is that there are two issues. One is the ratio of windows to walls and, as I say, on an office building, as we saw in the British Standard and in fact as PPG24 states, the more area of window you have got, the lower your attenuation. On the other hand, you could use thicker glass in commercial buildings which would bring it back up, so I think the two probably go hand in hand and probably the best you would get is around 35, and that is a figure which Crossrail have put in their mitigation package, that they would expect around 35.

6571. So this figure that you have used and Crossrail appear to agree with, ie, getting to the order of a 34/35dB reduction, have you any idea where this sudden change comes from, a jump from 34 to 40, which was being suggested to you?

(Mr Griffiths) No. The only way I can see it is if you look at the manufacturer's data and the test data which are from a test laboratory say you can get levels of sound reduction of about 40dB or so reduction. The difference is the practicality, as I said before, the actual installation of when it is installed, the way it is installed and so on where inherently on the practical side you get less than that.

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6572. From your understanding of the Crossrail documentation, notwithstanding what Mr Taylor has put to you, have you seen any Crossrail documentation which supports the contention that they can suddenly jump from 34 to 40?

(Mr Griffiths) I have not seen any figure—

6573. Was any document shown to you?

(Mr Griffiths) No, nothing to say 40.

6574. Let's look at the issue of vibration, if we may, and I wonder if that passage which Mr Taylor referred to could be put back up again. It was paragraph 2.3.11.⁶³ That was talking about the vibration levels which you have used of a hydraulic breaker which are predicted to be in the region of 1.5 to 7.

(Mr Griffiths) Yes.

6575. First of all, in relation to the cruncher which has been referred to, where does that figure in the range of 1.5 to 7? Is it under 1.5?

(Mr Griffiths) No, I would not say it was under 1.5. At the end of the day, it is the impact of breaking a building and I have measured crunchers on a number of occasions and there is still a certain amount of impact. You would probably still have to use a hydraulic breaker maybe to start with and then a cruncher can then come in, so it would probably be lower, I would have thought, than 7, so it would be nearer 1.5 to 3. I would have to look at the figures which are available in the British Standard.

6576. Well, a figure was not put to you, but you think between 1.5 and 3?

(Mr Griffiths) I would have thought so, but I would like to check that.

6577. Is that a figure, the 1.5 to 3, in terms of the occupier, in your judgment, that is acceptable?

(Mr Griffiths) No, totally unacceptable, having witnessed 3 myself.

6578. I want to understand the inference that maybe being drawn from this passage which your attention has been drawn to. We know that at other times on the site a breaker is not being used, that that particular operation may have ceased, and you identified all the bits of kit which are being used throughout the 4½ years. Is there anything to suggest that, when a breaker is not being used, the vibration levels will not be above 1.5 or is that the only time we need to be concerned about vibration?

(Mr Griffiths) I would still have some concern over the oscillatory rotary piling. It is a good method, a better method for vibration, but when you are that close, within a few metres from a building and there is a piling grid, there has to be some risk just because they have to push the casing into the grid, and there must be, I do not know, 40 or 50 piles going along the building to make the wall.

6579. Perhaps we will explore with the other Mr Taylor what is meant by these various mitigation measures, but if this is to take place out of hours, is the consent of the local authority required for that?

(Mr Griffiths) Yes, there will need to be consent of the local authority, yes.

6580. Is there residential accommodation in this area?

(Mr Griffiths) There is, yes.

6581. Diamond sawing, can you just explain to me what that is?

(Mr Griffiths) That would be like a circular type saw and that can cut through concrete bricks and so on.

6582. Is it a nice quiet operation?

(Mr Griffiths) It is a very noisy operation.

6583. And is this usually in addition to a hydraulic breaker or in substitution for it?

(Mr Griffiths) This would be in addition to the hydraulic breaker, this would cut/sever the two buildings.

6584. We have something that has been brought in now which is in addition to it and what are its vibration levels then?

(Mr Griffiths) Its vibration levels are quite low, but it is making the noise of a diamond saw.

6585. Can you give the Committee an idea of the noise that is being promoted?

(Mr Griffiths) Probably 10 metres, which is a standard yardstick, it would be at least 90 decibels and again I would have to look that up, but you are sawing into concrete or brick. I think anyone who does any D-I-Y with hand tools will know the sort of level that you can get out of that.

6586. Does 13-17 have double glazing?

(Mr Griffiths) This is the second building? I think it does have double glazing, but it is thermal glazing, it is the narrower gap.

6587. I am told that it does not, but that is a matter of fact.

(Mr Griffiths) I think part of it does have double glazing.

6588. And these offers that were being raised with you in relation to the undertaking. Are we anywhere closer to having a design standard to aid that in relation to vibration?

(Mr Griffiths) No, I am not aware of any standard which, as I say, has to pose a risk to my client.

6589. Why is there this approach, in every other area that I have heard in my attendance here, design levels are being suggested, but in vibration none is being suggested, why is that?

(Mr Griffiths) I really do not know. I mean when someone is predicting levels one and a half to seven millimetres per second, if you are really talking

⁶³ Crossrail Environmental Statement Technical Report, Assessment of Noise and Vibration Impacts, Volume 4 of 8, Central Section, Noise & Vibration, para 2.311, <http://billdocuments.crossrail.co.uk> (LINEWD-STR112-074).

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about seven millimetres per second people would be very, very frightened and to not have a standard when you are predicting those sort of levels, I think anyone would accept if you have got levels of seven millimetres per second no one in this room would be here. As I say it is a very frightening experience at that sort of level, so I am surprised there is not a value being installed for offices.

The witness withdrew

6590. **Mr Taylor:** Sir, I have got Mr Thornely-Taylor here who can give evidence reflecting the points I have put in cross-examination if you would find that of assistance.

6591. **Chairman:** I think, Mr Taylor, we have heard such evidence before and I do not think there is any need to recall in that respect and I think we have heard enough today to cover noise to get a view on it.

6592. **Mr Taylor:** In closing, can I just say a few words? We say that Intel is not a particularly noise sensitive user. The levels of noise within their premises is similar to any office base use and in terms of being accepted as a special case because of the particular proximity of the Lindsey Street work site and the substandard nature of the attenuation provided by the premises, the Promoters offered an appropriate undertaking to carry out the works in a manner that will mitigate the influence of noise and vibration as far as reasonably practicable. It has offered a noise and vibration mitigation act which, based upon limits which would be identified, taking into account a number of factors, a mitigation act which can be identified which will ensure that the noise and vibration from the construction will not significantly affect the business operation of the premises. There are a number of mitigation techniques available that will ensure that airborne noise will not cause significant problems, for example, with the potential use of secondary glazing.

6593. When it comes to vibration it is piling and demolition work that is of particular concern, but the total duration of piling has been identified six weeks and I mention that on instructions. It is proposed to use oscillatory bore piling. This is a low vibration technique. With that piling technique significant vibration acts upon the Petitioner's property are unlikely. It is the use of the hydraulic breaker that is of particular concern in relation to vibration. This activity would only occur at the points closest to the Petitioner's property for a period of some two to three weeks in total, and again I put that figure on instructions. It may be possible to use alternative methods of demolition, for example, a crusher to reduce this period significantly, but make it possible to limit vibration caused or emitted during particular hours of the day. It may be that works could be done to reduce the structural interface between the work site and the building.

6594. It is not appropriate at this stage to identify specific noise or vibration limits to apply at the Petitioner's property, these should be identified at the detailed design stage. In any event, these take into account a number of factors that are unknown at present, such as the particular use of particular rooms and the attenuation provided by the building within those rooms. Nor is it appropriate to identify the particular mitigation that needs to be adopted at this stage. The proposed undertaking will give rise to a dispute, a solution procedure will be invoked if it is unhappy with the measures adopted.

6595. As far as dust is concerned, the premises are already fully air conditioned, tier three dust mitigation is proposed for the Lindsey Street work site due to the proximity of the Smithfield Market. That involves the provision of a high standard of dust control needs to be achievable.

6596. So far as access is concerned, the policy with regard to retaining access during construction is set out in IPC7.⁶⁴ The Bill contains a requirement to ensure that pedestrians have a reasonable access to any premises affected by the interference with the highway and that is C7, paragraph 1.43, schedule 3, paragraph 5 of the Bill. Paragraph 2.2 provides that a reasonable level of access will be maintained for both vehicles and pedestrians. The undertaking offered reflects this policy. The works affecting Hayne Street is to retain access to the car parks so far as practicable and again I am putting that on instructions.

6597. As far as power supply is concerned, the policy regarding maintenance of public utilities during construction is set out in information paper D7.⁶⁵ The construction arrangements have been designed to keep disruption to as low a level as reasonably practicable, that is in information paper D7 paragraph 1.3. The undertaking offered does this. Indeed, bearing in mind that the Intel Company has no guarantee of uninterrupted power and has arrangements in place to cater for this.

6598. In conclusion these undertakings will be sufficient to ensure that an appropriate environment can be retained during the construction activity that will enable the business to continue and there is no reasonable basis for requiring the Promoter to fund the permanent re-location.

6599. **Mr Newberry:** I would ask you to conclude that this is an operation which is a sensitive operation in terms of having to undertake detailed and painstaking research and therefore requires the appropriate environment. I therefore would ask you to conclude that it is such.

⁶⁴ Crossrail Information Paper C7 Access to Residential and Commercial Property during Construction, <http://billdocuments.crossrail.co.uk>

⁶⁵ Crossrail Information Paper D7 Maintenance of Public Utilities, <http://billdocuments.crossrail.co.uk>

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6600. So far as noise is concerned, we take the view that it would be difficult to attenuate the noise levels that are generated, you have seen the bar chart and we are looking at 80-85, very high levels of noise indeed. Mr Griffiths, practically experienced, is that you can achieve 34. That practical experience is borne out by Crossrail's own figures, not Mr Taylor's figures, but Crossrail's own figures, they correspond, and at the end of the day does not provide the appropriate level of technical attenuation. If you take an average through the building, which is what he has done, it is well over it, so it is not going to work on that particular point.

6601. So far as vibration is concerned, the document that Mr Taylor referred to specifically refers to a hydraulic breaker. I have not seen any document which indicates a switch of equipment, so on the assumption that the documentation that they are relying upon is correct, there is absolutely no doubt that that particular piece of equipment generates vibration levels that are not much short of horrific and to dismiss it that it is only going to be for two or three weeks, I find an interesting proposition. The building will effectively be sterilised. You cannot work or expect them to work when there is that level of vibration running through the building and I would also ask you to bear in mind that Mr Griffiths was unchallenged on the point that in buildings you get amplification, so the 7.5 is not the maximum here, he told you it can go to 2.5 above that because of this amplification feature. That building effectively would be incapable of use. On that premise alone this company should be re-located. What are they going to do for three weeks whilst this work is going on? They cannot work and they have either got to be temporarily re-located, and that is quite a detailed business re-locating a company of this size, or they have got to be compensated for the period of time when they cannot use their building, one or the other, and I would ask you to look at that issue.

6602. So far as the access is concerned, what we have learnt today is that Hayne Street is going to be shut off at one end, I am not sure which end, but effectively it is a cul-de-sac and that particular street is critical for deliveries to the company, you saw photographs where stuff has to be unloaded. I cannot get my mind round a major construction site and a major work site which has to utilise Hayne Street for the purposes of lorries and all the vehicles that are going to use that site, and I expect because it is a cul-de-sac park there, how it is possibly going to be run in a way which permits multiple deliveries to this site; they get 8,000 packages a week. If the vans cannot park there or the lorries cannot park there, they cannot get their packages into the business, unless they go to a reception and stack it all up there, which in itself is a hazard, so there is a major problem there. Secondly, the point of access, there is a major problem in relation to the emergency exit which I drew attention with Mr Thomson in-chief, you may remember. There has been no comment on that and no challenge to the point and

so the issue there is a serious one, that there is every likelihood of the emergency exit being blocked by Crossrail's lorries and vans in a cul-de-sac and that seems to be a very potential serious matter.

6603. So far as dust is concerned, I notice the expression is that it is a tier three level and I thought what an appropriate expression, I can imagine many tears on the terrace while the dust is swimming around. I am sure they will make every effort to keep it as contained as best they can, but we have an open terrace five metres from a construction site. Commonsense dictates that area is going to be sterilised for large periods of time.

6604. So far as power supplies are concerned, it is not an answer to say they do not have a guaranteed power supply now. This is an additional problem and, as I understand it, and I put this on the record because I have spoken to Mr Taylor about it, what Mintel want of course is a continuous power supply i.e. not one that is disrupted by Crossrail. If there is going to be dislocation they would have to be notified about it and there has to be an alternative supply provided, so there is not a period of time when they cannot function, because as Mr Thomson was telling you if you do get the computers going down and the server is going down, effectively because it is wholly dependent upon the servers and computers, it cannot be rendered impotent for however long it is going to be without power because it takes a long time to get things back in operation.

6605. Sir, we feel that the combination of all these factors does warrant in this case, particularly because of the vibration and noise factors due to the proximity, and I doubt in your deliberations whether you are going to find a site closer to major construction work than this—it is separated by a mediaeval lane—you are not going to find, I suspect, much closer and in these very unusual circumstances, we feel that this world class company should not have to have this level of infliction upon it and it is better that they are re-located so that they can function as they are now and I would ask for a direction in that way.

6606. **Chairman:** Thank you very much indeed Mr Newberry. We will now move on to our next hearing which is the Residents' Association of Mayfair and St James and the Grosvenor Mayfair Residents' Association.

Ms Nathalie Lieven appeared on behalf of the Promoter.

The Petition of the Residents' Association of Mayfair and St James.

Mr John Pugh-Smith appeared on behalf of the Petitioner.

The Petition of The Residents' Society of Mayfair and St James' and The Grosvenor Mayfair Residents' Association

Sharpe Prtichard appeared as Agent.

6607. **Ms Lieven:** Sir, I was not planning to make a proper opening on the Residents' Association of Mayfair petition for this reason that I understand them to be raising three points. The first is disruption, disturbance and security risks in the area. Security risks was dealt with this morning by Mr Mould dealing with one of the petitions this morning from Mayfair, so I am hoping, and obviously I need to hear what Mr Pugh-Smith and his witnesses say, but I do not think it likely I will need to call any evidence on that.

6608. The second issue, sir, is as to alternative routes. It might help everybody if I make the Promoter's position on this entirely clear now. The arguments about alternative routes, both through the West End and outside the central section, go to the principle of the Bill inasmuch as the stations are set out in the long title. We have set out in IPA1 why we selected this route and I am not intending at this stage to call any further evidence on that nor to cross-examine on it, I leave it to the Committee as to the degree you want to hear further evidence from us as to why, for example, we need a station at Tottenham Court Road.⁶⁶

6609. The third issue raised is the amount obviously of the compensation code. You have heard Mr Mould and I and Mr Elvin eloquently say again and again that it is the national compensation code which should be supported by this Committee and I am not sure the point is going to get any better by me saying it for the nineteenth time, so I am certainly not going to call any evidence on that.

6610. That is, I hope, a very brief outline of where we stand on this Petition. Obviously if other matters are raised that we have not predicted we may have to call evidence and I may have to say more, but at this stage that is our position.

6611. **Chairman:** I am grateful for that and on the latter part which is about compensation this Committee is well aware of the correctness of it and how you are approaching that, however the Petitioners have their right to make their case and we will listen to that and be mindful of it.

6612. **Ms Lieven:** Of course, sir, and I am sure when we come to our ultimate closing some time in July or whenever it should happen to be, we may return to issues of the compensation code and deal with them comprehensively at that stage if there are any that we consider outstanding.

6613. **Mr Pugh-Smith:** Mr Chairman, good afternoon, contrary to a certain perception there is a large and vibrant local community within Mayfair and St James which comes from diverse socio-economic backgrounds. Indeed in the 2001 census there were some seven and a half thousand people

living within that area which over 20 per cent were in social housing. Along with these many permanent residents and local businesses is a large transient and tourist population.

6614. Mr Chairman, the reason why I mention these matters is that the society, whom I represent, is concerned about the effects of this particular project upon the living conditions of those residents and indeed the local businesses that make that large and vibrant community. Indeed the residents have had to live with the effects of this project for more than 15 years now since the submission of the first Crossrail Bill and the uncertainty continues at the present time and likely to continue for some time in the future.

6615. As a result of this, the Society has promoted and continues to promote a consideration of alternative routes which have potential to cause less environmental harm. Mr Chairman, it is not the intention of the Society before this Committee to promote a specific alternative nor does it need to do so, but Mr Elvin explained to you on the first day that of course Parliament, as the decision maker, has to make the decision about the adequacy of the environmental statement as being promoted and what we wish to point out to you through our presentation is the inadequacy of that environmental statement when it comes to the consideration of alternatives and it is for that reason that we are proposing to call one of the leading rail experts in the country, Mr Michael Schabas, to explain why and I will come back to his evidence in a moment.

6616. I do not know to what extent, Mr Chairman, you have actually been advised about the significance of environmental impact assessment and could you just bear with me for a few minutes whilst I just explain some key principles. The first that it is one of the corner stones of European communicable on the protection of the environment. It is now seen by the courts not only as a technical means of assisting expert decision making, but also as an important guarantee of the democratic right of the public to inform about potential environmental consequences of decision which may affect them or their surroundings and understand those implications and how they may be avoided or mitigated and to participate in the process by expressing their own views. Not my words, but the words of Mr Justice Sullivan.

6617. Members of the Committee, proper assessment of the environmental impacts on projects and the need to actually comply with the European directive requires sufficient consideration of alternatives as a requirement not only on the directive, but also under the 1999 Environmental Impact Assessment Regulations and there is a requirement under those regulations, part 1 of schedule 4, for an outline of the main alternatives studied by the applicant or client and an indication

⁶⁶ Crossrail Information Paper A1 Development of the Crossrail Route, <http://billdocuments.crossrail.co.uk>

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of the main reasons for his choice, taking into account the environmental effects and indeed part 2 of that same schedule contains the same wording.

6618. Mr Chairman, the reason why I mention those matters is because the way in which alternatives have been dealt with in the environmental statement we will be contending is insufficient for parliament to form a view of the route that is being promoted in this Bill is the correct route. There are no benefits to be obtained by seeking any variation to it, that is what is being suggested, we say to the contrary.

6619. So far as the witnesses I propose to call, hopefully starting this afternoon, Mr Chairman, will be first of all Mrs Marina Morrisson-Atwater who has lived in Mayfair for the last 37 years. She is a committee member of the Society and Chair of the Society's Crossrail Committee and she will explain the particular concerns which the members have.

6620. If time permits this afternoon, Mr Michael Schabas who has been an expert in the field of railway structure for the last 25 years, including planning and promoting the Jubilee Line extension on behalf of the Canary Wharf Developers, extensive work on the Channel Tunnel rail link and, as you will hear, being retained by the then Department of Transport to evaluate the 1992 Crossrail Bill and he will explain how the Promoters and their Agents have only superficially considered alternatives for the safeguarded route from Paddington to Liverpool Street, which is the sole section with which we are concerned.

6621. Finally, although I think this may be after the Easter recess, I will be calling Mr Norman Winbourne who has practised as a chartered surveyor for nearly 50 years. He has particular expertise in dealing with compensation claims arising from rail projects and his evidence will be from the focus of two areas, but again the context in which we put this matter before the Committee, firstly the inadequacies of the compensation system for those affected by the Crossrail scheme which is why alternatives need to be considered much more extensively in this instance and also, by way of example, the significant improvements that could be made to many London tube stations which would ease pressure on key central London interchanges which might well avoid the need to actually the Crossrail route in the position in which it is proposed at the present time.

6622. That is all I wish to say, Mr Chairman, by way of an opening statement. You will see that Mrs Morrisson-Atwater already sits at the witness table and, with your permission, I will call her.

6623. **Chairman:** Thank you for the recall on the environmental statement. All the members of our Committee are well versed.

6624. **Mr Pugh-Smith:** Mr Chairman, we do have a number of exhibits which we will be referring to and some slides.⁶⁷ If those could please be put before you and Mrs Morrisson-Atwater has only a very brief presentation which requires you to look at documentation, but they are there more for your assistance but they will also be put on the screen as well.

Mrs Marina Morrisson-Atwater, sworn

Examined by **Mr Pugh-Smith**

6625. Mrs Morrison-Atwater, would you please give your name to the Committee and brief details about yourself?

(Mrs Morrisson-Atwater) My name is Marina Morrisson-Atwater and I have lived in Mayfair for the last 37 years. I have been a committee member of the Residents' Society of Mayfair & St James' for the past three years (following the merger with the Residents' Association of Mayfair). I was previously a committee member of RAM for 15 years. I am Chair of the Society's Crossrail committee and I am also a member of the Society's council.

6626. Mrs Morrisson Atwater, could you briefly outline to the Committee the role of the society?

(Mrs Morrisson-Atwater) The Residents Society of Mayfair & St James'—which was known as the Residents Association of Mayfair—was established in 1974. For the sake of brevity I will refer to the Society for the remainder of my submission to the Committee. The Society is formed of a voluntary group of local residents who are concerned about preserving and enhancing the character of Mayfair & St James' and in particular its history, established tradition, architecture and buildings and environment affecting those who live, work and visit the area, thereby creating a balanced community. The Society currently represents a cross-section of approximately 1,000 residents and 200 business members. The Residents' Association of Mayfair (as the society was then known) played an active role in opposing the original Crossrail Bill running through Mayfair and we petitioned against the original Crossrail Bill and gave evidence before the House of Commons Opposed Bills Committee which was successful. That was in 1994.

6627. Mrs Morrisson-Atwater, what I would like to do now is turn to the people who live and work in the area. Can we have slide number 3 please, which is a map? Can you tell us very briefly about where the various residents are to be found in relation to the proposed Crossrail route?

(Mrs Morrisson-Atwater) I just wanted to say one little thing, that most people who have never visited Mayfair think that the residents living in Mayfair are just a group of rich, well-to-do, privileged individuals. Nothing could be further from the truth. There are a lot of people who live in social housing and you have them on the lines in pink

⁶⁷ Committee Ref: A76, Map Location of Petitioners in Mayfair and St James' (WESTCC-32605-035).

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which are the streets where social housing is very much in evidence. They are all concentrated south of Oxford Street along North Row, Balderton Street, George Yard, Lumley Street, Binney Street, Gilbert Street, Weighhouse Street, Providence Court, Brown Hart Gardens and Dukes Yard. All these streets lie above the proposed Crossrail tunnels and are situated close to Bond Street station. The residents of these properties will be severely affected by the proposed Crossrail Bill and the scheme of works should the scheme be approved. They will have to be relocated and they are very worried about it. They are losing all their facilities and they are very vulnerable residents, most of them, and will require protection and we want to stand up for them. There is also a very good state school in the area, St George's Hanover Square Primary School, which has 200 pupils. There is a medical centre in Weighhouse Street and the relocation of the Mayfair Medical Centre will mean that a large and vulnerable population will lose access to this facility. There is also something called the London Institute, which is an educational and cultural centre of excellence which benefits the whole community, and there are various art galleries and hundreds of people will need, again, as I said, to be relocated. There are also many beautiful buildings and three fragile churches which need protecting—St Mark's in North Audley Street, the Ukrainian Church in Duke Street and St George's in Hanover Square.

6628. **Mr Pugh-Smith:** What I would like to do now is to ask you to outline briefly the Society's concerns.

6629. **Chairman:** Before we do that, could I mention that this document is A76 for the record?⁶⁸

6630. **Mr Pugh-Smith:** Could we have up on the screen the two slides that summarise the specific matters that the Society wishes to seek protection for?⁶⁹

(Mrs Morrisson-Atwater) Because you have heard before about the American Embassy and all the things that concern us greatly and are all around us, our first point is proper security checks to be carried out on the drivers, the contractors, the builders and all the people that are going to be used on the scheme. We would also like an assurance that further environmental impact assessments will be carried out with respect to the properties located in all the streets which I have just mentioned. I will repeat them. They are the properties located in Binney Street, Gilbert Street, Green Street, St Anselms Place, Duraven Street, North Audley Street, Balderton Street, Brown Hart Gardens,

Dukes Yard, George Yard, Upper Brook Street, Lumley Street and Duke Street.

6631. **Mr Pugh-Smith:** Chairman, we will provide a list.

6632. **Chairman:** A copy of the notes afterwards would be helpful.

6633. **Mr Pugh-Smith:** By all means.

(Mrs Morrisson-Atwater) We would like an undertaking from the Promoter to prepare a noise and vibration mitigation package to satisfy us as regards to noise, vibration, disruption and disturbance during the construction of Crossrail and the running of trains after the completion. We would also like an undertaking from the Promoter that the residents will be notified in advance when the time the boring machine is to pass under our properties.

6634. Slide number 5.⁷⁰

(Mrs Morrisson-Atwater) We would like an undertaking that the Promoter will contact affected residents to ensure that they will receive the appropriate protection provided for in the settlement deed. We would also like an undertaking from the Promoter that a small claims procedure will be incorporated into the Bill.

6635. Thank you very much, Mrs Morrisson-Atwater. By way of concluding remarks, is there anything you want to say to the Committee about why the Society is so concerned and that is why it has been here?

(Mrs Morrisson-Atwater) Yes. One of our greatest worries was the fact that we find ourselves forced to fight a Bill for a scheme that is not funded. We just do not understand how long this will take or why we are being blighted for all these years for something for which there are no funds.

6636. **Mr Pugh-Smith:** Thank you very much, Mrs Morrisson-Atwater.

6637. **Ms Lieven:** I have no questions, sir.

6638. **Chairman:** Do you want to give a summary of your witness's evidence?

6639. **Mr Pugh-Smith:** That is very kind but I think we have said what we need to say.

The witness withdrew

6640. **Chairman:** And your next witness is going to take at least an hour?

6641. **Mr Pugh-Smith:** Indeed, sir. It is up to you whether you wish to start his evidence today.

6642. **Chairman:** I really do not think it is relevant to go any further this afternoon because we are not going to conclude the witness and I feel that if we

⁶⁸ Committee Ref: A76, Presentation of The Residents Society of Mayfair and St James'

⁶⁹ Committee Ref: A76, Specific protection that the society seeks (WESTCC-32605-036).

⁷⁰ Committee Ref: A76, Specific protection that the society seeks (WESTCC-32605-037).

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start we will probably end up doing it all again when we return. What I am going to do is thank the shorthand writers for all the work that they have done and everybody else who is employed in some profession or other in this place.

6643. **Ms Lieven:** Sir, can I just say thank you very much to the Committee for all your patience with the Promoters over this term. We look forward to seeing you again after Easter.

6644. **Chairman:** The Committee will next meet at 2.30 pm on 18 April in this room. In the meantime we hope that you have a pleasant, safe, healthy and enjoyable Easter.

Tuesday 18 April 2006

Before:

Mr Alan Meale, in the Chair

Mr Brian Binley
Mr Philip Hollobone
Kelvin Hopkins

Mrs Siân C James
Sir Peter Soulsby

Ordered: that Counsel and Parties be called in.

6645. **Chairman:** Today the Committee will continue hearing the Petitions relating to the Residents' Society of Mayfair and then we will hear the case of Antique Hypermarket Limited, Dystopia Limited and the Regent Street Association. First of all, an apology: counsel will see that we are not currently working on Commons time but we are having to work on Lords time, which is considerably slower. Counsel, is there anything—before we return to Mr Pugh-Smith—you want to tell us?

6646. **Ms Lieven:** Only to mention, sir, that we have been informed that Dystopia have withdrawn their Petition, so we shall not be hearing from them this afternoon.

6647. **Chairman:** Thank you. Mr Pugh-Smith, do you want to call your second witness?

6648. **Mr Pugh-Smith:** Good afternoon, sir. My next witness is Mr Michael Schabas.

Mr Michael Huntly Schabas, Sworn

Examined by **Mr Pugh-Smith**

6649. **Mr Pugh-Smith:** Can I also confirm that you have the bundle of exhibits, which have been distributed on the last occasion, to hand?¹ There is a thick and a thin bundle. Most of the exhibits are in slide form, which Mr Schabas will refer to. Mr Schabas, can I ask you to introduce yourself to the Committee and briefly explain your background and qualifications please?

(Mr Schabas) Thank you, yes. My name is Michael Schabas. I have 25 years' experience working in the railway business and in projects—planning, design and operation. I have a Masters Degree in Transport Planning from the Kennedy School of Government of Harvard University and I have worked on rail projects in the United States, Canada, Australia and Britain. I am a director of companies that carry passengers and freight trains in Britain and in Sweden and Norway, and have been in Australia as well. Some of my experience is particularly relevant, I think. I planned and promoted the Jubilee Line Extension on behalf of the Canary Wharf developers, I worked extensively on the Channel Tunnel Rail Link Bill and I was retained by the Department for Transport in 1992 to review the Crossrail scheme, which was actually then before the

House as well. I have set out in exhibit 1 a full CV with further details of my experience for the Committee.²

6650. On what basis do you appear before the Committee today?

(Mr Schabas) I am here in my own right; I am not representing any of the companies that I am involved in but on behalf of the residents of Mayfair and St James.

6651. Mr Schabas, what I would like you to do now is if you could kindly outline briefly the issues that you wish to talk to the Committee about.

(Mr Schabas) I think my evidence will show that the Promoters and their agents, Cross London Rail Links Limited, have not seriously considered alternatives to the safeguarded route between Paddington and Liverpool Street.³ They have considered alternatives only superficially and only in order to discard them. They have spent five years and more than £150 million of taxpayers' money to promote the scheme but they have always been in such a hurry to get shovels into the ground that they have cut corners on the planning and alternatives analysis process. My experience on other rail projects is that if you rush the preliminaries you have to pay back for it later with interest. If the railway is not designed carefully it may not achieve the stated objectives, it will cost more than promised and will not attract the expected passenger volumes. Sometimes you have serious cost overruns; sometimes you have to make very expensive changes to make it work operationally and I have actually been involved in some situations where that has happened—several unfortunately. Fortunately, there are checks and balances in the system and obviously one of those checks and balances is that designed schemes often do not get funded or built—even sometimes after powers are obtained. On this point I have a bit of a sense of *déjà vu*; the last time—I think it may have been in this room—that I sat here as a witness was in 1994, giving evidence on behalf of the King's Cross Residents' Association, who are, I should say here in case there is any doubt, an equally respectable group of people as the Mayfair residents, and their neighbourhood was entirely blighted by the Kings Cross project that British Rail

² Committee Ref: A80, Mr Michael Schabas Exhibit 1 (WESTCC-32605-038).

³ Committee Ref: A80, Safeguarded (1988) Scheme (WESTCC-32605-039).

¹ Committee Ref: A80, Mr Michael Schabas Exhibits.

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was promoting to build an expensive underground terminal for the Channel Tunnel Rail Link at a cost of about £1 billion. I suggested that instead you could come round the back and use the St Pancras station, which was mostly empty at the time. I have to say the Committee did not appear to take much notice of what I said—it was a Lords Committee, though, so that might explain some of it. British Rail, at the top level, did not take any notice but the Department for Transport took a great deal of interest and John Prideaux who was in charge of the project took a great deal of interest, and I worked with him inside, effectively, British Rail—Union Railways—I should say with people like Bernard Gambrell, over there, looking at alternatives and I think you know that it is St Pancras that is now being built as the new terminus.

6652. Mr Schabas, what I would like you to do, if you would, is explain briefly how, in your own words, the safeguarded route came to be identified. *(Mr Schabas)* Sure. I go back to 1988, actually when I first came to this country—when I first came to live permanently, the economy was booming and the Government established a Central London rail study. They said “Find a route across London for a railway”. Halcrow was given the job and identified in about six weeks the route that pretty much you have before you now, from Paddington to Liverpool Street. They were very proud of it because they said they had found a route from Paddington to Liverpool Street that avoided deep pile foundations, and being engineers that was a very important requirement for them. It is a very important requirement, but it was a quick study—they did it in six weeks and for a pretty small amount of money. They showed that there was one feasible route. They did not say that it was the best route or the only route, and I think they would admit that, Halcrow would agree even that engineering and missing deep pile foundations are not the only requirements that you should take into account when planning a route across London, especially one that is going to cost £10 billion and disrupt the City for years. It is not an ideal route, I have to say, and my background extends beyond deep pile foundations and tunnelling (although I do know a bit about that). It has some serious shortcomings. It has no interchange with the Victoria Line or the Piccadilly Line which are the two busiest tube lines across Central London. It has no connections to Oxford Circus station because of the way Oxford Circus is configured. It swings south under Hyde Park in order to provide for a connection on to the Marylebone Line, but there is no plan now to do that connection ever. It runs along past the American Embassy, which I guess in 1988 was not seen as a security issue the way it maybe should be seen now. The main reason for staying south of Oxford Street, I have been told by the engineers, was they did not want to conflict with the Post Office tube, which as you may know runs from Paddington to Liverpool Street as well, along the north side of Oxford Street. The Post Office railway is, unfortunately, closed and has been for a few years now. So to go south of

Oxford Street under Mayfair because of a junction that you are not ever going to build and to miss the Post Office tube, which is closed, it seems you have lost two of the main reasons for doing it. Then not having a good interchange. If one looks at the stations and walks around Central London, if one walks around Tottenham Court Road or Oxford Circus or Bond Street, it is hard to imagine also another 100,000 passengers being put on to the pavement, but that is what Crossrail is supposed to do: it is supposed to put another 100,000 people on to the street. If it does not put another 100,000 people on to the street, then it has not accomplished its objective. I think if you look at the passenger numbers, in fact, it does not accomplish the objective; they are not expecting to put 100,000 more people on the streets, they are going to be the same people on different trains—but that is another story. To put this line right through the most crowded and congested places, which are already so crowded, seems to me to be maybe not the right answer; that other factors should be thought about.

6653. Mr Schabas, how do you come to look at alternatives?

(Mr Schabas) As I said, I did the review in 1992 and that was just a review of the current scheme and we basically gave it a pretty lukewarm recommendation. I think the Committee then read our report as part of their deliberations and rejected the Bill. They never looked in detail at the alignment. At the time I had not thought much about the alignment either. Around late 1999 the Strategic Rail Authority, as it then was, asked train operators, including GB Railway, which I was part of, if we had any ideas how to relieve congestion at Liverpool Street, Paddington and Waterloo. I got out some maps and started scratching my head and thinking about it and said: “Well, London has changed a lot since 1988. It has now got Stansted in the East—a big airport—Heathrow is getting bigger still, Crossrail does not serve either of them really—it still does not—you have got Canary Wharf which did not exist in 1988 (we were just starting the first piles there) and now it is another city and it is a third major centre. So I thought, “How can you build a railway from Paddington via Canary Wharf and on to the east with the least problems, frankly, getting the powers”—whether it is using Transport and Works or Parliament because this and the funding are the two major problems of getting any railway across London built. The statutory approvals and the funding. I looked at the map and I thought—it was not quite this quick—“Actually, there is at least one other route that has been safeguarded through Central London, from east to west, which does not have a lot of deep pile foundations”, and that is the river. It was not safeguarded by the Department for Transport, it was safeguarded by a higher authority, shall we say.

6654. If we could have that up.⁴

(Mr Schabas) There we are. Maybe I should walk through this and explain. It serves the West End in a different way. It does not serve Bond Street and

⁴ Committee Ref: A80, Alternative River Route (WESTCC-32605-041).

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Tottenham Court Road, it does not go to John Lewis; it is a bit closer to the Army & Navy and, frankly, a bit closer to Westminster where we are here. It would come down under the Royal Parks, so no foundations, there are a few security tunnels to worry about—remember I was involved in the Jubilee Line which goes under Green Park, so I have got a bit of experience. Interchange with other tube lines and within walking distance of the heart of the West End but the station itself would be under the river. A second station probably in front of the Tate Modern, Blackfriars Bridge, where you can have an excellent interchange with Thameslink. One of the problems with Crossrail, the safeguarded route, is the interchange with Thameslink is up at Farringdon. Anyone who has been on the Thameslink Farringdon platforms in the rush hour knows they are very narrow and constrained platforms. They cannot be widened without demolishing some pretty expensive buildings and they are not proposing to do that, so there is a real problem in the current scheme of going through Farringdon. At Blackfriars Station you can build a proper interchange. Another station at London Bridge—it is actually in front of the Mayor's office, in front of City Hall—and again interchanges with the tube lines. Yes, you can interchange with the major Tube lines, and then through to Canary Wharf. The whole alignment follows the river. You can do the construction—this is how the Tubes were built at the turn of the last century—from the river using barges and therefore reducing truck traffic through Central London. Next slide, please.⁵ That is a cross-sectional drawing. We commissioned Mott MacDonald who engineered about half the Tube network, I think, and are working on Crossrail too, but they were not back in 1999, so they did this for us, and they did the drawing. You can see the Tubes there; they are deep under the river; they are in the London Clay, and you would have escalators and stairs and lifts and so on up to either side of the river and you can actually add pedestrian subways through so you can get people up on to the embankments on either side. They wrote us a letter which I think is in your evidence, exhibit 3, which says they found no fatal flaws from an engineering point of view on the proposal. We presented this all to the SRA in January 2000.

6655. There is a summary slide to go in at this stage.⁶ (*Mr Schabas*) We suggested it to them. It avoids deep pile foundations. It serves the City, the West End and Docklands. It provides better interchange with the tubes and the other railways. Stations are in much less congested areas; better places for these 100,000 more pedestrians to distribute, and the construction impacts should be less severe. The second-last point I will come back to and explain because it is a bit out of sequence. The SRA took a year to respond to us. It was a rather long wait for a

meeting because we put quite a bit of work into it, and it was at their request actually, and I had a meeting first of all with Keith Berryman. Keith had already been appointed to do the London East/West Study for the Strategic Rail Authority, and he actually did a presentation in December 2000 about eleven months after we put forward our proposal. He did a presentation to London First, stating that they had already made the recommendations to the Secretary of State and he made no mention of looking at any alternative routes through Central London. I asked for a meeting. I said “Keith, what happened to our proposal?” “Oh, I guess it will be okay”. So we had a meeting on 17 January and he said that they were not looking at alternative routes because that would add two years' delay and they were under strong political pressure to get something under way, and there really was not time to start looking at alternatives. Any change from the safeguarded route would delay things for two years. They had already then submitted the London East/West Study to the Government and confirmed that to me, and that was eventually released. Before that came out I wrote another letter back and said, “I think you are making a mistake. You are rushing this process and you are going to regret it later.”

Richard Morris, who is now Operations Director of Crossrail, wrote a letter saying he had taken over running the project in the SRA and he wrote me this letter saying, “We examined this last year”. I do not believe they really did; I think the word “examined” means they looked at it. “We are not as sanguine as you regarding the engineering difficulties, although these could no doubt be overcome. The main difficulty is the amount of interchange required would be substantially increased”.⁷ Essentially he was saying if you put it under the river everybody has to walk further because nobody works on top of it, and I think that is true, but there is analysis there: how important is that? Everyone knows Waterloo Station is on the wrong side of the river but many people use it and we have lived with that over 150 years and there have been proposals to take the railway across the river and those have always been rejected for pretty good reasons. Mr Morris was using a planning argument now, not an engineering one, to say that they should take up the safeguarded route, and not using a political argument. They then published the London East-West Study Report which you can still find, I think, on the website somewhere. It is an interesting document because it is used in the Environmental Statement for Crossrail as the key foundation for their route selection process. Chapter 6 of the Environmental Statement refers to the London East-West Study as basically the study with which they decided where to go with Crossrail. The funny thing about it is the London East-West Study's Crossrail is not very much like the one we have got now. They actually say in London East-West that it should not go to Heathrow. They do not go to Reading. They do not go to Abbey Wood. They have not apparently heard of the East Thames corridor. They did not go to Canary Wharf,

⁵ Committee Ref: A80, Mott MacDonald commissioned cross-section—Stations under the river (WESTCC-32605-042).

⁶ Committee Ref: A80, Summary of River Route presentation to Strategic Rail Authority (WESTCC-32605-043).

⁷ Committee Ref: A80, Strategic Rail Authority response to the River Route Scheme (WESTCC-32605-044).

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so after this report was produced Canary Wharf then put on a lobbying effort and the Mayor, Ken Livingstone, I think pretty much said, "If you want me to back this it must go to Canary Wharf and it must go to Heathrow. You are crazy if you do not do that", and they changed it. I raised it before that they had not tried to address those two major destinations with the scheme but it kind of throws the London East-West Study out the window as a report as the foundation for your house. I heard nothing more from the Crossrail team until December 2001; every 10 months we go through the cycle again, when I was contacted by Julian Maw. I worked with Julian on the Jubilee Line extension and he was now working for Cross-London Rail Link. He said, "We would be interested in looking at your scheme". I think Julian understood that in today's world you are supposed to look at alternatives, or at least be seen to pretend to look at alternatives, and he invited me in. We had a meeting with Keith Berryman that went on for the better part of a morning about the route through central London and the other ideas that we had presented as to what Crossrail could do, and I am not here to talk about them. Obviously, I would love to explain them but we are here to talk about the route through central London and how or why it should affect Mayfair. They responded. They were interested in studying this further in that they would study the feasibility and the business case. They even paid GB Railways and therefore me to work with them for about six months. I would not say it was a very two-way relationship. I produced a lot of papers saying, "If I was trying to build a railway that could get through Parliament and get funded these are some of the things I would do". They did produce alignment plans and profile drawings. If you go to the next one, that is one of the ones.⁸ It is a very faint drawing but you can see their title block in the corner, "Crossrail Line 1". That is the Embankment Gardens, that is Blackfriars Station, and that is showing the line under the river done by their engineers.⁹ You can see that those stations fit quite nicely between the banks of the river with entrances on either side which come up into what is usually open space. Some of it is parkland, some of it is for the front of the National Theatre; it is for their car park, actually. It might work a lot better to put an entrance there. It was feasible. The feedback from the engineers was that this was feasible. There were not any serious problems they could see, which is the same as Richard Morris had said in his letter, especially if you build this line, and Mr Berryman even said to me that it might be cheaper because as it happens along the river route you intersect the two lines. You do not need quite as many stations; you save one station and that is £300 million or £400 million.

6656. **Mr Pugh-Smith:** So what happened next?

(*Mr Schabas*) I went away on my summer holidays thinking that they were going to be doing computer

modelling of the revenues and so on, because this is how you would know whether being in the river rather than up on Bond Street was better or worse for traffic generation and congestion, and I came back and I had an invitation to meet with Norman Haste, who had just taken over as the Chief Executive of Crossrail. I came into the meeting with Mr Haste and they handed me a letter signed by Mr Berryman, which I think you have as exhibit 7, which frankly came as a bit of a shock because it was completely inconsistent with everything that had been said in the previous six months. First of all they said that the river route was not really feasible because there would be serious environmental problems with cofferdams. Actually, the cofferdam in front of Blackfriars Street was their idea. That provided a work site and a nice straight section of the river with a new embankment wall in front of the Tate Modern where the engineers said, "This is great. We can take barges there to take the dirt out and not cause a disruption in Spitalfields or anything like that", but here was Mr Berryman turning round and using it as an argument for not building the scheme. He also said there would be problems with vent shafts in or adjacent to the royal parks.¹⁰ I think that with the Crossrail scheme before you put vent shafts in the royal parks; there is no route through central London that does not have them. Those did not seem to me to be a reason to reject this. They also said that they were not going to bother modelling the schemes and in that meeting I think it was Mr Haste, and I think Mr Berryman may have been out of the room, said to me, "Look: I have been appointed to this job. They want me to get it built. I have not got the time or money to look at alternatives". Frankly, I was shocked to hear him saying this because he obviously had money and he had plenty of time too, and I knew he had plenty of time; this was four years ago. I followed that up with a brief letter on 4 October, exhibit 8, seeking clarification on some points. Mr Berryman responded with exhibit 9. He said, "I do not wish this to be the start of a long correspondence on the subject", which was basically slamming the door in our face and not offering to provide any more information, because I asked questions about the statements made in the letter: how had he come to this conclusion, could he prove it? In 2005 under the Superlink hat, which I now wear sometimes, we asked them under the Freedom of Information Act for some of the evidence to support the claims in his letter, including the cost estimate. They said that the route would cost two to three times as much. The cost estimate which you have in exhibit 10 shows quite clearly that the river route from Paddington to Canary Wharf would be £3.6 billion, which I think is roughly the same, maybe slightly cheaper, than the safeguarded route.

6657. **Mr Binley:** Could you heighten that so that we can see it better?

⁸ Committee Ref: A80, River Route—Charing Cross (WESTCC-32605-045).

⁹ Committee Ref: A80, River Route—Blackfriars (WESTCC-32605-046).

¹⁰ Committee Ref: A80, Correspondence from Crossrail to GB Railways Group plc, 30 September 2002 (WESTCC-32605-047).

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(Mr Schabas) You have the letter in the exhibits too, exhibit 7. Exhibit 7 is the first one from Mr Berryman when he says it is too expensive, three times the price. It is funny that in the next letter he wrote back and said it was twice the price.

6658. **Mr Pugh-Smith:** Mr Schabas, can I stop you there? It is in the larger bundle, sir. Mr Schabas, can we come back to the position where you left off? You were told under the Freedom of Information Act that the cost would be about £3.6 billion.

(Mr Schabas) Yes.

6659. You were telling the Committee that it would be no more expensive and possibly cheaper than the safeguarded route.

(Mr Schabas) Yes, that is right, and we also made suggestions as to how they could serve Heathrow, how they could serve Terminal 5, which they are not doing, and how they could serve Stansted, but nothing came of it. I was in a difficult position. I was a director of GB Railways; we were a franchise-holder from the Strategic Rail Authority, which was a part owner of the Cross London Rail Link scheme at the time and so I could not rock the boat too much and quite frankly I had to back off. I said, "It is not my problem but I think you should be listening because I am trying to help".

6660. In addition to the river route can we now turn to see if there are any other feasible alternatives shown on the line through central London?

(Mr Schabas) Sure. In 2004 I was again in a position where I could take an interest in this and I was one of the people who formed the group called Superlink with John Prideaux, who had been Chairman of the Channel Tunnel Rail Link project, Chris Stokes, who is Deputy Director of Network South East. He was the British Rail person in charge of Crossrail back in the 1988 scheme. The three of us got together as well as some other people and said, "We want to see Crossrail built. How can we help?", whether it was to help them to help themselves, but there must be an easier way through London, a better way through London and something that has a better business case. And with respect to central London we could see that there were clear advantages to the river route in terms of reducing environmental impacts and property impacts and petitioners, but that there was also maybe another route that had not been looked at sensibly, because again they had taken something that had been done in 1988 in six weeks and just stuck with it. In particular, if you go to slide 17, from my experience of planning several railways this is a list of some of the main things you take into account when you are taking a route for a railway.¹¹ It should be something you can build. Preferably you do not have to go through deep pile foundations, but if you had to go through one or two you would be willing to pay that price as the rest of the route was very good. You wanted, in this case, the West End, the City and Docklands to interchange with other underground and national

and international rail lines. Remember, the Channel Tunnel was not open in 1988, and then it went to Waterloo for a while but now it is going to King's Cross. You want to design stations in locations where you do not make surface congestion, not just cars and buses but also pedestrians, and minimise the constructions impacts, and you have a lot of trade-offs to make between these, and you have £150 million, among other things, to do the kind of analysis to evaluate these alternatives, and the word "evaluation" is important because it implies—I did not study Latin but it implies some numbers, some modelling. We have quite sophisticated computer modelling in this country which allows us to analyse whether that route or this route is going to generate more people and save more time. If you go to the next slide, there is the river route and there is the safeguarded route through the centre of that.¹² The red line is another route that we came up with. We do not have any engineering on this. Superlink does not have the budget of the kind they have, but we said, "Now that the Post Office tube is closed there is probably no reason you could not stay on the north side of Oxford Street running roughly under Wimpole Street. You could then have the station at Cavendish Square". Cavendish Square has an underground car park and it is a terrible underground car park because it was built when people had Austin Morris. The spaces are very small, but it is a great site to build a station. It is twice the size of Hanover Square. There are no mature trees because they were all taken out when they built the car park, and it has few historic buildings. It is also on the north side of Oxford Street and that much closer up the Euston Road so you can get trucks up on to the trunk road system with less disruption and without them running past the American Embassy. You can also, at Cavendish Square, probably connect both to Bond Street and to Oxford Circus stations. As you know, at Oxford Circus station the Bakerloo and Victoria line platforms have their entrances mostly at the south end, not at the north end, and that is why Crossrail could not connect into the Victoria line in the current alignment, but if they had stayed on the north side of Oxford Street they could. The second thing we said was what we would really like to do is to connect with the national rail network because this is massively important. There is a billion pounds a year of passenger rail revenue that comes into the King's Cross, Euston and St Pancras areas, and I am sure many people use those trains regularly. Not only is there a billion pounds' worth of revenue a year but if Crossrail connected those terminals with Heathrow, with Stansted, with Canary Wharf and with Reading, national rail would benefit, probably with an increase of about £100 million a year in passenger revenue. That is a very big amount of money in the railway industry.

6661. Of course, I had never thought of it before, John Prideaux thought of this, and he used to run Intercity, he was the one who brought it up to be

¹¹ Committee Ref: A80, Route Selection Criteria (WESTCC-32605-050).

¹² Committee Ref: A80, Northern Alternative (WESTCC-32605-051).

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without subsidy in 1990, you may recall. If Crossrail is truly to cross the capital and connect the UK—which I think Mr Gambrell uses in his slogan, and it is a great slogan but it is not true in this current scheme—it has to go via King's Cross, Euston and St Pancras. We do not know the engineering from Cavendish Square up to King's Cross, you can do anything for a price, it might require moving some deep pile foundation. We do know there is a station location safeguarded right in front of King's Cross for Crossrail Line 2, Chelsea-Hackney it used to be called. There is a place for a station. We also know one of the main reasons they want to build Chelsea-Hackney in Crossrail Line 2 is because there is massive congestion, some of the worst congestion on the tube, from King's Cross and Euston down to the West End.

6662. If you swung Crossrail up there and back down again you might not have this problem—you would not have this problem. Given the difficulties in funding Crossrail Line 1 it might be a good idea to solve some of the problems of Crossrail Line 2 while you are at it. The line could then swing back down and rejoin the safeguarded route through Liverpool Street. It is a bit of detour but I am not sure it is no more of a detour than they are doing to go to Whitechapel and back into Canary Wharf. Why they are going to Whitechapel is a bit of a mystery for some people. The business case for going to Shenfield has evaporated. Chris Stokes, part of the Superlink team, was involved in the original selection of Shenfield. We have taken apart Cross London Rail Link's business case for it. We have done quantitative analysis with numbers we got from Freedom of Information and the business case does not stack up so they should just dropt the Shenfield branch and then you do not need to go to Whitechapel. The money you would save from that would—This might not be any more expensive than the safeguarded route and would certainly generate masses of extra revenue on the Intercity network.

6663. The Cross London Rail Link is a London-led project and their models do not take account of the Intercity revenues, I think that is correct. They take account of commuter rail revenues but they take no account of generation on the national rail system and to me that is a major flaw in the methodology. As I said, as far as I know they have never bothered to model pedestrian passenger circulation. The statement that the stations in front of Charing Cross, Blackfriars and London Bridge are not convenient without any analysis to back it up is a worthless statement to me.

6664. **Mr Pugh-Smith:** Mr Schabas, if we have on the screen to assist you, the three identified alternatives—the northern route, the river route and safeguarded route—could you explain to the Committee the way in which you understand these alternatives being treated?¹³

(Mr Schabas) We presented, as Superlink, our proposals to the Department for Transport in July 2004 with a lot of proposals from Superlink but also saying there seemed to be three routes through the centre that needed to be evaluated and that had not been done. Initially we had quite a cordial, even friendly, reception from the Department for Transport but clearly there was a political will to move forward regardless of the process and about two weeks later the so-called Montague Report was published.

6665. I should just back up. The thing about the alternatives analysis is it is not rocket science. Mr Gambrell was involved in the Channel Tunnel Rail Link project with me and John Prideaux and we looked at hundreds of alternatives between Folkestone and London, including many different alternative locations. It took two years and it probably did cost £50 million but we ended up with a scheme that although it did not sail through, it got a pretty smooth ride through Parliament and it has now been funded and built. I could not understand why they had skipped this process and I could not understand when, indeed, the civil servants, some of the ones involved in Crossrail were involved in the Channel Tunnel Rail Link. It was a surprise to me when they decided to release the Montague Report with a statement that the Montague Report endorsed the scheme and they were now going to put a Hybrid Bill in before the end of the current parliamentary session.

6666. That seemed to be a very hasty way to move, also because the Montague Report did not exactly give a resounding endorsement of the project. If we go to the next slide Montague, in his report, said: "... while there are no pivotal problems, the aggregation of the concerns noted . . . creates significant uncertainty.¹⁴ Some of these concerns reflect the still preliminary development of the scheme, and could be expected to be resolved in time, but others are and will remain more enduring objections Accordingly, as matters stand, the Review cannot confirm the deliverability of the CLRL Business Case." This was very surprising because this was released at the same time that they announced, "That's great, let's go on and build it", because clearly he is not saying that you can do that, he is saying, "There's lots to figure out still, guys".

6667. Superlink wrote to Mike Fuhr at the Department for Transport who was the person in charge of the Channel Tunnel Rail Link Bill as well, as Bernard knows him well, and we said there were a lot of questions in the Montague Report, and I have only touched on them here but there were many questions that his report raised about the business case, about the feasibility, the engineering, even down to how many trains an hour you could run through the middle of it. We got no response. We sent the letter 20 October and we got no response. We did get a response from Adrian Montague very

¹³ Committee Ref: A80, Three identified alternative routes (WESTCC-32605-053).

¹⁴ Committee Ref: A80, Montague Conclusions, July 2004 (WESTCC-32605-055).

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quickly. He had been appointed as Chairman of CLRL by this point and he came back and said: "My mandate is very much to press ahead with this scheme . . . I really have no locus to consider alternatives."¹⁵ I think that is probably correct, that was probably what he was told to do. It does not seem to me to be the correct instrument for him in a statutory process affecting individuals and the future of London.

6668. We then decided to publish the Superlink proposals. We were accused of being too late, which was something we did not want to respond to directly but clearly the proposals had been fed to an uninterested Cross London Rail Link over the previous years. We were not too late, they were just refusing to listen. Finally we decided to publish them in public.

6669. In February the Government introduced the Crossrail Bill and published the Environmental Statement and Mr Derek Twigg stated, and it says in the Environmental Statement in response to a question in Parliament that CLRL had evaluated and rejected the Superlink proposals, and he used the word "evaluated". He probably thought they had evaluated it but we had not seen any evidence of anything that could be called evaluation.

6670. Cross London Rail Link followed up in May with a report called the Super-Crossrail and Superlink update report, which was their attempt to justify their thinking—a bit late—that they put forward in the Environmental Statement. The update report has nothing in it that could be described as analysis, it is 25 pages of unsupported assertions. There are no numbers in it, no comparison with the Crossrail scheme, they just say, for instance, that it will have problems building it, as if Crossrail has no problems. They note that it will be difficult to have worksites on the river. There is no analysis in there to say whether it is easier to have a worksite at Hanover Square or Bethnal Green or Spitalfields than in the river, it is stating basically they did not like it, they had their scheme, they did not need another scheme and it would complicate life to look at another scheme. We presented a detailed word by word rebuttal, paragraph by paragraph, and you have that in your exhibits if you are looking for something to read. It would have been good to read it over the holidays. Basically paragraph by paragraph rebuttal of unsupported statements by them, every one of them.

6671. **Mr Pugh-Smith:** Mr Schabas, what are the main points that you would like the Committee Members to dwell upon?

(Mr Schabas) We think they have been in a great hurry and they need to slow down. This scheme has already cost £150 million and they are no closer to funding it, nobody has any idea how they are going to come up with £10 billion. They are causing a

disruption to people's lives, to their homes, to businesses. They have blighted many people. They have not addressed the issues we have raised. London has changed enormously since 1988 and the London East-West study is frankly a joke. They need to go back and comply with the law and with good planning practice, quite frankly. They need to go and study alternatives with taking constructive advice and input from people like Superlink and the Mayfair Residents. It is *déjà vu*, it is frankly a tragedy because if they had done this from 2000 for the last six years and been open-minded instead of saying, "We do not have time to look at alternatives, we are going to start building in two years", they might now have a scheme that was funded, that was better value for money, that had public support, that did indeed cross the capital and connect the UK and maybe did not mess up Mayfair. It may well be the safeguarded route is the best route through Central London, I do not know, but they do not know either. This work will take a few months, it will require a few million pounds, but it is money that needs to be spent. A proper analysis consistent with law and good practice is required before we spend this kind of money. We need to know for sure. Thank you.¹⁶

6672. **Mr Pugh-Smith:** Thank you very much, Mr Schabas.

6673. **Chairman:** Ms Lieven?

6674. **Ms Lieven:** Sir, as I indicated last time we met, I have no questions for this witness. It is our view that these matters go to the principle of the Bill and we dealt in the information papers I referred to in opening and I will refer to in closing as to why we have chosen this alignment. I am not going to waste the Committee's time by an extended cross-examination about the merits of our alignment.

Examined by the Committee

6675. **Mr Binley:** I understand, Chairman, why counsel for the Promoters would say what they have just said, however the taxpayer has to be fully aware that the decisions arrived at are right and proper, that politics has to be seen to be done as well as be done, quite frankly. This raises some particular questions from me. The 18 billion, Mr Schabas, were there any figures at all that you were given which suggested the evaluation of your scheme should be twice as much as the evaluation of the route being proposed?

(Mr Schabas) Not at the time. They refused to give us any more numbers. He said three times and in the follow-up letter he said maybe only two times. We did get a break down in 2005 under Freedom of Information as to how they got 18 billion. The 18 billion we got last year. I think you have that in your exhibits. It is exhibit 10.¹⁷ It is one page and a

¹⁵ Committee Ref: A80, Correspondence from Chairman of CLRL to Chairman of Superlink Ltd, 27 October 2004 (WESTCC-32605-056).

¹⁶ Committee Ref: A80, Mr Schabas' Conclusions (WESTCC-32605-057).

¹⁷ Committee Ref: A80, Correspondence from Crossrail to GB Railways Group plc, 30 September 2002 (WESTCC-32605-047).

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spreadsheet. I should explain the 18 billion was for the entire Superlink scheme which includes branches at Stansted, through Terminal 5 and so on. We have also said that Superlink as a whole was 25 per cent more than Crossrail, we never said it was cheaper, but we always said that Paddington to Canary Wharf should be similar in price, and this, which they gave to us only in 2005 under Freedom of Information, confirmed that. If you go down to EE Central Area, GB Rail Alignment—

6676. **Mr Binley:** I am getting a little lost.

(Mr Schabas) It would be nice if the pages were numbered.

6677. **Mr Pugh-Smith:** We are looking at exhibit 10 in the big bundle.

6678. **Mr Binley:** Does it have a page number?

6679. **Mr Pugh-Smith:** No. If you look at exhibit ten.

6680. **Mr Binley:** Exhibit 10, yes.

6681. **Mr Pugh-Smith:** There is a one sheet summary. **(Mr Schabas)** This was all they gave us. This was their evaluation that they had done. The key point with the Central London alignment is EE Central Area, GB Rail Alignment, and if you look over to the right you see 3,623,000, which is the same price, it is not three times as much or twice as much, the central area is the same price. The other parts they were arguing were much, much more expensive, the line to Stansted and the line to Heathrow, and we have argued that those numbers are wrong too. As I have said, we do not have an army of engineers behind us, but we have built the Channel Tunnel Rail Link, the Jubilee Line extension and things like that, so we are not completely guessing in the dark. We also thought the 18 billion number was wrong, and I could explain the other lines, but I do not think they are relevant the central London route.

6682. **Mr Binley:** Can I secondly ask, on the letter dated 30 September, which is your Exhibit 7, from Mr Berryman where in paragraph 1 under "Cost", sub-paragraph 2, he says, "Although we accept that it is possible that the benefits and in particular fare box income may be higher than the reference scheme", how does that relate or does it relate in any way to the statement that was made on 16 February 2001 to the effect that the evidence relating to the catchment area would mean that the river route would not attract the catchment and, therefore, I assume the fares that the decided route will?¹⁸

(Mr Schabas) They seem to be contradictory, do they not?

6683. It does seem to be contradictory to me.

(Mr Schabas) I do not think I should be explaining Mr Berryman's letters, but I do not think they are contradictory actually and I can maybe explain on his behalf what he was trying to say.

6684. Perhaps we could at some stage have Mr Berryman and he could tell us what he means by it because these questions are important.

(Mr Schabas) The Superlink differs from Crossrail in two major ways. One way that it differs is that we are not sure that the route from Paddington to Canary Wharf which they have picked is the right one. We are not saying that the river is better or the northern route is better; we are not sure and we do not think they can be sure either. The second difference with Superlink is that we do not go to Shenfield and Maidenhead, but we go to Reading, we go to Milton Keynes, we go to Basingstoke, we go to places where frankly traffic growth is happening. These require some additional bits of railway to be built, not a lot, but a bit, seven or eight miles of tunnels, but tunnels are actually pretty cheap if you do not have stations in them. Those generate the extra revenue. I think what Mr Morris was saying back in 2000 was that under the river you would get less traffic in central London, and I think he may be right, he may be wrong, but the difference is going to be minor. There is going to be different traffic generation. If the route goes under Oxford Street or it goes under the river, it will generate traffic in different ways. What Mr Berryman is admitting here and agreeing with is that if you build the line up to Basingstoke and over to Stansted and Reading, of course you will generate more people and more revenue. He is saying that it will cost £18 billion to do it and that would bring us to Exhibit 10 where he has done some estimates to suggest that they did not, until they got Mr Morris involved and Mr Morris is not here, but until Richard Morris came in, they had nobody in their team who had real rail operational experience, they were engineers, and they added in a lot of costs which do not need to be there.

6685. Can I stay with the same letter and go to section 3 of that letter where Mr Berryman says, "In particular it does not relieve the most grossly overcrowded sections of the rail network which are on the LUL lines". Do you think he is specifically referring to Liverpool Street there in any sense?

(Mr Schabas) I think he is talking through his hat, with all due respect. I do not think he is qualified to say or know and, frankly, without some modelling, he could not really know. Superlink would relieve Liverpool Street very substantially because we are proposing that from Canary Wharf you would then swing up to Shenfield and take trains off the line into Liverpool Street. Half of the people who go to Liverpool Street now walk to work which is why Crossrail linking in Liverpool Street makes life worse for them because people in Romford will find themselves deep underground when they would rather be on the surface and walk to their offices. The

¹⁸ Committee Ref: A80, Correspondence from Crossrail to GB Railways Group plc, 30 September 2002 (WESTCC-32605-047).

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other half are going all over the place and they do not want to go to Liverpool Street and Superlink relieves Liverpool Street in a different way.

6686. On the Liverpool Street one, I need to understand whether you had heard the initial arguments about Liverpool Street where it was felt that the additional capacity, whilst it needed some change, could in the main be taken by the present ticket halls and so forth. Crudely, that was the argument, as I saw it, and yet if this is about Liverpool Street, Mr Berryman is now arguing, or the argument in 2.2 is, that your scheme does not relieve the most grossly overcrowded sections, and that is why I am specifically concerned about Liverpool Street.

(Mr Schabas) I have not read all of the testimony on Liverpool Street, but what we did find under freedom of information was the generation of traffic that Crossrail will bring and what is amazing is that it was much less than they like to claim. Under the Department for Transport's own numbers, Crossrail will increase commuting into central London by 2.5 per cent because, frankly, it is not going to make the journey from Romford or Shenfield much nicer than it is now, so I think it is probably true that at Liverpool Street they will not have a more severe crowding problem because, having spent £10 billion, they will not have many more passengers. It is, therefore, probably right, but in a kind of way which to me damns the whole project and, if that is the case, what is the point?

6687. Early on in 2001 you were told that delay was not required and government pressure was suggesting there should be no delay and that was the inference of the statement you made to us.

(Mr Schabas) Absolutely.

6688. Then in October 2004 Mr Prideaux said, "I really have no locus to consider alternatives".

(Mr Schabas) Mr Montague.

6689. Sorry, yes.

(Mr Schabas) Mr Prideaux is with us.

6690. Yes, Prideaux is your man, my apologies. It is quite confusing stuff, is it not? He says, "I really have no locus to consider alternatives". I will ask later on, but do you think that is the same pressure, that those statements arose from the same pressure to drive this along and your view seems to be that that drive was so important as to suggest that they would not properly look at any alternatives? Is that what your evidence suggests?

(Mr Schabas) Yes, minister!

6691. Not quite! In fact, quite a long way off!

(Mr Schabas) But I think that is exactly what they said.

6692. **Chairman:** Mr Pugh-Smith, before your witness goes, it might be unsatisfactory, the route which has been chosen, but actually it is the instructions you have been given and, in that respect,

counsel is correct. We really cannot approve this in any way, we are not authorised to do that and it is not within our powers.

6693. **Mr Pugh-Smith:** We are not inviting you to do that.

6694. **Chairman:** But the discussion we have had here has been useful because it has informed members of the Committee perhaps why the route which has been chosen is so central to the instructions you have been given, so, in that respect, I am grateful.

6695. **Mr Pugh-Smith:** I am glad it is helpful in that regard, but, as I mentioned in opening on 30 March, there is a more fundamental legal point as well to which I will return in closing and that is the requirement in the Environmental Statement to consider alternatives adequately and we have called Mr Schabas to demonstrate that, in our submission—

6696. **Chairman:** It is well within your remit to challenge that.

6697. **Mr Pugh-Smith:** That is right.

6698. **Mrs James:** From what you are saying, the plan you have been telling us about with all of your rail experience appears to be one that takes in a wider perspective and a longer-term future for rail, because you are talking about the Reading end of things and with us knowing what we poor, long-suffering travellers to south Wales experience on a regular basis, that is a particular pinch-point, so would you see that on the back of this the problems could be addressed with the plan that you are taking?

(Mr Schabas) Yes, it has no difference which route you use through central London, but I think that Reading is another example that it is symptomatic because they were going to terminate at Maidenhead. I asked Cross London Rail because I have some friends in the organisation, "Why are you terminating at Maidenhead? Why don't you go to Reading?" They said, "We have to pay to resign Reading which will cost £150 million". I said, "If you look on their website, Network Rail are actually planning to do that in 2011 anyway, so you don't have to pay for that". It was too late for them to realise this. Instead, if they do terminate at Maidenhead, it will cause real operational difficulties because they will have to run shuttle services as well on the diesel line. They will actually be adding more trains. There is no one solution to trains coming through to Reading and there is no simple solution, but it is symptomatic of them, as I said at the very beginning, being in too much of a hurry, haste makes waste, and they rushed ahead without thinking through all the issues.

6699. **Sir Peter Soulsby:** Mr Schabas, what you have told us, as Ms Lieven has pointed out, does strike at the principle of the Bill and it is clearly beyond the remit of this Committee as given to us by the

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Commons, and I think in the circumstances it is quite right that Ms Lieven chose not to respond to it. Can I just, without putting words in your mouth, try and summarise what it is you have said to us. I think I am right in saying that you are saying to us that we are wasting our time, looking at a particular route, when in a broader sense it is probably not the best value for money, being based on an inadequate consideration of alternatives. I think perhaps you are also saying to us that it is most unlikely that it will ever be funded or built.

(Mr Schabas) Yes, absolutely. It is a great tragedy really.

6700. **Kelvin Hopkins:** I am quite staggered by what we have heard this afternoon. I had made the assumption, naïve though it may be, that all of this is sorted out before and that every possible mind is concentrated on all the alternatives and we come up with the best alternative. What you are suggesting is that this has not been done and this may not be the best alternative.

(Mr Schabas) Correct.

6701. I know a bit about railways myself and I know the Reading argument. Could we not even now say to Network Rail, "It is your job to sort out the signalling at Reading"? I know that Reading is a problem, but are you suggesting also that the reason why the scheme does not go to Reading is because of the cost of resignalling Reading?

(Mr Schabas) Reading is going to be resignalled. The reason it does not go to Reading is because the Cross London Rail Link team has so little understanding of railway operations and the national rail network that they did not know that it was going to be resignalled, so when they went to Network Rail and said, "We want to run to Reading", Network Rail, which is a different organisation, tried it on and said, "Okay, fine, you can run to Reading, but you will have to pay to resignal it and that will cost £150 million". "Well, then we'll stop at Maidenhead". Of course Network Rail was just kidding because they are going to do it anyway, but it is symptomatic of the whole process, that they have not understood the big picture and they have been in too much of a hurry, so they rushed the Bill in terminating at Maidenhead and they found out later that of course Network Rail has got to resignal Reading anyway and once you are resignalling it, it does not make much difference which you will be resignalling it for, so it is not the cost, but just their own inability to understand the network.

6702. If one wants to build the best scheme which is what the country needs, it may just be that it will cost a bit more than an alternative scheme which is not what the country needs. Reading is a major junction and a commuter town and Heathrow Airport, as it would, is linked to CTRL—

(Mr Schabas) Except it does not. They say it does, but it does not. It does in words and they hoped it would, but it never will. It is another thing that does not work.

6703. But Canary Wharf clearly is an international hub. All of these things have not been properly considered, in your view?

(Mr Schabas) That is correct. You have the same on the Shenfield branch where they have never addressed how trains would interact with the freight, with the longer-distance trains, possibly making services worse on both branches. There are ways to find solutions to these problems, but they have only belatedly become aware of them, so instead of seizing opportunities, they are trying to overcome mistakes they have already locked themselves into. There is one point on Reading which is worth mentioning. Crossrail, I think, still have on their website something called the 'outline business case' from about two and a half years ago which was what Montague reviewed. They had no branch to Maidenhead either at that point and it went to Kingston-upon-Thames, the Richmond branch, Kingston and Acton. Montague dropped that branch because it cost a lot of money and brought no extra revenue. It was a financial black hole. He added the Reading branch, or rather the Maidenhead branch back in in his study as a kind of last-minute thing and said, "Maybe you should put this one in instead because it makes money", and indeed running to Reading should make the business case better and would probably cost less money and require less subsidy, but that is not something that they have understood. They have always been in a hurry as engineers to find something they could build. With some of these additions, going up to King's Cross will pay for itself quite probably and certainly the one to Reading pays for itself and you get extra money. Those people pay real money. This is not something in the case of the United States and most of Europe where, when you build a railway, it loses money. In Britain, because it costs so much to drive, sometimes you do something that makes money and the Superlink argument was that it would cost 25 per cent more to build to go to all these places, but the subsidy net would be much, much less.

6704. There is a phrase that, "If one wanted to get there, one would not start from here", but we are where we are.

(Mr Schabas) That is true.

6705. **Chairman:** Would you accept that, in the same way you have said that people have not fully examined all the issues, you yourself are not the expert on revenues and it is just an opinion that you are giving today?

(Mr Schabas) No, there is no one person who is an expert, but I have looked at the business case and quite a lot of numbers have now been released from Montague's analysis of different branches.

6706. But you personally have not studied or written that up to say that that should apply and, therefore, it is your opinion that that could make a difference?

(Mr Schabas) That is correct, but the rail industry is actually quite an open organisation once you are inside it. We have passenger and revenue data from

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every station in the country, I have it on my laptop here, and we have a lot of experience. If you provide three services from Reading to central London, we know what that will do to revenue from Reading, like we know what it will do when you provide three services from Shenfield to Tottenham Court Road.

6707. I understand that, but the case being put by Mr Pugh-Smith is that all the options have not been fully examined.

(Mr Schabas) That is right.

6708. Well, I am saying that what you are here telling us is your opinion and you yourself have not actually done any detailed study.

(Mr Schabas) That is right, absolutely.

6709. In the same vein, you have not dismissed either that the route which has been chosen is the best route?

(Mr Schabas) Correct.

6710. You have given alternatives, but you have not dismissed the route which has been chosen?

(Mr Schabas) That is right, and I have told my friends in Mayfair that it may be that the right route is beside the American Embassy, but I do not know.

6711. **Mr Pugh-Smith:** Sir, I think in view of the time, I will spare you re-examination.

The witness withdrew

6712. **Ms Lieven:** Sir, having said so determinedly that I was not going to call a witness and I was not going to cross-examine on this, it is still our clear position that these matters go to the principle of the Bill, but in the light of the concerns raised by certain members of the Committee and their obvious concern, which is not surprising given that they have only heard Mr Schabas' evidence, that we have not considered alternatives properly and this is not the best scheme, both of which we hotly contest, if the Committee so wishes, I am more than happy to call Mr Berryman, obviously after we have heard Mr Winbourne and the Mayfair residents have completed their case, in order to explain why, on those two key points, which is the degree to which we have considered alternatives and why this plainly is the best route in transport planning terms and that this is the right scheme. It does go to the principle of the Bill and it is, strictly speaking, irrelevant to this Committee, but I am obviously not happy on behalf of the Promoters that any member of the Committee should feel that we are promoting this Bill irresponsibly, which is very plainly not the case and the best person to tell you that is Mr Berryman.

6713. **Chairman:** That is very helpful and I think it is probably necessary for Mr Berryman to come and give evidence.

6714. **Ms Lieven:** Certainly, sir. As you know, he is sitting behind me, so he does not have to come far!

6715. **Chairman:** Mr Pugh-Smith, do you wish to call your final witness and then we will call Mr Berryman?

6716. **Mr Pugh-Smith:** Yes, sir. My final witness is Mr Winbourne. Perhaps I could stress again, to save time, that why we have called Mr Winbourne is to explain why the issue of alternatives needs to be looked at holistically, given the legal requirement under the Environmental Assessment Directive and Regulations, but also in the context of dealing with the issue of compensation on which Mr Winbourne is acknowledged as an expert. Without further ado, if I may, I will call Mr Winbourne.

Mr Norman Jack Winbourne, sworn

Examined by **Mr Pugh-Smith**

6717. Mr Winbourne, could you introduce yourself to the Committee?

(Mr Winbourne) My name is Norman Jack Winbourne. I am a consultant of Winbourne Martin French Chartered Surveyors in the City of London. In 1977 I took over the long-established Mayfair practice of Martin French in Bond Street and my office was then with Martin French in Bond Street, I stress. I appear today before the Committee on behalf of the Residents' Society of Mayfair and St James', 'the Society' from now on. Since 1991 I have advised the Society and its predecessor, the Residents' Association of Mayfair, RAM for short. However, my overall compulsory purchase and compensation evidence is also entirely relevant from an all-London viewpoint.

6718. In that regard, Mr Winbourne, for those who do not have a copy of your CV in front of them, you will see that from 1956 when you joined the LCC as a surveyor, continuing your employment with the GLC, in that time and since you have specialised in the selection of sites and buildings for public works, the making of CPOs and payments of compensation claims. You have also studied railway schemes and published some papers on their expropriation attribute, especially the largely out-of-date and confiscatory Victorian compensation regime.

(Mr Winbourne) That is correct, sir, exactly 50 years this month.

6719. Just in terms of routes, because this is something Mr Berryman may touch upon, the Society in its previous emanation, RAM, put forward an alternative alignment. Were you party to those discussions?

(Mr Winbourne) Yes, I was. I do not want to go into what Mr Schabas has done so well this afternoon because, as far as I am concerned, he has done the job on that, except that he has not stressed that since 1991 one of the routes through central London is one which I proposed in outline, the Residents' Association of Mayfair route. This was one for the other side to evaluate. I do not have Mr Schabas' wealth of knowledge and from the very first I had the advice of other people who were civil engineers in

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their own right, originally Dennis Hunt and then Dr Ronald West, who was at one time with British Rail and was an acknowledged rail expert, and unhappily Dr West died suddenly about 18 months ago and left a big hole in our position.

6720. Could we then deal with the issue of the compensation system and some points you wanted to draw to the attention of the Committee please?

(Mr Winbourne) Before I do that, could I just mention the shift in the route which I suggested, and I do not want to go into the details because Mr Schabas has done that, but I did mention the shift in the route, the Wigmore alignment, and that, I respectfully suggest, is not outwith the direction of your Committee.

6721. Could we then turn to the compensation system and the points you want to draw to the attention of members?

(Mr Winbourne) My evidence focuses on two areas. The first is the proper presentation of the gross inadequacies of the compensation system for those affected by the Crossrail scheme, and that includes those who get nothing, which in turn emphasises the importance of considering any reasonable alternative route to the extent that it cuts down on the physical, environmental and financial disruption for people. The second is the significant and welcome improvements that can be made to many London tube stations which would ease pressure on key central London interchanges and which do not require the need for Crossrail and can be done for a fraction of the cost and with very little disruption and/or compensation arising.

6722. Mr Winbourne, because we are quite tight on time, can we just deal with that second point very, very briefly please and, for that purpose, there is a slide.¹⁹ You have highlighted a number of old interchanges where escalators and travelators could be put in—

(Mr Winbourne) That is right.

6723.—as one of the ways in which congestion could be relieved at less cost.

(Mr Winbourne) I have identified a dozen and there are actually 11 in your pack because one got left out, Chairman. I reckon they would cost, though I am no expert on this, but probably under £50 million each, so you are talking in a budget, say, of £500 million which could achieve a terrific amount in terms of better interchanges. They may not all be perfect and it may be that some would be rejected, I accept that, but these are suggestions. What I can say is that linking up with existing stations is used in Paris, but they did it very badly, and I think we would do it very well.

6724. Mr Winbourne, have you seen any analysis of this kind in the Environmental Statement at all?

(Mr Winbourne) None whatever.

6725. Let us turn to compensation please and can we just focus on the particular points please that you want to draw to members' attention this afternoon?²⁰

(Mr Winbourne) In my considered opinion, some of the alleged underlying property valuation assumptions, which have been put forward by some estate agents and economists monotonously in support of the chosen Crossrail alignment, are almost wholly misconceived. Normally, there can be no margin for much increase in the top property values along the route chosen through the City and the West End; they are already at the peak, the highest in Europe. It is often overlooked in planning circles that property values are the most immediate and commonly perceived yardstick of household and business amenity and environmental quality in any given area. It is also not appreciated by most people that a public compensation claim (for property and personal losses similar to liquidated damages) may be a reasonable component in the assessment of the environmental impact, stress and damage, all of those things always provided that every aspect of loss and damage is being addressed. In the case of, say, an intrusive trunk road project, the chance victim will claim a reasonable amount of money which reflects his or her officially inflicted property and other losses. Always provided that he or she is advised expertly, he or she may get a reasonable settlement.

6726. However, the current compensation system in general and where some land interest is taken, and those are called 'Section 7 claims' in the business, is in many ways unfair and inadequate. This leads in most cases to people settling for less, even when they are advised. This is because of the arduous system of claiming which is open to improvement.

6727. The Law Commission, a highly respected body of eminent lawyers, exists to promote legal reform. Recently, after very widely invited consultation, to which I contributed, it reported on the inadequacies of the current compensation system generally in two voluminous, comprehensive and detailed reports, what you would expect from the Law Commission. Regrettably, so far Parliament has not found the primary legislation time to make the recommended and necessary changes. The Compulsory Purchase Association, of which I am its most senior member, is concerned at this delay which has detrimental effects upon the plans of compensating authorities as well as aggravating large numbers of ordinary people and claimants, large and small. Moreover, in my own opinion, many procedures could be improved now through limited and targeted regulatory changes, and I may prepare a paper on that. I should say, sir, that the Compulsory Purchase Association of course includes people from the official side as well as people like myself in private practice, so it is not one-sided in its view.

¹⁹ Committee Ref: A80, Tube Interchanges (WESTCC-32605-059 to 061).

²⁰ Committee Ref: A80, The Inadequacy of Compensation (WESTCC-32605-058).

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6728. **Mr Pugh-Smith:** Mr Winbourne, you have looked at the information paper the Promoters have provided, C2, on compensation. Have you some comments to make on that?

(*Mr Winbourne*) I have reviewed information paper CT2 contained in the Promoters' rebuttal document which purports to explain to lay people the existing system for providing compensation for expropriation. That is what it is and that is what it is called in other countries. All in all, the C2 paper obfuscates the grim realities, instead of explaining them straightforwardly. I cannot possibly agree with the bland statement in the paper that "in general the Compensation Code is appropriate for application to the Crossrail project". It is poor enough for any surface railway project within its published limits of deviation, let alone Crossrail below ground, which is the very worst, as it is offered now.

6729. Consultations have been confined to hypothetical surface limits of deviation, as shown on the plans of the 'safeguarded route' since 1991. What are not shown on plans are much wider outer zones of subterranean caution, as contained in an unpublished annex. Taken together, those zones are up to a quarter of a mile wide under central London and likely to affect countless building insurance policies. I do not exaggerate, Chairman. At stations, that is the width we are looking at, on their own figures. They talk of 144 metres either side in this annex to the safeguarded route which is, I am sure, in the library of this House.

6730. There is no written-down 'Compensation Code', as the rebuttal document suggests. The general compensation system is an arcane one based upon legislation well over 150 years old and a large body of complex case law since then. Indeed in document C2, quoted compensation cases are referred to in footnotes, but without recent update. Under Victorian rules, as re-enacted in the Compulsory Purchase Act 1965, so that is 40 years old, there is an unfair disparity in treatment even for general, non-railway compensation, as between ordinary compensation for a road, a housing scheme, what-have-you, but not a railway scheme, as between those whose land is being compulsorily purchased where they take your property, Section 7 claims, and certain others where no land interest is taken from them, Section 10 claims, but I have sat in this room and heard the CBI worrying about this, and I just refer to that in passing. Sir Digby Jones was quite eloquent, I listened to what he had to say and I agreed with every word.

6731. Where any land interest whatsoever is taken from the claimant, fuller compensation is payable, not only for the value of the interest in land as such, but also for contingent claims, such as for consequential business or residential disturbance, the cost of moving or whatever, and sometimes for collateral losses incurred at other properties of the claimant, and in the trade that is called 'lands held with', where you might have a house here and your garage is affected or the other way around.

6732. However, during public works where no land interest is taken from the claimant, compensation is restricted in scope to provable injurious affection, effectively limited to otherwise actionable nuisances arising from the actual construction of the public works, and those are Section 10 claims. Furthermore, Section 10 confines any compensation to reductions of property values. In other words, you will get whatever it costs in the lowering of your property value, but you will not get anything else, no consequential losses. It cuts out any claims for residential or business disturbance as "parasitic", and that is in the judgment of Lord Hoffman in *Wildtree Hotels v Harrow*, House of Lords 2001, which is in the footnotes of C2 and it is the leading case on this matter and, as you will appreciate, it is recent. He quotes all the Victorian railway cases as precedent in connection with that particular hotel which was to do with a road next door to it, but precedents are all railway precedents and this is quite important. The doctrine was confirmed and slightly extended by the President of the Lands Tribunal and upheld by Lord Justice Carnwath and the other judges in *Ocean Leisure v Westminster City Council*, Court of Appeal 2005, where my firm advised the successful claimant, and that was my son James Winbourne whom you saw on a previous Petition.

6733. After a scheme is completed, such as an airport, road or railway, claims for noise and other nuisances from its later use may lie under Part 1 of the Land Compensation Act 1973. If part only of a property is taken, the ordinary surface claimant may opt for 'material detriment' protection. Suppose they are widening the road and taking your front garden, you can claim that they should take the entire house. You can do that by notifying in advance and demanding that the acquiring authority should take the whole property with all attendant claim items, which comes under Section 8. Unfortunately, where subsoil is to be taken, ie for Crossrail, the claimant may not be alert enough to notify in advance, and that is the position I have in a current sewerage case in Hull. Meanwhile and singularly for rail tunnelling and other rail works in subsoil, material detriment cases are ruled out and, in particular, so are contingent business and residential disturbance claims, as being parasitic.

6734. **Mr Pugh-Smith:** Can we turn specifically to the way in which the compensation system applies to underground railways?

(*Mr Winbourne*) As to underground railways, the compensation system has always been more restrictive and oppressive. With tunnelling and for stations, subterranean engineering and manual mining work, and stations are all dug out by hand by the way, compensation for structural settlements, et cetera, is payable only for consequential building repairs, and that is all you get, of provable building damage, and I stress 'provable', but nothing more. It resembles repairs payments for coal mining subsidence, and I have written an article on this called 'Blight in the Tunnel' in 2002 and I have some copies here if anyone wants them. That incidentally

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includes a satellite image of the lowering of the land level all over London caused by the Jubilee Line extension which was widely published, and Crossrail is four times as big. For example, even if tunnelling causes differential settlements and the walls to crack or there is serious noise and vibration and people and firms have to cease operations for long periods or even permanently, and there is a recording studio which I will come to later, they are not reimbursed a penny beyond the cost of building repairs related directly to the scheme. Non-rail compulsory purchase schemes do not benefit from these additional privileged financial advantages over direct claims. These privileges are allocated only to railways in the UK and only under Victorian-based adopted general Acts. The Crossrail Bill does not have to adopt them.

6735. Other European countries are not so restrictive in their expropriation codes. I understand from two reinsurance underwriters, one of whom is a relative of my wife, and our client that for previous schemes of major rail tunnelling in Europe, compensation was made available for full consequential loss, including disturbance, from the construction of both the Rome and Barcelona metro systems, and there will be others, I feel sure. As to structural settlements, dust and muck, noise and vibration, I am deeply concerned to see repeated Crossrail evidence that “all was always well for the JLE” and, therefore, Crossrail too will be all right. The Crossrail evidence skates over the far more severe environmental and physical impacts of the much bigger overall size of Crossrail engineering—a full-size railway the same as the Channel Tunnel Rail Link. The outline stations in sprayed concrete caverns will be four times as big as the JLE and likewise the several almost unmentioned emergency intervention points (or EIPs) on Crossrail’s evidence they simply call them shafts but they are stations. The twin Crossrail tunnels will have bore-faced areas of some 50 square metres each, compared to only some—I have got 20 square metres but I think it is a little more; it is in the 20s anyway. The tunnelling shot ways themselves and the consequential damage will increase exponentially; it is not just twice or two-and-a-half times because it is two-and-a-half times in diameter. Well beyond any crude 2.5:1 ratio. However, what is worse is the playing down (I have only seen it once or twice in the evidence I have been able to look at that has gone before) of prolonged cases of essential but disruptive compensation grouting for up to 18 months each. We have had evidence on compensation with Professor Meyer, with illustrations which I have seen, and it refers somewhere, I think, to 18 months of grouting. It did not say it for the JLE but it happened in a lot of other places too, one of which I have been concerned with directly and heard the result personally. Finally, that there are no serious structural settlements or attendant vibration problems arose from the JLE; as to the absence of any recording studios, I have read the Petition of Mercury Theatres, thereby overlooking the Stock cases which I was called in to review.

6736. The Stock cases?

(*Mr Winbourne*) The Stock cases. We are well aware of cases from the construction of the Jubilee Line Extension. I am sorry. There were largely uncompensated heavy damage claims from Mike Stock (that is Mr Stock of Stock Aitken and Waterman, the well-known composer of the 1980s) of Mike Stock Recording Studios which is at 100 Union Street Southwark SE1. I would mention the building is still standing—and I bet you can still hear it—adjoining the large Jubilee Line Extension Wardens Grove emergency intervention point. Right next door the ghost station. So far as I know, that is the only EIP in London but it is only a quarter of the size of any Crossrail EIPs. It could be inspected, nevertheless I mention it.

6737. Mr Winbourne, can we turn to the solution to these concerns in terms of what the Committee can recommend?

(*Mr Winbourne*) The ideal solution would be for Parliament to find the legislative time to implement the recommendations of the Law Commission, which has recognised the need for reform, to ensure that appropriate compensation can be paid in all foreseeable cases. I recognise that this is unlikely to happen in time to benefit those who suffer from the Crossrail construction, but it does emphasise the importance of, firstly, considering alternative routes (as Mr Schabas said) which will not affect adversely as many people during the construction process or permanently thereafter. Attention should be paid to everyone who suffers, including those cut out of claiming. This is my standpoint, as a compensation surveyor. The route should take this into account very much so. I do not believe they have even considered it. Secondly, to look for the lowest overall costs; both in terms of engineering and compensation payable to those adversely affected, whilst at the same time also considering the interests of those ordinary people who are unable to make a claim at all—whether they are high or low in the social and financial scale. This is not only to save public and private money but also to make for the least environmental impact levels. Thirdly, it is important that those who need to claim compensation have a single clear-cut and compulsorily identified legal entity (this is most important), preferably the Promoter itself, against which to make all claims and obtain direct payment. The carefully worded Crossrail responses would avoid such direct “lead” responsibility. I have read the evidence being put to other Petitions and I am horrified to see that they are trying to pass the buck down the line. Unlike the acquiring and compensating authority in any ordinary CPO, Crossrail appears to be trying to pass the buck down the construction chain. I am well aware of cases, from the construction of the Jubilee Line Extension (JLE), where the lack of, or breaking down of, any single identifiable entity, against which to enforce claims, caused significant hardship to claimants. This arose from my careful dealing with all the work on the Stock case and I only came on it later but I

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have a pile of papers this high in my office in relation to the case which was partly settled and may still be outstanding.

6738. **Mr Pugh-Smith:** Thank you very much, Mr Winbourne. That is all I need to ask you.

Cross-examined by **Ms Lieven**

6739. **Ms Lieven:** Just one point, sir, that I want to clarify, just so we can respond and understand Mr Winbourne's case. So far as your last point is concerned, Mr Winbourne, and compensation, compensation is payable under the Bill by the Secretary of State. Is it not?

(Mr Winbourne) What I am saying is that the way I read—and I might have it wrong, Mr Chairman, but I do not think so—the responses of Mr Colin Smith in evidence previously, he refers, when dealing with some of the people at Shenfield but it does not matter whether it is Shenfield or anywhere else, that they would look at it in the same way as if it were an ordinary developer—which is wrong—which is at variance with the decision in Ocean Leisure, which is left out of your C2 paper. Secondly, he indicates (I cannot remember the words but I have got it here) something to the effect that it implies the contractor will deal with it. I think that is all wrong. What you must have is a decent compensation set-up, whether it is for Crossrail or anywhere else, where the authority pays. If they have to sue the contractor or sue the architect or sue the engineer, that is their problem. They are the paymaster and it should not have to pass down the line from the contractors to sub-contractors, to the professional advisers and, behind them, their indemnity people and, behind them, a bunch of other lawyers. That is the team that turned up, as far as I can see from the papers in my office, to deal with Mr Stock.

6740. **Ms Lieven:** Thank you, sir. I can deal with that in my closing.

6741. **Chairman:** Mr Pugh-Smith, do you want to re-examine?

6742. **Mr Pugh-Smith:** No, thank you, sir.

6743. **Chairman:** Mr Winbourne, thank you very much. Before you leave, I want to thank you because we have had previous evidence and I think that gives a balanced view when we come to the time to have a look at your Petition.

(Mr Winbourne) I should say, sir, that I have done a précis of my answers to C2, if the Committee is minded to have it. Counsel has got it but I do not want to take up any more time today.

6744. **Chairman:** That would be helpful. Thank you very much.

The witness withdrew

6745. **Mr Pugh-Smith:** That is my evidence.

6746. **Ms Lieven:** I will directly call Mr Berryman.

Mr Keith Berryman, recalled

Examined by **Ms Lieven**

6747. **Chairman:** Before you start, Ms Lieven, we have managed to negotiate an extension to the Committee today to five o'clock, if necessary. The stenographers are here and willing to work on yet again, but that is not to say we cannot finish before five o'clock.

6748. **Ms Lieven:** We will do our best. Mr Berryman, the Committee has just heard the evidence of Mr Schabas. Can you explain to the Committee, first of all, what consideration of alternative routes there was in the development of this scheme as a generality, and then turn to the two specific alternatives which Mr Schabas gave evidence on: that is the river route and the northern alignment?

(Mr Berryman) During the development of the scheme after Cross London Rail Links Limited was set up the first thing we did was to re-examine the work that had been done previously in the 1980s on possible alignments and which we also briefly covered during the new East-West London Study. We identified a number of factors which I think merited an explanation. First of all, the fact that an alignment had been safeguarded since the 1980s meant that no new buildings had been constructed on that alignment during that period. Moreover, some of the sites which had been reserved as stations had been identified as sites of surface interest, so no development at all had taken place on those sites during that period. The conclusion of the LEWS study was that there should be a period of project definition—that is actually deciding in detailed terms what the route should be across London. The conclusion was that a line similar to Crossrail should be built but it did not go into very specific details. Having said that, the Crossrail alignment was used for comparison purposes from the beginning. The two alignments which we looked at in detail in the early 2000s are shown on this plan.²¹ Line C is the river route, which Mr Schabas has explained and I will come back to in a minute; Line B was an alignment proposed by the residents association of Mayfair but is actually somewhat different from the alignment which Mr Schabas put up, although some of the points are common to both. Clearly, when we were given these potential alignments to look at it was not in a much more developed form than you see in front of you—in other words, a very long way away from being something which could be appraised properly. So the first thing we had to do was to design these alignments in detail, and we did that using consultant engineers—Mott MacDonald—which Mr Schabas is familiar with as

²¹ Central London Route Options, Crossrail Environmental Statement, Chapter 6, p 117. (SCN-20060418-001).

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well. We had two firms involved, Mott MacDonald and another firm called Parsons which is a very respected engineering consultancy. We spent about four or five months looking at each of these routes and spent on consultants over a quarter of a million on each route, and my own staff time (I do not mean me personally, I mean people who work for me) probably another quarter of a million on each route. So there have been substantial pieces of work done to evaluate if they could be built. The river route is clear of buildings, obviously. It is not clear of bridges—there are a number of obstructions in the way which are rather more intrusive than you might expect—and there are also a number of existing underground tunnels which cross the river, so we have to look below in order to find a suitable alignment. The difficulties with the river route, from a construction perspective, really depend on the stations and the intervention shafts which are required. As you have heard in evidence already, we need to provide intervention shafts for the fire brigade at one kilometre intervals and if you are under the river it is quite difficult to provide an easy, accessible direct entrance into the tunnels. It is possible but it is not easy and it closes the centres of the shafts that you have to put in because you have to allow the distance for the firemen to get from the surface to the tunnel before they can start going along the tunnel. It means you have to put the shafts a bit closer together. Having said that, the cost of the river route would probably not be very much different from the cost of the route that we have chosen. In fact, it might be cheaper because there are fewer stations. But if you carry that argument to its logical extreme, the cheapest line of all would have no stations. The stations are essential for people to get on and off the trains. The problem with the river route in terms of passenger numbers is that the corridor on which you will be relying for your walk-on passengers, which is perhaps half a kilometre wide, or half a kilometre on each side of the station, half of that space is taken up by the river because there are obviously no buildings, and the buildings to the north of the river back on to the river rather than facing it. So there are issues there around how people will be distributed from the stations. The other site that was suggested was in Park Lane for a possible station with access to the West End. Park Lane is very non-central to the West End and all the space on one side of the station would be park, Hyde Park, and so there would be no walk-on catchment from that side of that station. The walk-on catchment from all stations on this proposed route would be very significantly reduced from that which has been adopted. On the northern alignment, as I say, the alignment we examined was slightly different from the one Mr Schabas put up on the board. We examined walk-through to Baker Street rather than coming down further south towards Bond Street. We found that that alignment first of all was no simpler to construct. In fact, I think there were environmental problems, but performed very much less well in terms of passenger numbers simply because the areas that people are really wanting to get to are in that Oxford Street, Tottenham

Court Road, Bond Street area. There are many destinations for leisure as well as for employment in that area which people need to get to. We came to the conclusion that the route selected in the early nineties was still probably the most appropriate route of the ones that we had examined. We had a look around for variations on these routes. You very quickly get into problems with tall buildings which have deep foundations, particularly in the City area. The way that we have got over that to get to the City is from Liverpool Street to Farringdon we propose to go underneath the existing railway line and the corridor is already occupied by Thameslink and the Metropolitan line. What the northern route does is follow that alignment round all the way up to King's Cross. It is difficult to find another route which would be able to do that so easily. It is not impossible, but it takes people away from the areas where the biggest walk-on catchments exist and it is really walk-on catchment we are looking at for the stations there. The alignment proposed, alignment B on there, brought further south to Cavendish Square, which Mr Schabas proposed, was a late entry, you might say. We had in this case, I have to say, a fairly brief examination of it and decided that we could not really see what the advantages were in terms of getting people to their places of work and entertainment and therefore we did not take it any further.

6749. **Chairman:** What you are saying is that there has been examination of a number of different options?

(*Mr Berryman*) Oh yes.

6750. Which is contrary to what we heard a little earlier.

(*Mr Berryman*) Yes. I can tell you that there has been a lot of examination of options.

6751. What about the particular route? There is some cross-matching of what is here and what was in the new proposal. Clearly, you have had a look at those also, but it was largely on the evidence which we have previously taken that you stick with the route which was agreed? Is that a fair summary?

(*Mr Berryman*) That is a reasonably fair summary, yes. There are always local variations that are possible but you need also to bear in mind that some of the sites on the route have been reserved for occupation for Crossrail for a number of years. The landowners are well aware of those sites. It would be quite difficult to come at a late stage and say, "We were going to take that building out but we are going to take this building out instead", particularly if the developer had based his plans on what we had originally proposed, and, of course, what we had originally proposed was covered by the safeguarding direction.

6752. **Ms Lieven:** Going back to the generality of the appraisal, Mr Berryman, were the alternatives appraised in a manner consistent with the appraisal of the Crossrail preferred route?

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(Mr Berryman) Yes, they were. They used the approach to appraisal, the name of which escapes me but which has been used for all alternatives considered in the scheme. I have to say that we are only talking about the central section. Many different alternatives were considered for the outer sections of the railway but it is considerably different from that which was brought forward in 1992.

6753. Can we just stay with the two central section alternatives for the moment and I will come to one question about the other alternatives? So far as the river route is concerned, were there any particular engineering problems with constructing stations in the river?

(Mr Berryman) Yes. There are two or three particular issues that it is worth bearing in mind. It is true that if you go deep below the river the clay or ground is just as competent as it is on either side of the river, but there are obviously special problems in making shafts and things like that in a river which do not occur when you are on dry land, and in particular constructing stations, the entrances to the stations and the ventilation structures would require significant cofferdams to be in the river. Cofferdams in the river are not impossible if you remember the Millennium Bridge which was constructed recently. The foundations of that were in cofferdams, but the size of cofferdams that we would need for the kinds of structures we are talking about here would be very substantial. We took it as far as having discussions with the appropriate authority, which I think is the Environment Agency, although one of my staff had them and he unfortunately is not here today. The Environment Agency were not terribly supportive of this proposal, in particular the possibility of building cofferdams under the river. In fact, when I say they were not particularly supportive, they were quite strongly opposed to it.

6754. So far as the transport case for the river option is concerned, what would the river option do first of all in terms of reducing overcrowding on the Central line, and secondly in terms of the Northern line?

(Mr Berryman) First of all, it does not reduce congestion on the Central line for obvious reasons. It is going to a different place. The other thing it did was increase the amount of traffic on the north-south links. People's ultimate destinations are generally further north than the river and to get from the river line to their ultimate destination they would have to use a north-south Underground link.

6755. Turning then to the northern alignment, in terms of the transport benefits, what was the balance of advantage between that and the preferred route in terms of passengers and overcrowding relief?

(Mr Berryman) Here again, of course, it does not go to the areas where the biggest demand lies. It goes around the Intercity stations, that is true, but there already is an existing line from the Euston/King's Cross area to the Barbican, the Metropolitan line, which is a relatively uncrowded section of the Underground. For anyone who uses it, I am using

the word "relatively". It is nowhere near the same level of congestion as one gets on the Central line between, say, Stratford and Liverpool Street.

6756. One of the complaints that the Residents' Association have made about our route is the lack of interchange with the Victoria line. What does the northern alignment do to passenger flows on the Victoria line between King's Cross and Oxford Circus?

(Mr Berryman) On this alignment that we examined at the time when we were doing this comparison it would make it very much worse and the Victoria line is already extremely crowded. I have the unfortunate pleasure of using it every day. It is not a pleasant experience. The suggestion Mr Schabas made later of an alignment that came further south towards Bond Street, towards Cavendish Square, may to some extent ameliorate that and that would be a slight improvement on option B that we looked at but not in terms of tipping the balance.

6757. Staying on overcrowding relief, a particular point was made by Mr Schabas in relation to the letter that you wrote to him on 30 September 2002. The letter is exhibit 7 of his exhibits, and a particular point was raised about what you meant in paragraph three. Perhaps you would explain that.

(Mr Berryman) When we were looking at what Crossrail should do we were looking at the relief of overcrowding. Most rail services into and through London are, of course, overcrowded, so it is a question of degree. The central line, particularly between Stratford and Liverpool Street, is one of the most overcrowded sections of the rail network if one considers the Underground and the surface rail as a whole network rather than considering them individually.

6758. Finally, Mr Berryman, exhibit 10 in that bundle sets out some comparative costs. This is for a much wider scheme that was described as SuperCrossrail. The central section is the same as we are proposing but it has a lot more arms to the octopus, if I can put it like that. Could you just explain briefly what the problem is as you see it with having a scheme that serves this number of outer locations?

(Mr Berryman) There are two significant problems. The first is the cost. I think it would be fair comment to say that a scheme like this with longer tentacles may bring in more revenue but not enough to compensate for the very much increased costs. The problem with this project is really the affordability. It is a very expensive project, however you look at it, and making it more expensive would make it less likely to be built. The second point is really an operational problem which is the fact that you have lots of trains in the central area going to a diverse range of other destinations. If you have, say, four or five destination points at remote ends of the line, that means that only every fourth or fifth train can go to that remote end. In turn that means that passengers for that fourth or fifth train are standing on the platform waiting for their next train and platforms

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in deep Underground stations would become overcrowded and that is a dangerous situation. I can cite you a very good example at Victoria Station, which I am sure members of the Committee will be familiar with. The District line goes to four destinations, some trains for the Circle line, some trains go to Wimbledon, some go to Richmond and some go to Ealing Broadway, and you get very heavy crowding on the platforms there simply because people are waiting for the train which goes to their destination. Many destinations from deep level Underground stations are not a good idea. There is another issue in that the trains coming from those distant destinations, in order to get the high throughput of trains that we need through central London to make this scheme viable, have to present very accurately at the tunnel mouth. We only have a 30 or 40 second window within which the train needs to present and that is quite difficult even when we have got an almost self-contained system, but when you have trains coming from Cambridge and Ipswich and places like that, to get them to present on time to allow those high levels of throughput through the central area is something that has not been achieved anywhere yet, as far as we have been able to establish, in the world, and we have done a fairly comprehensive search to see if anybody can do that.

6759. **Ms Lieven:** Finally, sir, to explain our position, a good deal was said by Mr Schabas about Reading, although it is difficult to see quite what that has to do with the Residents' Association of Mayfair. Obviously, there will be Petitioners later in the process when we will be coming to deal specifically with Reading, and I would suggest that it is both fair and sensible to reserve the response on the Reading issues until the people specifically interested in Reading are here.

6760. **Chairman:** I can assure you that that is how we see the case.

6761. **Ms Lieven:** We do not accept what Mr Schabas has said but I am not going to ask Mr Berryman to deal with it now if that is acceptable to the Committee.

6762. **Mr Pugh-Smith:** This is where we try and achieve a contortionist act in getting you to answer questions either put to the back of your neck or you turn round to me with your back to the Committee, but if you manage the logistics I will be grateful. You are familiar, are you, with the environmental assessment process?
(**Mr Berryman**) I am, yes.

6763. Since when have you been familiar with it, Mr Berryman?
(**Mr Berryman**) I could not tell you the date. It is something which has grown gradually throughout my career. When I started work in the 1970s environmental assessment was almost non-existent.

6764. The process which now operates under the Directive as transposed in the 1999 Regulations; are you familiar with that process?

(**Mr Berryman**) Yes, I am.

6765. So you are familiar with the need to ensure that members of the public as well as the decision-maker (in this case Parliament) are sufficiently informed about decisions that have gone to the formulation of the project?

(**Mr Berryman**) Yes.

6766. Yes. Have you got Section 6 of the Environmental Statement to hand?

(**Mr Berryman**) I do not have it to hand, I am afraid, no.

6767. Can I ask you this: does that constitute what has been published to the decision-making body and to the general public in terms of your organisation's consideration of route development and alternatives?

(**Mr Berryman**) The Environmental Statement generally covers those issues, yes.

6768. Is it what has been published, Mr Berryman, was the question I put to you?

(**Mr Berryman**) Yes.

6769. Yes. So where in that document (because I have flicked through it) is there any reference to this NATA assessment carried out on these various alternatives.

(**Mr Berryman**) I do not have the document in front of me unfortunately. Certainly in the generality there are statements made that the NATA method has been used.

6770. **Chairman:** Have we got that?

6771. **Ms Lieven:** I have got it, sir, and perhaps it might be sensible to give it to Mr Berryman as he is being asked about it.²²

6772. **Mr Pugh-Smith:** Break your position, Mr Berryman. Help me please, where in Chapter 6 do I find this NATA comparative assessment that you have told the Committee this afternoon you have undertaken with regard to these various alternatives?

(**Mr Berryman**) It is not set out in that format here. This is a summary of the results.

6773. Where would I get that document? It is not referred to in any reference or appendices?

(**Mr Berryman**) I cannot tell you offhand.

6774. No, well, that would suggest to me that it was not in the public domain and not accessible.

(**Mr Berryman**) I cannot answer that question offhand. I would have to check up on that.

²² Approach to the Appraisal of Alternative Routes, Crossrail Environmental Statement, Chapter 6, p 112. (LINEWD-ES08-006).

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6775. That might be rather important in view of the consequences that follow when information is not disclosed to the public. As far as alternatives are concerned, am I right in assuming that the Promoters of this project have simply responded to suggestions put forward by others as to alternatives? Would that be right?

(Mr Berryman) As far as the central section is concerned, no, that is not correct.

6776. I see.

(Mr Berryman) We have also looked at another alignment which has not been mentioned here which was one which was proposed for the original Jubilee Line Extension before it was moved. Outside the central area we have looked at probably two or three dozen alternatives.

6777. But my understanding is that the way in which this document is structured is that those which are the alternatives that you have considered are those which are there set out. Is that right?

(Mr Berryman) Certainly these are the ones we have considered in most detail, yes.

6778. Yes, well, in terms of the decision-maker again and the general public where is the comparator assessment of these various alternatives other than in the form we have here which is three pages of text at most and a plan?

(Mr Berryman) I would have to check whether it is in the back-up papers. I am sure you are aware that the total Environmental Statement is a huge document.

6779. Indeed so.

(Mr Berryman) I do not have it all to my fingertips.

6780. And that is the reason why a non-technical summary is also provided to ensure that those who are less familiar with wading through voluminous appendices know where to look for the information?

(Mr Berryman) Yes, that is so.

6781. And the only two alternatives that are identified are those which you have shown, and that is the original northern alignment promoted by the Residents' Association and the river route, the Superlink?

(Mr Berryman) Yes, that is correct. Yes, those are the ones which we took forward in most detail. There is an issue here about how one does analyse alternatives. If you can see quickly that an alternative is not going anywhere you do not take it to the final degree of analysis. It does not make economic sense to do that.

6782. That may be the case, Mr Berryman, but as Mr Schabas told us when he was involved with Channel Tunnel Rail Link, they looked at numerous alternatives including minor alternatives to see whether the best route could actually be put forward.

(Mr Berryman) That is true.

6783. And that is an exercise that you have not done, is it not, Mr Berryman?

(Mr Berryman) No, that is not the case. We have looked at a very large number of alternative alignments. It happens that in the central section there is a limit to how many alternatives one can look at because the physicality of London means there are only a limited number of alternatives.

6784. Have you looked at the Wigmore alignment which takes in Cavendish Square as part of your consideration?

(Mr Berryman) We have not looked at that in the same detail as we looked at the other two, certainly.

6785. That suggests that you have not considered the alternatives adequately, does it not?

(Mr Berryman) Well, not to me, no, because the features of that alignment are substantially the same as the Baker Street alignment. It is probably slightly better in that it relieves the Victoria Line a little bit but not really significantly so.

6786. The Wigmore alignment/the Wigmore shift, as Mr Wimbourne suggested this afternoon, would utilise Cavendish Square as a station?

(Mr Berryman) It would, yes.

6787. And where do I find in Chapter 6 any reference to Cavendish Square in that section as part of your consideration of alternatives?

(Mr Berryman) You would not find it there, no. It is not there.

6788. Or whether or not Cavendish Square would be a more suitable place for a work site than Hanover Square, for example, again another comparative exercise. We do not find it, do we, Mr Berryman?

(Mr Berryman) No analysis has been done of Cavendish Square. A superficial analysis would indicate there would not be very much difference but certainly no analysis has been done.

6789. No. Bearing in mind the environmental impacts that will take place finding the least worst option can be significant, can it not?

(Mr Berryman) Indeed it can, that is what it is all about.

6790. In terms of whether or not a scheme is going to have a heavier compensation bill to have to fund or not, for example?

(Mr Berryman) Yes, but whichever option you take, if you take the Cavendish Square option you will still be affecting the same number of landowners albeit different ones than in the Mayfair option.

6791. How do you know that, Mr Berryman?

(Mr Berryman) Simply by looking at a plan of London.

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6792. With the greatest respect, you just told the Committee a few minutes ago that you have not actually looked into Cavendish Square so how can you express an informed view?

(Mr Berryman) You can express an informed view simply by looking at an A-Z. You do not need to take it any further than that.

6793. Not even a land ownership map the investigation of land registry titles, and things like that?

(Mr Berryman) Generally speaking, the distribution of the different kinds of property across the area immediately to the north of Oxford Street and immediately to the south of Oxford Street is not much different.

6794. I see. Of course, one of the benefits also of having an alignment north of Oxford Street is there are commercial opportunities, are there not, as well? You can link in other shops as they have done at Bond Street. Have you looked at that?

(Mr Berryman) You certainly could do that if you came fairly close to Oxford Street. I do not think you could do it at Cavendish Square, you would be too far back. The answer is no. Our Bill is about promoting the railway. Any commercial opportunities which arise incidentally to that can be considered but we are specifically precluded from promoting matters relating to commercial development, as I think you know.

6795. I see. Mr Berryman, the evidence to this Committee is that no commercial opportunities are being considered as part of the funding of the railway?

(Mr Berryman) No, that is not what I said. I said we are only allowed to consider taking powers for building the railway. If there are commercial opportunities as a result of taking those powers, of course they will be considered, but that is different from what you just said.

6796. Of course, commercial opportunities again are reflected in the extent to which a scheme is commercially attractive and capable of funding; agreed?

(Mr Berryman) They are but they are a very minor consideration.

6797. I will move to one other matter and that is operational issues. You were talking to the Committee about concerns about platform waiting and the potential for overcrowding. My understanding, and indeed it remained unchallenged when Mr Schabas raised it, is that only one in six trains is going to go to Heathrow. Is that right?

(Mr Berryman) Only one in six trains is going to go to Heathrow, that is correct, yes.

6798. So as five trains go by there will be a growing number of people on the platform waiting to go to Heathrow, will there not, by way of example?

(Mr Berryman) There may be and that is probably not a very desirable feature of our scheme, but 10 of those 24 trains will be going to Ealing Broadway and other intermediate stations on the way, so most of the passengers for that branch will be able to get on the first train that comes along.

6799. If so directed?

(Mr Berryman) Yes, if so directed, but the majority of them will not be going to Heathrow. Perhaps it is worth just pointing out that the actual passenger numbers going to Heathrow will be relatively low for a railway of this type. The demand at Heathrow is really not enough to fill Crossrail trains on anything more than four trains an hour.

6800. Again, that is further work you have undertaken, is it?

(Mr Berryman) It is indeed. We have done a very considerable amount of work on this.

6801. So in terms of the modelling exercise, in terms of passenger origin and destination there is survey material, is there, that is available to be inspected?

(Mr Berryman) There is a huge amount of back-up material to this Environmental Statement which I think is available in the form of CDs and the like.

6802. So amongst that will be of course such matters as construction disruption as well, would there?

(Mr Berryman) Yes, indeed.

6803. I see and that is all available, is it?

(Mr Berryman) That is all available, yes.

6804. And where does one find it, Mr Berryman?

(Mr Berryman) I cannot tell you off the top of my head. I was not expecting to give evidence this afternoon.

6805. Well, you have that pleasure.

(Mr Berryman) But we will certainly write to you and tell you where it is.

6806. **Mr Pugh-Smith:** That will be very helpful to know because again, as I say, the Environmental Assessment does lead one up a few cul-de-sacs in that regard. Thank you very much.

Examined by the Committee

6807. **Chairman:** Mr Berryman, can I bring you back to the Environmental Statement and what you said in relation to the alignment proposed by the previous witness, the loop line from Bond Street up to King's Cross-Euston-St Pancras. You said that would alleviate the Victoria Line. I am not sure because, as you know, the Euston-St Pancras-King's Cross loop has the Piccadilly, the District, the Circle and the Victoria Line, and it strikes me that the outer alignment would distribute more people on to those already overcrowded lines significantly?

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(Mr Berryman) Yes without doing a proper analysis, it is hard to say, but it kind of follows the desire of some people to go down towards that part of the West End. I would expect it to be a second order effect and not to be hugely significant.

6808. The reason I am asking that is because one of the arguments that has been put is that people would use predominantly Crossrail trying to get into this inner circle of Bond Street or through to the City itself. It would strike me that if Crossrail went on that loop it would become a distribution point on those lines which are already there in existence and that would be considerable.

(Mr Berryman) Yes.

6809. One other thing, you did say that, all told, you had examined a couple of dozen different alignments.

(Mr Berryman) Mainly in outer parts of London.

6810. Could we get some sort of list of the ones that have been carried out, either briefly or in depth?

(Mr Berryman) Yes.

6811. **Chairman:** Thank you very much.

6812. **Mr Binley:** I have six questions and I apologise for that again but you will know that the third reading has not taken place and we have got a lot of work to do collectively as Members of Parliament. My first question is with regard to pressure on a specific route. It was told to us that on 16/02/02 that Mr Schabas was told "they do not want any delays because of Government pressure". Thereafter, it was told to us that Mr Montague said in October 2004, "I really have no locus to consider alternatives". My concern about all of this is that here we are with a massive scheme, one of the biggest Parliament has ever dealt with, which will create immense disruption over a long period of time. My concern is that there was a route which had to have quite a bit of work done on it and that there was pressure to stay with that route because that would be more cost effective at this time. Am I right in thinking that or can you tell me why that is not the case?

(Mr Berryman) I have never picked that up. When we did the east/west study we looked at three really fundamental alternatives and each of those alternatives had a sub-variant. The three that we looked at were something along the present line that we have got, something along the 1980s preserved line; something which went into the centre of London and then turned south west and went down towards Clapham Junction and that area; and something which went from Clapham Junction up to the north east, up to Hackney and that way, and a combination of the two, so any permutation of two out of four branches.

6813. My question was about pressure. If we have got two statements, one in 2001 and one in 2004, which suggest first of all that there was Government

pressure and secondly that there was no alternative to the line, how do you interpret that if you do not interpret it as pressure?

(Mr Berryman) Going into Adrian Montague's review, as I understand it, and I think I can understand it correctly, his brief was to see if the scheme that we brought forward was viable. He was specifically not there to examine alternatives, he was just looking at is it worth Government proceeding to the next stage. The earlier one, I am not quite sure where that came from in because I know Mr Schabas' evidence but I cannot remember the context.

6814. My question is a rather subjective question, I recognise that, and I understand why you would not have the information. My second question is with regard to the cost of alternatives in that you made a specific statement to Mr Schabas in your letter of 30 September 2002: "On this basis we have arrived at a projected cost of £18 billion or approximately three times the cost." I reckon that takes into account all of the additions that Mr Schabas said. Thereafter, you recently said that the difference in the central part of Crossrail is not very great and, in fact, the scheme Mr Schabas has put forward today on behalf of the Mayfair residents might be cheaper.

(Mr Berryman) Indeed, particularly if you miss the station out.

6815. Can you tell me then why when he asked for a breakdown of estimates and so forth in your letter of 16 October 2002 you really did not give a very fulsome answer to costs of alternatives, did you? You did not even suggest that papers were available that he could look at, or whatever?

(Mr Berryman) That is correct.

6816. If I got that answer as a politician I would be a bit suspicious. Why did you not give him more information than you gave in this rather evasive answer dated 16 October 2002?

(Mr Berryman) Mr Schabas is rather a persistent correspondent, as I think you have probably guessed.

6817. Is there anything wrong with that?

(Mr Berryman) Rightly or wrongly, I was just trying to close the discussion down.

6818. Would it not have been easier to close it down by saying "Here are the figures"?

(Mr Berryman) It would not have closed it down; he would have come back and argued.

6819. My third question is the evidence relating to catchment and the fare box income and that is specifically relating to the situation of Liverpool Street because you state in one of your letters—and I hope I can find it very quickly but I think I am right and you did talk about this—I wanted to know how much you were referring to Liverpool Street when you answered this letter on 13/09/02 because I got the impression that when we were arguing that there

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would be more pressure on Liverpool Street your arguments were couched in the vein that there would not be that much more pressure on Liverpool Street. *(Mr Berryman)* Can you refresh my memory on what I said?

6820. "It does not relieve the most grossly overcrowded sections of the rail network which are on the LUL lines." You further added to my thoughts that you were talking about Liverpool Street when you talked specifically about that section between Liverpool Street and a bit further out to the east.

(Mr Berryman) Stratford?

6821. Yes. I am getting two impressions.

(Mr Berryman) There are two separate issues. They are related but they are separate. One is the crowdedness of the trains and one is the number of people emerging from the station. Much of the overcrowding on those trains is caused by people who are going beyond Liverpool Street, they do not all get off at Liverpool Street by any stretch of the imagination. I am sure Members of the Committee will be familiar with the Victoria Line which passes through Warren Street. The Victoria Line going through Warren Street is a very, very heavily trafficked railway but Warren Street station itself, the Victoria Line part of it, is used very little. I am not suggesting that Liverpool Street is the same as Warren Street, I am just pointing out that the fact that a train is overcrowded does not necessarily mean the people emerging from that particular station will be that many.

6822. I am not sure I understood that but never mind. I have just two very quick questions. The first question is has your costing taken into account on the main route the cost of compensation?

(Mr Berryman) Yes.

6823. Did it take into account an estimation of disruption costs during the length of construction of Crossrail?

(Mr Berryman) In what kind of—

6824. If I run a business near to Crossrail and my business is going to be adversely affected, as no doubt it will in one way or another, by what is going to be sizeable disruption, would that have been taken into account?

(Mr Berryman) I cannot answer that generally, it would be on a case-by-case basis.

6825. Forgive me, I asked a specific question. Was that costing taken into account in the costs you projected for the cost of Crossrail, because it is a cost, is it not?

(Mr Berryman) It is a cost.

6826. It is a direct cost.

(Mr Berryman) I would have to get Mr Smith to give evidence on that point.

6827. I am happy with a letter from you.

(Mr Berryman) We will look at that. I genuinely do not know the answer to that question.

6828. **Sir Peter Soulsby:** Mr Berryman, can I go back over one of the questions asked earlier on. Is it the case that in the summary, and perhaps in the full environmental appraisal, the only alternatives to the central section you discussed were those shown to us in the extract of the plan that we saw earlier on identified by the names of those who proposed the alternatives?

(Mr Berryman) Yes, those were the ones that we looked at in detail.

6829. So the only two that were discussed were the ones described as put forward by the Residents' Association of Mayfair and Super Crossrail?

(Mr Berryman) Yes.

6830. Those were the only ones that were described in the environmental appraisal?

(Mr Berryman) It is worth bearing in mind that those two organisations were not linked at that time, they were completely separate proposals which came in from the two parties.

6831. It is fair to say that you were reacting to proposals put forward by third parties?

(Mr Berryman) Yes, that would be fair comment. As I said, in the initial study we did look at a number of alternatives.

6832. When you came to the environmental appraisal, the alternatives that you discussed, whether in detail or in outline, were those that were being put forward by third parties who responded then?

(Mr Berryman) That is correct.

6833. Can I just clarify from you just how much of the detail of that assessment was put in the public domain?

(Mr Berryman) Very little. It was shared with the people who proposed it and, as Mr Schabas has told you, we employed him for a time to work with us on developing his proposal. Certainly the other proposal was shared with the Residents' Association of Mayfair, but they were not put into the public domain in the sense that anybody could get hold of them.

6834. So it is fair to say in both the summary and the detail of the environmental appraisal the assessment, the detailed assessment, would not have been put into the public domain?

(Mr Berryman) Certainly the detailed design work we had done was not. I would have to check what detail went into the back-up documents for the Environmental Statement. I suspect the answer to your question is no, it was not, but I would need to check.

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Re-examined by **Ms Lieven**

6835. **Ms Lieven:** Just on Sir Peter's question first. Can you look—I will hand you my copy—at volume five of the Environmental Statement, table 1.1. We will put it up on the screen.²³ If we look at paragraph two, table 1.1 is setting out the contents of an Environmental Statement as required by the EIA regulations. The first column on the left is the legal requirement: "The legal requirement in terms of alternatives as set out at paragraph two is an outline of the main alternatives studied by the applicant or appellant and an indication of the main reasons for this choice taking into account the environmental effect" and then there is a summary in the right-hand column of what we have done. In the ES first: in terms of what was done in the ES do you consider that it meets the legal requirement to provide an outline of the main alternative study?

(Mr Berryman) Yes, it certainly provides an outline of the main alternative study.

6836. So far as further information in the public domain is concerned, we heard reference from Mr Schabas to a report on Super Crossrail and Superlink which was produced, I believe, by CLRL in May 2005, is that correct?

(Mr Berryman) That is correct, yes.

6837. I think that is the report?

(Mr Berryman) That is the one, yes.

6838. It obviously postdates the ES, there is no doubt about that, but is that document in the public domain?

(Mr Berryman) My recollection is that it is posted on our website and if it is not it is certainly posted on Mr Schabas' website.

6839. Just one other question in response to a question asked by Mr Binley. That was about the suggestion made by Mr Schabas that there was political pressure, although it was not clear placed upon whom, to maintain the original safeguarded route and not go elsewhere. My notes of Mr Schabas' evidence give a reference to a meeting of 17 January, although I have not managed to note the year, in which you were reported as saying that you were not looking into alternative routes because political pressure had been placed and there was no time. To what degree are you conscious, on your own primary evidence, of political pressure to pursue a particular route?

(Mr Berryman) I have never been under any political pressure to pursue any route, this one or any other route. There has occasionally been concern about time but never any particular route specified. As far as the people employing me are concerned, they have been most supportive of the approach we have taken. When we have suggested looking at alternatives, and I am talking mainly

about the outer area, we have never had anybody saying, "You cannot do that, there is not enough time".

6840. **Ms Lieven:** Thank you very much, Mr Berryman.

6841. **Chairman:** Just one question before you go, Mr Berryman. You mentioned that you had had some liaison on the river route with the Environment Agency.

(Mr Berryman) That is right.

6842. I presume also the Port of London Authority because it has responsibility in part for that route.

(Mr Berryman) Yes, that is why I said one of my colleagues who dealt with that is not here today so I could not ask him but it was the relevant authorities.

6843. I do know on most of that the Environment Agency has full environmental rights, but there is the other authority. I wonder if you could write us a note on their objections to the river route.

(Mr Berryman) Yes, certainly. I can tell you briefly about that. They were suggesting that it would increase the risk of flooding upstream and that was the issue they were very concerned about.

6844. **Chairman:** Thank you very much. Mr Pugh-Smith, how long do you think you will need for summary?

6845. **Mr Pugh-Smith:** I will be under five minutes, sir. I have a logistical problem: I have to be in Cardiff later on this evening and if it is possible to get completed by five o'clock or thereabouts I would be very grateful.

6846. **Chairman:** That is entirely in your hands!

6847. **Mr Pugh-Smith:** I appreciate that and I will be very brief.

6848. **Chairman:** Ms Lieven?

6849. **Ms Lieven:** I will do my best, sir, two minutes.

6850. **Chairman:** We have the most important people in the building here, the stenographers, and we have only got agreement until five.

6851. **Ms Lieven:** I appreciate that, sir. I will keep it extremely brief. As I understand it there are three principal issues raised by the Residents' Association: failure to consider alternative alignments; the EIA requirements; and compensation.

6852. So far as the issue of alternative alignments is concerned, you have just heard the evidence of Mr Berryman. It is important to focus on the legal requirement, which is not to set out in the ES every alternative but to deal with an outline of the main alternatives. That is done in the Environmental Statement.

²³ Table 1.1—Content of Environmental Statements as Required by Schedule 4 of the EIA Regulations (Part 1), Environmental Statement, Volume 5, p2 (LINEWD-ES18-002).

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6853. So far as our consideration of alternatives is concerned, we have over the past years considered alternatives in very considerable detail and at the end of the day it comes down to a professional appraisal that the alternative schemes do not provide sufficient additional benefits, and in most cases provide no additional benefit and, indeed, additional disbenefit. In particular, they do not believe the overcrowding on the Central Line, they produced other problems on other lines, and in terms of the river route they produced significant construction problems as well. You have heard Mr Berryman's evidence on it and we also dealt with it briefly in opening at Day 1, paragraphs 58–60. Sir, can I suggest that we have this report which deals with the alternatives in much more detail copied and circulated to the Committee so that if Members do have any concerns about more detailed points they can look at the report.

6854. So far as the EIA requirements are concerned, we dealt with that in opening at Day 1, paragraph 137. The ES at volume one, chapter six, pages 112–127 does meet the legal requirements to consider the main alternatives in outline. Importantly, as Mr Elvin made clear in opening, the fact that an ES does not provide the level of detail on a particular point that a particular objector wants does not make it an invalid ES. We say we have entirely met the legal requirements.

6855. Finally, sir, on compensation, the evidence that Mr Winborne gave, as Mr Winborne very freely accepted in evidence-in-chief, comes back to an attack on the National Compensation Code. We call it a code but, of course, it is made up of different legislative pieces, we all know that by now, but Mr Winborne quite freely accepts what he is seeking is a change in the national law at this point and, as we have said again and again in our submission, it is not appropriate for this Committee to do that, it would be quite wrong to change the law in relation to those affected by Crossrail and not those affected by other schemes elsewhere. It is right that compensation should be provided consistently across the United Kingdom in accordance with the will of Parliament. Can I just refer you to Mr Elvin's closing on Smithfield Traders at Day 14, paragraphs 4041–4049 where we dealt with that comprehensively.

6856. **Chairman:** I think that is a fair summary but may I remind you also the Committee has the right to look at all evidence that is presented before it and to have a view. Whether or not it is a direction is another matter, but we can certainly give a view.

6857. **Ms Lieven:** So far as compensation is concerned, it has been raised by a lot of Petitioners and I suspect it will be one of those points that we will come back to briefly in our final closing at the end of this process, whenever that should be, so we can pull together all the points that have been made. I do not want to keep repeating the same point every couple of days, it is going to get tedious.

6858. **Chairman:** Thank you, Ms Lieven. Mr Pugh-Smith?

6859. **Mr Pugh-Smith:** Thank you very much. Chairman, as I explained when I opened the case on behalf of the Residents' Society on 30 March, the issue that was in front of you was an issue of alternatives and so I raise the same point in closing and put matters in their appropriate context starting with the requirements of the environmental assessment directive and the EIA regulations for England. Parliament is the decision-maker. You can form a view as to whether or not alternatives have been adequately considered. We point to the fact that the consideration of the Environmental Statement is sketchy, to put it at its most benign, and inadequate substantively, to put it at its most precise. The very information you were told blandly by Mr Berryman this afternoon which could be available is not available, or if it is available it is hidden away in such a form that it is not readily accessed. You were promised a document that was a response to the Superlink proposal and in fact we have provided it for you already, it is exhibit 15 in your bundle, the 25 pages that Mr Schabas said did not actually provide substantive answers to the points that he had raised.

6860. Members, I have to put it to you that really what you are being faced with today is a stark reality: of a scheme that has not been adequately considered. There are questions as to the legality of the Environmental Statement. I simply raise this because they are capable of cure. As Mr Elvin pointed out on Day One, there have already been two supplementary addenda to the Environmental Statement and all my clients seek today is for you to suggest to the Promoters, in somewhat more forceful terms than we can, that they look at these alternatives properly before this Bill is allowed to proceed further—certainly before it comes to the third reading, if necessary (in response to Mr Binley's point).

6861. The reason why we raise the question of compensation is it is not just how the system is going to operate, it is its impact upon those residents and businesses which are going to be affected day-on-day for the future life of this railway. If the compensation bill can be less, as Mr Winbourne has indicated, simply by appropriate measures being taken, why not take them? Why not study them now? Why leave this all till later to find there are disadvantaged people not having sufficient money even though the compensation code is being applied which may be one that is nationally based but, nonetheless, is one which has been recognised by the Law Commission as being in such need of reform that it has produced two volumes of very detailed work which will await Parliamentary time for consideration in terms of the substantive Bill.

6862. Members, that is the position in which my clients wish to place this matter in this context at this

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time. We ask you to recommend to the Promoters that there be further consideration of the alternatives so that Parliament as well as the nation have the reassurance that what finally gets passed as an Act of Parliament, if it ever does, is not only in the national interest but is the best value to this country, not only in terms of utilisation of taxpayers' money but, also, in terms of having the least environmental effects. Thank you very much.

6863. **Chairman:** Thank you very much indeed. Tomorrow morning, at 10.00 am in this room, we will recommence firstly to hear the Petitions of the Regent Street Association, followed then by the London Borough of Havering and we will then return, at 2.30 tomorrow afternoon, to hear the case put by Antique Hypermarket Limited and then return, if necessary, to the London Borough of Havering case.

Wednesday 19 April 2006

Before:

Mr Alan Meale, in the Chair

Ms Katy Clark
Kelvin Hopkins
Mrs Siân C James
Mr Ian Liddell-Grainger

Dr John Pugh
Mrs Linda Riordan
Sir Peter Soulsby

Ordered that Counsel and Parties be called in.

6864. **Chairman:** Ladies and gentlemen, I was going to start with the Regent Street Association, but I suspect that the security systems have caused a delay to the presenter arriving. Normally I would break at 11.30 during the day for people to get refreshments, but what I will do today is to leave that until 11.45 and then suspend until the afternoon. That will give Members of the Committee time to get down to Prime Minister's Questions, if they are so minded to do that, and it will also give them an opportunity to have a cup of tea before they enter the Chamber, like everybody else. So I will start with the Havering Petition, but before that would counsel like to say anything?

6865. **Mr Mould:** Yes. Could I pick up one point on some unfinished business from yesterday? You will recall that Ms Lieven mentioned we would circulate the Super Crossrail and Super Link update report that was referred to yesterday by Mr Berryman. Might I do that now? This will be document P74.

6866. **Chairman:** Yes. Mr Taylor, are you dealing with anything?

6867. **Mr Taylor:** I was going to deal with the first aspect of the Havering Petition.

6868. **Chairman:** Do you want to inform us about anything before we proceed?

6869. **Mr Taylor:** I think it is probably best if I leave the explanation of the issue to Mr Methold.

6870. **Chairman:** Mr Straker.

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Mr Timothy Straker appeared on behalf of the Petitioner

Sharpe Pritchard appeared as Agent

6871. **Mr Straker:** Thank you very much, sir. As you know, Havering have three matters and it has been agreed that the first matter to be considered before this Committee should be the question of noise, and the essential area of dispute is capable of being put in quite short form—and I will call the evidence in a moment to reveal that, but if I just state it at the moment in these terms. Sir, the Promoters have proceeded by reference to a standard called BS 4142

and have provided for an assessment which allows for what I shall call very crudely at the moment—but it will of course be explained in a moment or two—the background plus 5dBA for their installations—and we are talking here in particular about ventilations shafts. Sir the local authorities, on behalf of which the London Borough of Havering is presenting a generic case, say that that is inappropriate, especially bearing in mind that what that allows for is what has been called by the relevant experts as “creep” in background noise levels; so that we all suffer from an increasing level of noise in our day to day lives rather than—as the present policy suggests—as put forward by the local authorities that one should aim for and should achieve a lower noise level from the equipment which is put in place so as to achieve a better result all round. That is the essence, crudely put, of the dispute which has arisen. There is a subsidiary point which may be moving away, and that is to say certain elements of the measurements which have been undertaken on behalf of the Promoter. But what I would now propose to do, sir, with your leave, is to call my witness to deal with this particular matter, and who has prepared a set of slides which are capable of being shown, and they are also in documentary form, which I think has been distributed to the Committee. Sir, can I call Mr Richard Methold to give evidence before the Committee. Sir, as I understand matters, Mr Methold has given evidence before so he will have been introduced to the Committee, but I will do that again, if I may.

Mr Richard Hugh Methold Recalled

Examined by **Mr Straker**

6872. **Mr Straker:** Mr Methold, you are Richard Hugh Methold?
(*Mr Methold*) That is correct.

6873. You have a Bachelor of Engineering Degree with Honours in Electro Acoustics from the University of Salford.
(*Mr Methold*) That is correct.

6874. I think you have been a member of the Institute of Acoustics and working in that field for over 14 years in the assessment of environmental noise from industrial, commercial and transportation schemes.

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(*Mr Methold*) That is correct.

6875. You are a director of Southdowns Environmental Consultants Limited, being an independent firm of noise and vibration consultants?

(*Mr Methold*) Yes.

6876. I am going to ask you to turn to the material which has just been put in front of the Committee so that we can see from LBH 1 what it is that they are concerned with at the moment through your evidence: that is to say, operation of airborne noise from fixed installations, and those fixed installations are recorded, are they, on LBH 2?¹

(*Mr Methold*) They are indeed, yes. It is probably worth explaining a little more about what these fixed noise sources are exactly. This is why LBH 2 has been prepared, just to give a list really of the major fixed noise sources. It may be appropriate to go through each of these?

6877. Please do. I mentioned in my very brief opening that ventilation was one of the matters of principal concern—that is the second item listed—but would you go through these items, please?

(*Mr Methold*) It is the matter of principal concern but also let us remember that there are many other fixed noise sources.

6878. **Chairman:** Just for the record, this is A81.

6879. **Mr Straker:** Thank you.

(*Mr Methold*) At the top of the list on LBH 2 we have maintenance depots and of course we are really only concerned with one major maintenance depot on Crossrail, and that is the one proposed at Romford. Although this is located within the London Borough of Havering I believe that we are dealing with this specific local issue later on in the Select Committee hearing, and I do not intend, therefore, to be discussing this in any great detail today. The second one on the list is ventilation shafts. These are spread across the route over the tunnelled sections and I believe we have approximately 26 of these shafts located across the tunnel sections. The third element on this list is public address systems. Anywhere where we have a station upgrade or an extension occurring the likelihood is that we will have a modified or new public address system included. What I can say is that we have had discussion with the Promoter on this particular noise source and I understand, having looked at a commitment this morning from the Promoter, that we may well have reached agreement on dealing with this issue outside of the main generic noise concern. The fourth item is stabling sidings. These are likely to contain some form of public address system but also will have the stable rolling stock themselves kept in the various sidings, and we know from previous experience that electric trains do have their particular noise sources associated with them. Lineside electrification equipment includes feeder stations, transformers and these are

notorious for generating low frequency hums in the middle of the night and also various other features like buzzes, et cetera. The final one at the bottom is building services. Anywhere where Crossrail is proposing to build a new building of some sort it is likely to have some form of building services—air conditioning units, et cetera. If we move on to LBH 3, this provides a list of the supporting local authorities on this generic issue: Brentwood Borough council, Westminster City Council, London Borough of Camden, London Borough of Islington, the City of London, London Borough Tower Hamlets, Royal Borough of Kensington & Chelsea and London Borough of Newham.² This includes all of the local authorities that will be affected by ventilation shaft noise. If we move on to LBH 4, this is a basic overview of what we believe the problem and the solution is—the disagreement between ourselves and the Promoter.³ If I read the problem: “Promoter’s Design Aim is based solely on the likelihood of complaint and does not provide sufficient protection to nearby residents nor contribute to a sustainable environment.”

6880. If I could ask you to pause there, does that reference there to “likelihood of complaint” derive from BS 4142?

6881. (*Mr Methold*) It does indeed, yes, and the Committee will be well aware, I am sure from my previous appearance on groundborne noise, of my personal opinion about the use of a threshold of complaint for design purposes.

6882. That is the problem, and then the solution, please?

(*Mr Methold*) The solution is: “To design according to local circumstances and more contemporary guidance, where reasonably practicable to do so, recognising that many more people can be annoyed by noise than actually complain.”

6883. Then we go to LBH 5, where you have simply produced diagrammatically the noise and pressure scale with some indication by the drawings of the sorts of things happening by reference to the decibel scale on the right hand side, which is logarithmic, and then the sound pressure scale on the left hand side, which is micro pascal, where one secures very large numbers as one goes up the scale.⁴

(*Mr Methold*) That is correct, yes. Excuse the phrasing. I was hoping not to subject the Committee to any more thermometers of noise, but this one is really just trying to demonstrate why we use a decibel scale. The ear responds to pressure fluctuations, which is on the left hand side of that thermometer and you can see that the range between 20 and 100,000,000 micro pascals is clearly unmanageable and that is why we use the

² Committee Ref: A81, Supporting Local Authorities (HAVGLB-14705-003).

³ Committee Ref: A81, Petition Overview—Problem and Solution (HAVGLB-14705-004).

⁴ Committee Ref: A81, Noise and Pressure Scale (HAVGLB-14705-005).

¹ Committee Ref: A81, Crossrail Fixed Noise Sources (HAVGLB-14705-002).

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logarithmic scale of the decibel, which is shown on the right hand side—a much more manageable scale. That is all I really wanted to show with that slide.

6884. Then on LBH 6 you have a recap of certain noise basics and perhaps you can take us through this, please?⁵

(Mr Methold) Certainly. The Promoter provided us with an introduction to noise basics, I believe at the beginning of February. Some of these are very pertinent to what we are talking about today, so I feel it is important that we have a quick recap on some of the basics, and I will go through these as quickly as I can. Firstly, as you know, noise is measured on a logarithmic scale. Doubling the number of sources will increase the noise level by 3dB; so, for example, if a noise source is generating a noise level of, say, 43 at a receiver position, if you double the number of noise sources the received noise level will be 46. Trebling the number of noise sources will increase the noise level by 5dB. A tenfold increase will increase the noise level by 10dB. In the Promoter's presentation the 3dB increase is described as "just noticeable change". That is certainly true for noise levels with very similar characteristics but it is very clear that smaller magnitudes of change can be noticeable where acoustic features are introduced, and this is very much the case with the fixed installations we are talking about today, where some very tonal features, or features such as clangs, bangs, clatters, clicks, hisses, screeches, et cetera, are quite common. So we should be aware that changes less than 3dB would certainly be noticeable in these types of noise sources. The final one at the bottom is showing that a 10dB increase corresponds to a perceived doubling of loudness.

6885. LBH 7, the noise metrics.⁶

(Mr Methold) Yes, these are the only two we will be talking about today. The top one is the L_{eq} or the equivalent continuous noise level. This is often referred to as ambient noise, the all encompassing noise from sources both near and far, and it is a measure of the average noise level. The second one is the L_{A90} and this is defined as the noise level which is exceeded for 90per cent of the time and it gives us a measure of the background or underlying noise level. For example, if we were standing on a street corner the background noise level would be the noise without cars passing by close to us; it strips away the event noise, if you like, and gives us the underlying noise. So at night it tends to be from distant rumbling of road traffic noise. The list at the bottom there is just a summary. These are termed as sound pressure levels, they have been A-weighted—which I hope the Committee will recall that it has been weighted to respond to the human ear. We are going to be talking about outdoor noise levels and not internal noise levels today and the Petitioner does not seek to change or challenge the actual measures

or the metrics that the Promoter has put forward in its designing. If we move on to LBH 8, this is one of the Promoter's slides from his presentation in early February, and it shows a cross-section of a walk through the Lake District, which is a way which is used to describe how noise levels may change over the day.⁷ I have added a couple of lines in colour to that slide, but this is really showing that from left to right in a walk of some 35 kilometres you may expect to go up and down in altitude and the altitude is shown on the left hand side. The red line is analogous to the L_{90} so it is, if you like, the altitude that is exceeded in 90per cent of that walk, and in this case it is around about 100 metres. The other line I have added to the top there is the maximum level, which we will not be talking about today, which represents, if you like, the peak or the highest altitude you get to on your walk.

6886. You also represent that in the L_{Aeq} do you not? **(Mr Methold)** Those are actually from the Promoter's original slide but the point that was being made with that slide is that the L_{Aeq} actually weights further towards the higher noise levels—it is an unusual average, it is a logarithmic average of the energy.

6887. LBH 9, please.⁸

(Mr Methold) That is a slide showing some noise measurements undertaken by the Promoter quite recently at a site in Havering. The slide shows the L_{90} the L_{Aeq} , and just for the record the L_{Amax} also. These are measurements taken over a six-day period, the red line representing the background noise levels recorded every 15 minutes over that six-day period. So it shows that we actually see some quite regular patterns occurring on a daily basis, very much akin to doing the same walk, if you like, in the Lake District every day. The red line does show that the background noise levels drop off at around about two or three o'clock in the morning, and this is fairly common for most sites, both urban and rural. It also shows the difference between the L_{90} and the L_{Aeq} and this situation is anything between 10 and 15 decibels. That can vary according to the location and in urban situations you might expect the L_{Aeq} to be a lot closer to the L_{90} than you see here. The black line, the L_{Amax} is here probably due to train noise pass by into a particular location. If we move on to LBH 10 I would like to introduce the Committee to British Standard 4142, which really is the crux of our disagreement with the Promoter.⁹ The title of this British Standard is "Method for rating industrial noise affecting mixed residential and industrial areas." The scope of this British Standard makes it quite clear that the assessment of nuisance and annoyance falls outside the scope of the British Standard; it is solely concerned with an assessment

⁷ Committee Ref: A81, Modified Extract from Promoter's presentation on Noise Basics (HAVGLB-14705-008).

⁸ Committee Ref: A81, Example of Diurnal Variations in Noise Levels, Promoter's Measurement—HA 15 in London Borough of Havering (HAVGLB-14705-009).

⁹ Committee Ref: A81, British Standard 4142:1997 Method for rating industrial noise affecting mixed residential and industrial areas (HAVGLB-14705-010).

⁵ Committee Ref: A81, Noise Basics—Recap (HAVGLB-14705-006).

⁶ Committee Ref: A81, Noise Metrics—Fixed Installations (HAVGLB-14705-007).

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method for looking at the likelihood of complaint. The process that the British Standard introduces for assessing industrial noise is as follows: firstly, to determine the background noise level, which you notice is the L_{90} . Secondly, to determine the specific noise and this is the noise in terms of the L_{Aeq} from the new noise source or the industrial noise source. The third item, if the new source has acoustic features, and we mean internal components, screeches, hisses, clicks and clatters, then you add a 5dB penalty to that noise level to take them into account. You then produce what is called the rating level, and that is the specific noise level plus any of these acoustic features corrections. You then subtract the background noise level from the rating level to come up with the difference and the table at the bottom is telling us that the difference is around plus 10—that is, the rating level is above the background noise level by at least 10 and complaints are likely. If the difference is around five it is described as of marginal significance. If the rating level is below the background noise level by at least 10dB then it is a positive indication that complaints are unlikely. The next slide is an attempt to represent that graphic point, those three conditions.¹⁰ The blue line represents our background noise level that we have measured, then for each of the red lines we are presenting the different conditions of the rating level. So the first one on the left hand side represents $L_{90}-10$ —and I will be referring to L_{90} plus zeros and L_{90} plus fives from hereon in. The rating level of $L_{90}-10$, complaint unlikely. The second one, the rating of $L_{90} + 5$, marginal significance; and the third one, rating level of $L_{90} + 10$, complaint likely. The point to make here is that there is a 20dB difference between the condition for complaint unlikely and complaint likely, which you know is essentially a fourfold increase in perceived levels.

6888. Then your slides come to reveal the evidence sub-sections, do they?

(Mr Methold) They do. Before we leave LBH 11, what we can see here is that the background noise level is very critical to defining where the red lines are placed on here, and if the background noise level has been measured incorrectly or derived incorrectly then it can mean that you can have a serious situation on your hands. For example, if it turns out that the background noise level is actually 5dB lower than we have on this chart, but you have designed it to the incorrect background noise level and all of a sudden for something that is designed for an $L_{90} + 5$ and you could actually find yourself in a situation of $L_{90} + 10$, we know that that means complaints are likely. The background noise level is a very, very important component for BS 4142 assessment. Moving on to LBH 12, my evidence today is really sub-divided into two sections.¹¹ It is looking at the design aim itself, the numerical target that the Promoter has put forward, that we disagree with; and secondly it is looking at these background noise

levels which, as I have said previously, are a very important part of the assessment. LBH 13 presents the wording of the Promoter's design aim.¹² We have received recently a draft Information Paper which elaborates slightly on the wording in front of us now, but I think that the general theme is very much the same which is written in red at the bottom, namely that the Promoter is designing these fixed installations to a rating of no greater than $L_{90} + 5$, which is described as of marginal significance in terms of complaints. If we move on to LBH 14.¹³ This is a very brief summary of what we believe the Promoter's approach is: that it is based solely on consideration of British Standard 4142 and therefore the likelihood of complaint; that a significant impact in the Environmental Statement has only been identified if the rating level is greater than $L_{90} + 5$ and we know that the design aim that the Promoter is putting forward is based upon the same criteria. LBH 15, I mentioned earlier about my personal views about the use of a complaint threshold for design purposes.¹⁴ We discussed this at great length during the groundborne noise evidence earlier in the hearing, but I really just want to sum up my views on this with an extract from the Wilson Committee, chaired by Sir Alan Wilson, reported to government in 1963: "Although the information has enabled us to form a picture of the types of noise that caused complaint, we do not think that it always gives a reliable guide to the number of people who are annoyed nor to the degree of their annoyance. For instance, many people who are annoyed do not complain for one reason or another, although they may be disturbed as much as those who do complain . . . returns of numbers of complaints [do not] necessarily give the correct impression of the relative importance of different noise sources as causes of noise nuisance." Many more people can be annoyed by noise than actually complain. LBH 16 presents what I believe is the appropriate way of assessing noise in fixed installations.¹⁵ It is also the Petitioner's preferred approach. Firstly, obtaining information on local circumstances and policies from the local authorities. This is always the first step in these types of assessments; you have to understand the particular requirements of the local authorities, whether they have their own standards or policies. The second, third and fourth bullet points are introducing a combination of assessment techniques that together need to be used to understand the overall impact. It is the use of 4142 but not on its own. We also need to consider absolute noise levels—that is, how high the noise levels actually reach. Also, the magnitude of change in noise levels—"creeping" noise levels, which is something I would like to talk about next, on LBH

¹² Committee Ref: A81, Promoter's Design Aim (HAVGLB-14705-013).

¹³ Committee Ref: A81, Summary of Promoter's Approach (HAVGLB-14705-014).

¹⁴ Committee Ref: A81, Design Aim Philosophy (HAVGLB-14705-015).

¹⁵ Committee Ref: A81, Contemporary approach to assessment of noise from new fixed installations (Petitioners' preferred approach) (HAVGLB-14705-016).

¹⁰ Committee Ref: A81, British Standard 4142—Graphical Representation (HAVGLB-14705-011).

¹¹ Committee Ref: A81, Evidence Sub-sections (HAVGLB-14705-012).

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17.¹⁶ This is commonly referred to as “creeping background” or “creeping ambient”. I have there a quotation from the London Mayors’ Ambient Noise Strategy: “A new noise source, or an increase in the noise intensity of an existing activity, might typically be considered not to make a readily perceptible contribution to noise levels in areas which are already, at least to some extent, ‘noisy’—where one noise would tend to be masked by another. However, an accumulation of such additional noise may, over time, lead to a deterioration.” This is an important description because it is actually saying that perceptibility of a noise change is not necessarily the main issue here, it is the gradual deterioration of noise levels in already noisy areas that is the consideration. This is not a new concept; this was first introduced in the Wilson Committee Report in 1963. It then became planning policy on the part of the government in 1973 with the issue of Circular 10/73. All of a sudden in 1994 PPG 24, Planning Policy Guidance Note 24, had disappeared, so currently national policy does not include any guidance on creeping noise levels. In 1996 the review of PPG 24 revealed certain recommendations, one of which being that creeping noise levels should be considered, and the net effect that that has on absolute noise levels. Just for the record, that review was undertaken by the Promoter’s specialist. LBH 18, Strategic Trends and Guidance, we have here a list of documentation which I believe shapes the way that Environmental Noise Impact Assessment should be undertaken for fixed installation in industrial noise.¹⁷ I want to go through each of these very quickly, just pulling out some key pointers and hopefully showing a theme that emerges. Moving straight on to LBH 19.¹⁸ The British Government Panel on Sustainability 1999 had the remit of considering a number of environmental topics but on the issue of noise it concluded that: “An area where UK noise policy is particularly weak is a failure to tackle a gradual deterioration in noise climate.” LBH 20, in 1999 the World Health Organisation revised its guidelines for community noise.¹⁹ We have already heard about these guideline levels, both during the groundborne noise evidence and also in subsequent Petitions. This document represents some of the most recent research in critical health effects from noise, and the noise levels we have presented here are described as guideline levels really avoiding the onset of critical health effect in the majority of the population. These are external noise levels. At the bottom there I am making reference to British Standard 8233, Sound Insulation and Noise Reduction for Buildings—Code of Practice 1999. This is a British Standard that is widely used for determining a suitable internal noise climate for buildings and is very

consistent with the external noise levels that we have provided in front of us from the WHO. These are widely used as absolute guideline noise levels in many assessments. LBH 21, Pollution Prevention and Control Regulations.²⁰ These were updated in the year 2000 for the first time to include noise, and they apply to major industrial installations. The regulations require permits to be sought to operate from the Environment Agency, and they also require consultation with the local authorities to determine what noise standards should be used. The principal requirement of any permitting requires that the installation can demonstrate that it has adopted best available techniques, which is essentially a cost benefit exercise. The last three bullets there on the PPC Regulations, as you can see, are very common with the previous documentation, from both absolute noise levels and creeping noise levels in conjunction with it being a BS 4142 type assessment. LBH 22, in the year 2000 the government announced that it was consulting on a National Ambient Noise Strategy and in 2001 issued a consultation document.²¹ The theme on this document was quite clearly to establish techniques to take action to improve the situation where ambient noise is bad or preserve it where it is good. LBH 23, the Institute of Environmental Management and Assessment set up a joint working party with the Institute of Acoustics and drafted some guidelines for noise impact assessment.²² This document has been nearly 10 years in the making and is intended to provide guidance to both those undertaking impact assessments and those criticising impact assessments. Importantly in this document it indicates that consideration of noise changes should not just be limited to L_{Aeq} it is quite clear that L_{90} is to be taken into account and it is consistent with our understanding of background creep. It refers to the use of absolute and creeping noise levels again and there is a quotation from that document. “A proposal which would cause an increase on an existing level which is already well above the existing guideline should probably be regarded as worse than if the existing level were below the guideline. If the existing noise environment is regarded as so unsatisfactory that ideally every effort should be made to reduce it, then almost any increase regardless how small is an impact which should be considered.” LBH 24, in 2002 the European Parliament agreed to what we call the Environmental Noise Directive—END—which had a stated aim: “To define a common approach across the EU with the intention of avoiding, preventing or reducing on a prioritised basis the harmful effects, including annoyance, of exposure to environmental noise.”²³ LBH 25, the

¹⁶ Committee Ref: A81, Creeping Noise Levels (HAVGLB-14705-017).

¹⁷ Committee Ref: A81, Strategic Trends and Guidance (HAVGLB-14705-018).

¹⁸ Committee Ref: A81, The British Government Panel on Sustainability 1999 (HAVGLB-14705-019).

¹⁹ Committee Ref: A81, World Health Organisation Guidelines for Community Noise 1999 (HAVGLB-14705-020).

²⁰ Committee Ref: A81, Pollution Prevention and Control Regulations 2000 (HAVGLB-14705-021).

²¹ Committee Ref: A81, Defra—Towards a National Ambient Noise Strategy 2001 (HAVGLB-14705-022).

²² Committee Ref: A81, Institute of Environmental Management and Assessment/Institute of Acoustics—Draft Guidelines for Noise Impact Assessment 2002 (HAVGLB-14705-023).

²³ Committee Ref: A81, Directive 2002-49-EC Assessment and Management of Environmental Noise (HAVGLB-14705-024).

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London Mayors' Ambient Noise Strategy, again we introduced this during the groundborne noise evidence.²⁴ This document has a stated aim: "To minimise the adverse impacts of noise on people living and working in, and visiting London using best available practices and technology within a sustainable development framework." Rather importantly it makes specific reference to the relationship between background noise level and industrial rating noise level by stating: "Avoiding creep could require new sources to be 10dB below background L_{90} though judgment needs to be exercised in relation to local circumstances. Sustainable development requires a pragmatic approach taking into account all of these in the local context." That, in my mind, indicates that consultation with local authorities on such issues is essential. Last year a Draft British Standard was introduced—I think somebody is trying to confuse us by introducing the number 9142 on this one as opposed to 4142—Assessment Methods for Environmental Noise.²⁵ This document is aimed again at those charged with providing recommendations to the decision-maker and also those contesting whether an assessment has been undertaken correctly. The table below is produced for the situation where a new noise source is introduced and, as you can see again, we have this three-pronged approach recommended, looking at an absolute noise level—and the example would be the WHO criteria we talked about earlier—and the context criteria, which is essentially a BS 4142 approach, comparing one noise metric with another; then the actual change in each of those from the noise increase that would occur from an L_{Aeq} to an L_{90} . LBH 27 is another quote from the British Standard referring to creeping noise levels: "However, small increases might not be significant in terms of public perception. Increases which do not cause the benchmark or context criteria to be exceeded are less significant than those that do."²⁶ Again, the emphasis is on where we have high noise levels, to keep those controlled and not allow any further creep. LBH 28 is really just that list again, but the point to be made here is that all of these publications are subsequent to the CTR and the JLE Select Committee hearings, so this in my mind shapes the way that noise impact assessment should be done.²⁷ I think the tide has changed very much since the times that CTR were considering their particular designs which are similar to Crossrail's.

6889. LBH 29 and 30, you have Local Authority Standards and Guidance and here you record in the left hand column the relevant local authority, the planning criteria in the next column, the status in the

third and whether or not it is more stringent than the Promoter's design aim.²⁸ Perhaps you can help us on the first one, Brentwood, as illustrative of the design criteria, to explain what that signifies and then, I suspect, we will not need to read through the list under Planning Design Criteria in each case.

(Mr Methold) Certainly. The $L_{Ar,T}$ is the symbol that we use for the rating noise levels. Essentially, that is saying that the rating level must be below the background by at least 5 dB. We have a list here that spreads across two pages. We do not need to go through all these, but the local authorities are pretty consistent on this. They are either $L_{90}-5$ or $L_{90}-10$.

6890. We can see in each of those items a minus preceding the figure, so as to make your point about it being minus 5 or minus 10

(Mr Methold) That is correct. There are some slight variations, but certainly there is a very consistent theme in terms of the relationship between the LT level and the L_{90} rating specified.

6891. The status for Brentwood, for example, has been adopted as part of the local plan, so it is part of the Development Plan Framework, and you have recorded the position in relation to each of the other authorities.

(Mr Methold) I have, yes. Rather interestingly, each of the responses we did get back had a fair amount of detail on this particular issue, which is actually symbolic of how important this issue is to local authorities. I think it would be fair to say that the majority of nuisance cases that local authorities deal with are related to fixed noise installations of some sort, which is why they have quite specific guidance and specific experience on how to deal with these types of noise source.

6892. In each case it is more stringent than the Promoter's design aim.

(Mr Methold) Yes, quite significantly. If we could move to LBH31 now, a summary of the local authority concerns.²⁹ The local authorities consider they have limited powers to control nuisance once operational. Although they have powers under the Environmental Protection Act, we are more than aware that under the Railways Act 1993, in particular Section 122, a statutory authority can claim that it cannot be subjected to an abatement notice. As we have seen from the previous two tables, there is an overwhelming conflict with the local authorities' planning guidance compared to Crossrail's design aim and this is a major concern for the local authorities. There is certainly a general feeling from the local authorities that Crossrail should not be treated any differently. One of the main reasons is that it undermines their attempts to try to control creeping noise levels—and remember these are stipulations put on all other developers, big

²⁴ Committee Ref: A81, London Mayors Ambient Noise Strategy 'Sunder City'—2004 (HAVGLB-14705-025).

²⁵ Committee Ref: A81, Draft BS EN 9142: 2005—Assessment Methods for Environmental Noise—Guide (HAVGLB-14705-026).

²⁶ Committee Ref: A81, Draft BS EN 9142: 2005—Assessment Methods for Environmental Noise—Guide (HAVGLB-14705-027).

²⁷ Committee Ref: A81, Strategic Trends and Guidance (HAVGLB-14705-028).

²⁸ Committee Ref: A81, Local Authority Standards and Guidance—Part 1 (HAVGLB-14705-029 and -030).

²⁹ Committee Ref: A81, Local Authority Concerns (HAVGLB-14705-031).

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and small—so I think that the local authorities feel that there should not be any special circumstances for Crossrail in this regard. It also damages the local authorities' credibility for non-Crossrail development, in that other developers will obviously ask the question why another project is allowed to have more lenient standards than the policy of the local authorities will allow. I have put in a quote from the Pollution Prevention and Control Regulations which is guidance to the Environment Agency: "The [Environment] Agency shall justify the occasions when it does not follow any local authority noise proposals"—and remember these are from major industrial installations, power stations, et cetera—so there is clearly an emphasis on consulting with the local authorities on these matters. The local authorities consider that a design aim based around $L_{90}-5$ is appropriate for Crossrail, and we have arrived at this from a balanced and reasonable judgment about what the local authorities' collective policies are but also considering precedent on other major railway infrastructure projects. You will see that some of the local authorities do advocate $L_{90}-10$, but we have had to take a balanced and reasonable judgment on our recommendation to our local authorities. On LBH32 I would like to run through a couple of examples on a 4142 situation.³⁰ In the first example, if we have a measured background noise level of, say, 60 dB L_{A90} in a nearby house and we have calculated that a noise level from, say, a new ventilation system will generate 49 dB L_{Aeq} , and for whatever reason we have deemed that that particular noise source does not warrant a features correction and therefore our features correction is zero, our rating level therefore becomes $49 + 0$, so it remains at 49, and the difference between the rating level and the background noise level is $49 - 60$, which becomes -11 dB. According to 4142, that would indicate that the likelihood of complaint is "unlikely". In the second example, we have a background noise level of 44 dB L_{A90} and a specific noise level of 45 dB L_{Aeq} .³¹ Let us say, in this particular example, that we think it does warrant a features correction because it has a tonal component. That would add 5 to that specific noise level, to come up with a rating of 50 dB. The difference would therefore be $50 - 44$, which would be $+6$, and according to 4142 the likelihood of complaint would be around "marginal significance".

6893. Those are two examples taking those particular figures as to how matters might proceed. Then you LBH 34, dealing with the effect of designing to a Promoter's design aim. Do you utilise those examples?³²

³⁰ Committee Ref: A81, BS4142—Example £1 (HAVGLB-14705-032).

³¹ Committee Ref: A81, BS4142—Example £2 (HAVGLB-14705-033).

³² Committee Ref: A81, BS4142 Examples—Effect of designing to Promoter's Design Aim (HAVGLB-14705-034).

(*Mr Methold*) I do. The examples are background noise levels that the Promoter is using at two vent shaft sites in London. In the second column we have the measured L_{90} levels for those two particular examples of 60 and 44. Columns 3 and 4 are showing what would happen if the Promoter designed up to its design aim—and we have no assurance at the moment that they will not do that. We have an increase in the L_{A90} of plus 3 for both situations, and an increase in the L_{Aeq} of plus 2 for the first example and plus 3 for the second example.

6894. If we have the additional numbers, plus 3 in the L_{A90} column, that is the plus to the background noise which that area then enjoys, or suffers, as the case may be.

(*Mr Methold*) That is correct. This presumes that we have a continuous noise source, which of course a ventilation fan or a transformer would be. So this is essentially the creep that would occur to the L_{A90} and the L_{Aeq} as a result of designing to the Promoter's design aim, and these are two real examples.

6895. What bearing does that have on future development which may come forward which may itself include a source of noise?

(*Mr Methold*) Of course, you have modified the background noise level, increased the background noise level, and, therefore, for anyone coming along with a new development, the goalposts have moved essentially—arguably, in their favour. That clearly would undermine the whole premise of sustainable development, that we need to keep creeping noise levels down, particularly high background noise levels, of which example 1 is a very good example. These are night-time background noise levels, by the way.

6896. Those are those illustrations. Then you come to LBH35, where you ask the question why is the Promoter proceeding on $L_{90} + 5$.³³

(*Mr Methold*) That is correct. The Promoter is saying that their design aim is based on precedent, namely the Jubilee Line Extension and Channel Tunnel Rail Link. They are also saying that they believe it constitutes best practice. The third point is an interesting one. The Promoter is asserting that $L_{90} + 5$ for an entire installation (that is, a collection of noise sources) provides better protection than $L_{90} - 5$ applied for numerous individual plant items. Could we go back through each of those points in terms of the Petitioner's position. In terms of JLE, I have not seen any commissioning surveys that would suggest that they have designed right up to their design aim in any case I know they are available and we did ask for them, but I think there are confidentiality issues about seeing all those commissioning reports. Channel Tunnel Rail Link, section 2—which is of course where the ventilation shafts are—is not yet operational, so we do not know the outcome of that particular project. Interestingly, in the Promoter's technical reports

³³ Committee Ref: A81, Why $L_{90} + 5$? (HAVGLB-14705-035).

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they make no reference to Thameslink 2000 in their review of criteria and we will come on to talk about that a little bit later on.

6897. To anticipate, if I may: what approach has Thameslink 2000 followed in connection with this debate?

(Mr Methold) It has firstly taken the approach of discussing fixed noise source criteria with the local authority up front and has agreed a set of criteria up front. Their criterion is L90-5 for fixed installations.

6898. Thank you. Could you go to your next bullet point, please.

(Mr Methold) Yes. I think we can probably tell by now that I do not believe the approach that the Promoter is taking does constitute best practice. In dealing with their third bullet point, their assertion that L90+5 provides better protection, we would have to remember that the local authority policies and guidance are aimed at being applied to combined noise from each individual development. If a developer comes along, I think it highly unusual that he would be trying to seek planning permission for an individual noise source. The idea in the final bullet point is that one development operated to the Crossrail standard is equivalent to 10 developments operated to the local authority preferred standard. That is assuming a steady noise source—again which we know is the case with ventilation shafts and transformers

6899. That is because of the additive effect, is it, of noise sources coming along? The local authority preferred standard producing less of an additive effect than the development from the Crossrail standard.

(Mr Methold) That is correct, yes. Slide LBH 36 shows us graphically what could happen in situations where we have consecutive developments designed to the different criteria.³⁴ The red is representing Crossrail's design of L90+5 and shows that after five developments we could have an increase in our background noise level of around 15 dB. The green shows a much smaller increase associated with consecutive developments for the Petitioner's preferred design aim.

6900. One still gets an element of creep on the minus 5 approach L90, but it is conspicuously different from that if one is adopting L90+5.

(Mr Methold) Yes, it is considerably different.

6901. That I think reaches the position where at that point we can pause, so to speak, because that deals with your views of the approach on BS4142.

(Mr Methold) It does, yes. This is the first part of the evidence, if you like, to deal with the design aim.

³⁴ Committee Ref: A81, Subsequent development background creep (HAVGLB-14705-036).

6902. There we see on our last slide, therefore, the effect of the Promoter's approach. We turn in the slides to LBH37, where we are concerned with the way in which the Promoter has secured background noise levels.³⁵

(Mr Methold) That is correct. We have undertaken some fairly in-depth analysis of the background noise level derivation process and we have revealed what we believe to be some major flaws. I would like to take the Committee through exactly what that is, because, as I have explained earlier, it does have quite a bearing on how a 4142 assessment has been done by the Promoter for the Environmental Statement.

6903. We can remind ourselves that that significance is revealed by one of the earlier slides to which you drew particular attention, that graphic representation on LBH11.³⁶ Where one sees that the background noise level moves, then plainly the effect is going to be very significant as far as the rating levels there recorded.

(Mr Methold) Yes, that is correct I gave an example. We now know that the Promoter wants to design to a rating level of L90+5. Therefore, if the background noise level that has been used for the assessment at this time is higher than it should be, say, for example, the background noise level should be at least 5 dB higher than has been assumed, then all of a sudden we are into a situation where the equipment could have been designed to something which we know will now give or is likely to give rise to complaint. It is a very key element. If we turn back to LBH37, there is fairly limited guidance provided in 4142 on what background noise level we should use for assessments, but I have listed what we do know, that it should be based upon a typical quiet period of the day.³⁷ That is a statement in the Planning Policy Guidance, note 24, which is the national government policy on planning and noise. It should be for the time of day when the new noise source will be operating—clearly there is no point using a background noise level in the middle of the night if your equipment is never likely to be operating at that time. Monitoring must be undertaken over a suitable period and day and night operations should be assessed separately.

6904. Then you come to a place where the measurements have taken place, and you have chosen 30 Hyde Park Gardens, LBH38.³⁸

(Mr Methold) Yes. This graphic shows a week's worth of measured background noise levels at 30 Hyde Park Gardens in Westminster. The graph runs from midnight to midnight, and we have had each of the days overlaid on top of each other in different colours. The first thing to note is that, again, we had

³⁵ Committee Ref: A81, Selection of background noise levels (HAVGLB-14705-037).

³⁶ Committee Ref: A81, British Standard 4142—Graphical Representation (HAVGLB-14705-011).

³⁷ Committee Ref: A81, Selection of background noise levels (HAVGLB-14705-037).

³⁸ Committee Ref: A81, Background noise levels measured by Promoter over one week at 30 Hyde Park Gardens (HAVGLB-14705-038).

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this drop-off in background noise levels around about three or four o'clock in the morning mark. There are some other interesting features. As you might expect, on Friday night and Saturday night the noise levels are higher than a week-day night, and during the day on Sunday the background noise levels are lower than the rest of the days in the week, so there are some intuitive features there. It shows that there is variability in the lowest area of L90s there between three and four o'clock in the morning, depending upon which day you look at Moving on to LBH39 and how the Promoter has dealt with selecting an appropriate background noise level.³⁹

6905. The Promoter had to select a figure from what is there revealed at 30 Hyde Park Gardens, or wherever else that may be, and then you ask the question what has he done to find that figure.

(Mr Methold) That is right, yes. He has used what is called the statistical mode of all the measurements. This is defined as the most frequently occurring value from a sample of values. I have a table of six numbers in there, highlighting fairly simply that the number 4 is the only one that has been repeated and therefore it constitutes the mode of those six numbers.

6906. The mean is a different figure, of course, and one can readily imagine further examples.

(Mr Methold) That is correct, but that, in essence, is how the mode works. If we have a sample of several hundred noise measurements, it is looking for the most frequently occurring noise level. What does this mean? In the example we have just looked at, LBH40 shows us that.⁴⁰

6907. So we are back to 30 Hyde Park Gardens and you are recording what the Promoter has done in respect of that address to identify the mode.

(Mr Methold) That is correct. We have here a period that has been selected from the previous measurements. Between nine o'clock in the evening and seven o'clock in the morning is the period that the Promoter in this particular instance has said is the most sensitive for the operation of ventilation shafts. The other point to note here is that the Promoter is saying that between 1.30 and 5.30 in the morning he will not be operating the ventilation shafts, and, as such, the background noise levels for that period are not included in this assessment.

6908. That is why you have put the little box with the minimum, mean and mode in that area of the page, with the dashed lines running perpendicularly so that one can see that that area is not counted.

(Mr Methold) That is correct. The coloured lines are not shown through that zone. The horizontal red lines are the interesting results from this analysis. The bottom dashed line represents the minimum measured L90 from all that data

6909. It is just below 47.

(Mr Methold) That is right, just over 46. The next dashed line up represents the arithmetic mean of all of these samples of noise measurements, and then our solid red line across the top is our modal value of all the measurements. In this situation, understandably, the line is pitched around where all the squiggly lines are the most flat (that is, where those noise levels will be most frequently reoccurring). In this situation we have a modal value up at 57, which is some 11 dB higher than the most sensitive period measured during that period.

6910. And also higher than the arithmetical mean, which some people might describe as the average.

(Mr Methold) That is right; just to show that it is erring towards the higher noise levels in this example.

6911. Erring towards the higher means that the whole exercise is ratcheted up. Is that right?

(Mr Methold) Exactly—the point we were making earlier on. We have a difference here of, say, 11 dB, and you can imagine what that means in terms of a 4142 assessment. It is the difference, from the Promoter's point of view, designed to L90 + 5, of being of "marginal significance" and of complaints being "very likely".

6912. We can pass from LBH40, having seen what that does as far as the mode, mean and minimum figures, and go to LBH41 and why it is wrong.⁴¹

(Mr Methold) This is a summary of the points we have just discussed, that the mode only relies on the repetition of a particular value, which is a random coincidence, in my view, rather than any systematic approach. It ignores the typically quiet periods of the day, which is the guidance we are given by national policy. As we have seen in the example before, it is biased towards higher noise levels. I believe this is a major flaw in the Promoter's assessment methodology and importantly could conceal some impacts that should have been identified in the environmental statement. We know of at least one situation where that is the case. Of course the importance of the Environmental Statement is to identify those impacts and provide additional mitigation. The use of this mode is inconsistent with other recent projects. I have never seen this approach used before, which is why I have paid particular attention to the effects of it, and all the other railway projects that we know about have used a minimum value of L90 instead of this modal value. Quite clearly we do not believe this can be permitted for Crossrail on that basis. LBH42 is a summary of the other railway projects.⁴² In relation to the Jubilee Line Extension, the extract that I was provided with by the Promoter on request has indicated that the reported background noise levels for fixed plant design were based on the minimum one hour L90. In relation to Crossrail, back in 1991,

³⁹ Committee Ref: A81, What has the Promoter done? (HAVGLB-14705-039).

⁴⁰ Committee Ref: A81, Analysis of Modal Value—30 Hyde Park Gardens (HAVGLB-14705-040).

⁴¹ Committee Ref: A81, Why is this wrong? (HAVGLB-14705-041).

⁴² Committee Ref: A81, What others have done? (HAVGLB-14705-042).

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there is a report indicating that its previous assessments were done to the minimum five minute L90. The Channel Tunnel Rail Link has used a typical minimum five minute L90 and Thameslink 2000, we know, uses the lowest measured L90.

6913. Then you say “much lower assumptions used compared to Crossrail”. Bearing in mind what others have done, can you help us by reference to the illustration from 30 Hyde Park Gardens at LBH40 as to which lines the others would have used.

(Mr Methold) The measurements we see on LBH40 are 15 minute measurements, so they are recorded every 15 minutes. The other projects have varied that slightly, in that some projects have gone to a higher resolution of five minutes and have applied a form of smoothing technique to come up with a representative background noise level. But all of them are in the low region, so they are essentially represented by the lower dashed line on that particular graphic.

6914. The minimum line?

(Mr Methold) The minimum.

6915. In other words, a difference of 11 or so.

(Mr Methold) In this example, yes.

6916. So LBH42 is what others have done. Then you ask the question at LBH43: What do the Petitioners want?⁴³

(Mr Methold) Clearly we want Crossrail to abandon this approach. We do not believe it is appropriate. We think it is concealing the results of their Environmental Statement. We want them to reassess those impacts using a minimum background noise level, as we would have expected them to. We also want to ensure that we do not see this approach re-emerge during detailed design stage

6917. That is the method of calculation. At LBH44 you come on to Thameslink 2000 and an extract from the Environmental Statement.⁴⁴ What is the purpose of this reproduction?

(Mr Methold) These two paragraphs are quite clearly stating that Thameslink has acknowledged the emergence of new guidance; that it has had to take on board and review and change its assessment criteria. You will remember that Thameslink has had several incarnations. The most recent, in 2004, reviewed its criteria and changed its criteria as a result. There is particular reference in these paragraphs to the National Ambient Noise Strategy and the Mayor’s London Ambient Noise Strategy. It is making particular reference to the concern about already high noise levels and alluding to the issue of creeping noise levels and absolute noise levels.

⁴³ Committee Ref: A81, What do the Petitioners want? (HAVGLB-14705-043).

⁴⁴ Committee Ref: A81, Thameslink 2000 Extract from Environmental Statement—Scoping and Methodology Report June 2004 (HAVGLB-14705-044).

6918. That is LBH44, where you say that greater emphasis has been given to environments already exposed to high noise levels as well as the requirements of the European Directive Would you go to LBH45, please.⁴⁵

(Mr Methold) LBH45 is the agreed wording for the fixed noise sources for Thameslink 2000. I will not read this out, but the summary at the bottom is essentially concluding that the rating level is equal to L90 – 5. The important aspect with regard to Thameslink 2000 is that they developed and agreed these criteria with the Inner London local authorities, and we believe that the Thameslink 2000 approach is consistent with the Petitioner’s arguments.

6919. There is a consistency there between those two. The question might be asked, therefore: Why is it said that the Promoter cannot do this? We can see the answer to that at LBH46.⁴⁶

(Mr Methold) We have asked the question directly to the Promoter and their answer has been that they do not feel that they can accommodate the Thameslink 2000 design aim specifically in the case of ventilation shafts. The implication of this, of course, is that, because this design aim is being rolled out across all of the fixed noise sources, it means that anything that is not a vent shaft is allowed to design up to that less stringent design aim, which is in major conflict with the Thameslink 2000 approach. The other problem we have with that is that it is disregarding what we believe is the most recent review of all guidance and strategies on this matter conducted by another contemporary major railway infrastructure project.

6920. LBH47 is the achievability of alternative design aim.⁴⁷

(Mr Methold) I was interested with the response from the Promoter that the main reason they could not accommodate Thameslink’s design aim was because of the existence of ventilation shafts on their project, so, always one to take up a challenge, I looked at that particular situation in more detail. From the information we have been provided by the Promoter, plus other information I have found from some research, we have been able to identify what we believe would be the additional mitigation and hence costs associated with meeting our preferred design aim of L90 – 5 for vent shafts. The first point to make is that at least 16, and I think it may be 18, out of the 26 shafts already meet L90 – 45—and that is assuming the lowest L90, according to the information the Promoter has put forward. We know that the Promoter has assumed some level of attenuation within the ventilation shafts as part of their basic impact assessment at this stage. Knowing the performance that that offers, we were able to

⁴⁵ Committee Ref: A81, Thameslink 2000 Extract from Environmental Statement—Scoping and Methodology Report June 2004 (HAVGLB-14705-045).

⁴⁶ Committee Ref: A81, Thameslink 2000 Design Aim (HAVGLB-14705-046).

⁴⁷ Committee Ref: A81, Achievability of Alternative Design Aim (HAVGLB-14705-047).

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approach suppliers of the mitigation to understand what additional mitigation, and hence costs, would be required to achieve our preferred design aim. The results from my costing exercise reveal that, across the entire route of all the vent shafts, we are probably looking at a cost of around about 100,000 for additional hardware costs. That does not include any additional labour costs or maintenance costs, et cetera; it also does not take into account the effect that the additional attenuation may have in terms of the performance of the vent shaft. I am not in a position to see whether it would, overall, affect the airflow, for example, from the vent shaft, but this, in my mind, is a very insignificant cost in the context of what we are trying to achieve in environmental noise management. This costing does err on the side of caution, in my view. I have assumed, where I can, that mitigation has been applied more so than it would necessarily be required. From my preliminary analysis, I do not accept the Promoter's position that they cannot reasonably achieve our design aim of L90 – 5 using a minimum L90

6921. That is LBH47, where you have posed the question: Can it be done? and then answered it. Could we turn to LBH48, to the meaning of the phrase “best practicable means”.⁴⁸ What is the purpose of introducing that?

(Mr Methold) The purpose is that the Promoter has said that it does not want to adopt a more stringent design aim because it feels it cannot achieve it. We have introduced this issue of best practicable means. During the groundborne noise evidence it was debated at great length. We feel it is a tried and tested method of allowing the Promoter to put its case if it really feels that it cannot achieve a more stringent design aim on the grounds of engineering practicability and financial implication. We would be looking to apply this criterion to our proposed design aim, so that there is an opportunity for the Promoter to come to the local authorities and say, “We really do not think we can achieve our L90 – 5. We may be able to achieve L90 + 1.” That is the normal process for a local authority when a developer is putting forward a project, if it really cannot be done, and the local authority is sympathetic to understanding those reasons. I do not intend to read that out again because I think we have covered that in some depth previously

6922. We then come to LBH49, a summary of the position, where you record in bullet points that which you have been through in the preceding text.⁴⁹

(Mr Methold) It is. This is just a final page on our position. There is concern by the local authorities if their power to serve abatement notices is limited on the basis of the Railway Act 1993 and the Promoter's ability to claim status as a statutory authority. As such, it is very important for the local authorities to achieve a more appropriate design aim for this project. The Promoter is not prepared to be

constrained to the noise levels that were predicted as part of the development of the ES. This is an interesting aspect. When we looked at the achievability of our design aim, I noted that 16 or 18 of the shafts already meet our preferred design aim. That is because some of the noise levels that are being shown are well, well below even our preferred design aim.

6923. Pausing there. The Environmental Statement is showing certain noise levels less than the L90 – 5 but the Promoter is being allowed, if the matters proceed as forecast, to build to a higher noise level. **(Mr Methold)** That is right. They are reserving their position, essentially, to work up to their design aim, despite the results they are showing in the environmental statement. That is important because we know they have incorporated some level of mitigation in the vent shafts and our concern would be that they could remove that and still meet their design aims.

6924. Would you turn to the third bullet point on LHB49, please.

(Mr Methold) At the start of the evidence I alluded to my views on the use of a complaint threshold for design purposes. I think we have elaborated further on that throughout the evidence. We do not think that the Promoter has taken on board more recent strategic trends and guidance in this area; in particular, the issue of creeping noise levels and the net effect that that has on absolute noise levels. I believe we have discovered quite a major flaw in the use of the modal value for defining the background noise level for this project. There is major conflict with the local authorities' policies and guidance on new fixed noise sources. The Promoter has ignored the Thameslink approach, and that is a two-fold issue really: consultation with local authorities up front and agreement, and also undertaking their own contemporary review of criteria and also more recent guidance. I hope I have shown that there is technical justification for a standard based upon our L90 – 5. It is what the local authorities use day-in and day-out with hundreds of applications that pass through the system. My preliminary analysis indicates that L90 – 5 is achievable for this particular project, considering the vent shafts. We would like to still apply a BPM clause to any agreement for situations where the Promoter feels that L90 – 5 really cannot be achieved for very good reasons, if that is the case

6925. In that situation, it would be the best practicable means to be applied

(Mr Methold) That is correct.

6926. Then you come to LBH50, which is the undertakings sought from the Promoter, which is designed to achieve the minus 5, is it?⁵⁰

(Mr Methold) That is correct. We had two undertakings that we were developing here. The draft for discussion purposes is quite pertinent here.

⁴⁸ Committee Ref: A81, Best Practicable Means—Environmental Protection Act 1990 (HAVGLB-14705-048).

⁴⁹ Committee Ref: A81, Summary Position (HAVGLB-14705-049).

⁵⁰ Committee Ref: A81, Undertakings Sought—Noise from Fixed Sources (HAVGLB-14705-050).

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The Promoter has issued a draft information paper which I believe it wants to work on further after these particular hearings. This is really setting out our initial position, which is the use of best practicable means, but we also want to achieve a rating level below the background of more than 5, so L90–5. In (b) we are introducing some absolute noise level limits. In this day and age, it should not be too difficult to design to those types of noise levels. They are in fact the ones that the PPC regulations for major industrial installations advocate as an opening series of noise levels and setting these noise levels protects creep at the very high noise levels, so we have got two strands, really, to our own position on this. The second undertaking relates specifically to public address systems, which we believe is much more of a local issue and station managers do have their own powers to control public address systems.⁵¹ Also, we are mindful that in the majority of cases where this is an issue for Crossrail these systems are already in existence and it may be that they are an issue already or are not an issue. I think it is much more appropriate that each local authority is involved in the particular public address systems. I think, from the wording I have seen this morning proposed as an undertaking from the Promoter, that has been achieved.

6927. **Mr Straker:** Thank you very much, Mr Methold. Thank you very much, sir.

Cross-examined by **Mr Taylor**

6928. **Mr Taylor:** Good morning, Mr Methold.
(*Mr Methold*) Good morning.

6929. I want to start by asking you some questions about the national planning policy. The Promoter has prepared a bundle of documentation in the blue folder, which hopefully the Committee has before it. I think that should be P75. If we turn within the blue folder to PPG24, page 70, the last few digits at the top right-hand side, we see Planning Policy Guidance Note 24 “Planning and Noise” and that represents current national planning policy on the planning of noise. Does it not, Mr Methold?
(*Mr Methold*) It does, yes.

6930. That policy is applied to all applications for new noise-generating development.
(*Mr Methold*) It is, yes.

6931. If we turn within the document to paragraph 10, which is on page 72 of the folder I have got, at the bottom of that page, under the heading “Development Control Noisy Development” we see paragraph 10 which states: Much of the development which is necessary for the creation of jobs and the construction and improvement of essential infrastructure will generate noise. The planning system should not place unjustifiable obstacles in the way of such development.

Nevertheless, local planning authorities must ensure that development does not cause an unacceptable degree of disturbance.”⁵² Do you see those words?
(*Mr Methold*) I do.

6932. It is plain from that, is it not, that the objective of national planning policy is that development should not cause an unacceptable degree of disturbance due to noise?
(*Mr Methold*) Correct.

6933. That is the test which it is appropriate to apply when considering noise from fixed installations in relation to Crossrail. Is it not?
(*Mr Methold*) Yes.

6934. You have referred in passing in your evidence to the Mayor’s strategy on ambient noise. I think if we turn in A81 to LBH25, you have set out some extracts from the Mayor’s ambient noise strategy for 2004, and we can see that the stated aim is to minimise the adverse impacts of noise on people living and working in and visiting London.⁵³ Yes?
(*Mr Methold*) Yes.

6935. That abstract is prepared in the context of the national planning policy PPG24, is it not?
(*Mr Methold*) It is. I believe it is also moving onwards towards a different view. I think there are different aspects. We are talking about adverse impacts here; I think that is different to “unacceptable degree of disturbance”.

6936. I see. So your evidence to the Committee is that the Mayor’s strategy does not reflect national planning laws.
(*Mr Methold*) I am sure it does reflect national planning policy but I think it moves further than national planning policy.

6937. If it reflects national planning policy, Mr Methold, we have to interpret the word “adverse” in relation to “adverse impacts” as meaning impacts which cause an unacceptable degree of disturbance. Do we not? In order for the two documents to be consistent.
(*Mr Methold*) I do not see the link. I am sorry.

6938. If we turn, in your document A81, to LBH18, you have got the heading “Strategic Trends & Guidance”.⁵⁴ You set out here references to a number of documents, which as I understand it you are saying, essentially, suggest that existing noise levels should be reduced. Is that right? Is that the trend you are identifying from the strategic documents?
(*Mr Methold*) I think, in the longer term, the targets are that noise should be reduced, not increased.

⁵¹ Committee Ref: A81, Undertakings Sought—Noise from Fixed Sources (HAVGLB-14705-051).

⁵² Crossrail Ref: P75, Planning Policy Guidance 24: Planning and Noise, Development Control, Noisy Development (HAVGLB-14704-072).

⁵³ Committee Ref: A81, London Mayors Ambient Noise Strategy ‘Sunder City’—2004 (HAVGLB-14705-025).

⁵⁴ Committee Ref: A81, Strategic Trends and Guidance (HAVGLB-14705-018).

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6939. That, you say, comes out of these documents? **(Mr Methold)** There is a general trend certainly in the Environmental Noise Directive. At the European Commission the fifth and sixth frameworks make it quite clear that over a period of time they are looking to reduce noise levels.

6940. None of these documents represents national planning policy, do they? **(Mr Methold)** No, it does not.

6941. It is not part of national planning policy that existing noise levels should be reduced. **(Mr Methold)** Not at current. We should be aware that PPG24 national planning policy is currently being reviewed. It will be issued as PPS24. We understand that that is likely to happen this year and certainly the papers that I have been reading are indicating that elements that I have identified as being weaknesses in current planning policy are to be addressed and will be reviewed and included in PPS24.

6942. Has a draft of PPS24 been produced? **(Mr Methold)** No, it has not. The consultants involved in providing that draft have given papers at the Institute of Acoustics conferences.

6943. You refer on LBH22 to the Defra document *Towards a National Ambient Noise Strategy* 2001.⁵⁵ That was issued for consultation, was it not? **(Mr Methold)** It was.

6944. Has a national ambient noise strategy been produced? **(Mr Methold)** Not, it has not. It is behind programme.

6945. If we turn to LBH24, the European Directive you have referred to, has the EU identified particular noise limits that should be applied when designing fixed installations?⁵⁶ **(Mr Methold)** Not as yet, no. I believe it is part of the programme to do so, as is the programme to eventually reduce noise levels across Europe on all Member States.

6946. That is all I wanted to ask about policy, at least at the national level. Can we turn to look at your draft undertaking, which you very helpfully set out at LBH50.⁵⁷ As I understand it, you have got, essentially, two parts: there is part a) which encapsulates your point about the design criterion being background noise level minus 5, and then you have got part b) which identifies particular absolute levels: 45 dBA $L_{Aeq,5min}$ (night time) and 50 dBA

$L_{Aeq,1hr}$ (day time). So you have got a sort of absolute design target as well. Is that a fair way of characterising the undertaking you seek?

(Mr Methold) It is, yes.

6947. Let us deal with the first part, part a), the minus five below the background. Of course, you made it perfectly clear that the Promoter says that the appropriate level to adopt is plus 5 dB above the background noise. The approach the Promoter is advocating derives from BS4142, does it not? **(Mr Methold)** For assessment of complaints, yes.

6948. BS4142 is recognised by PPG24 as the appropriate approach to adopt when examining noise from fixed installations. Is it not? **(Mr Methold)** Correct.

6949. PPG24 does not identify any other approach. **(Mr Methold)** Not specifically, no.

6950. If we turn to LBH10, you have set out what BS4142 says about the various levels of difference in noise levels between the background noise and the rating level.⁵⁸ Around plus five is identified in BS4142 as of marginal significance. Yes? **(Mr Methold)** Yes.

6951. Would you accept that a difference which is of marginal significance is a level that will not cause an unacceptable degree of disturbance? **(Mr Methold)** No, I do not accept that.

6952. You advocate minus five. BS4142 does not give an indication of the significance of a minus five, does it? **(Mr Methold)** It does not.

6953. Can you tell me how many fewer people will be annoyed if minus five is adopted as opposed to plus five? **(Mr Methold)** I cannot tell you that, no.

6954. Can you tell me whether there is any scientific evidence at all to show that there would be any difference in terms of the impact upon people, for adopting a minus five level as opposed to a plus five level?

(Mr Methold) Well, the minus five has been set specifically to deal with not just what we are talking about here, which is complaints, but also to avoid noise increases in both the LA90 and the LA_{eq}—I hope I made that point in one of my slides, showing that the Promoter's design aim of plus five would actually allow an increase in LA_{eq} and LA90. Our design aim of minus five has been tested to ensure that it actually removes any of those increases. So it has a double-edged purpose.

6955. So the minus five is designed to address the background creep point. That is what you are saying?

⁵⁵ Committee Ref: A81, Defra—Towards a National Ambient Noise Strategy 2001 (HAVGLB-14705-022).

⁵⁶ Committee Ref: A81, Directive 2002-49-EC Assessment and Management of Environmental Noise (HAVGLB-14705-024).

⁵⁷ Committee Ref: A81, Undertakings Sought—Noise from Fixed Sources (HAVGLB-14705-050).

⁵⁸ Committee Ref: A81, British Standard 4142:1997 Method for rating industrial noise affecting mixed residential and industrial areas (HAVGLB-14705-010).

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(Mr Methold) It is one of the factors, yes.

6956. But in terms of actually what effect it will have on the people who are exposed to noise from fixed installations, the reality is that there is no evidence, is there, to demonstrate that the adoption of minus five will have any material benefit to those people as opposed to the adoption of plus five?

(Mr Methold) As part of the review to the national planning policy PPS24, some commissions have been made by Defra to look at this specific issue. One of the important aspects that has arisen from that research is that the 5 dB penalty that is applied to specific noise levels may not be appropriate in all cases. They are actually looking at advocating a plus 10. So the situation we have in terms of 4142 is that we could actually be underestimating the likelihood of complaints based upon the latest Defra research that is coming in.

6957. With the greatest respect, Mr Methold, I do not believe you answered my question. I will put the point again to give you an opportunity to answer it. There is no evidence, is there, that the adoption of the minus five figure will produce any material benefit to those people who are likely to be affected by noise from fixed installations as opposed to the adoption of the plus five figure? You have got no evidence and you can produce no evidence. That is right.

(Mr Methold) I have no evidence with me, no. I do know that we have a situation on the Channel Tunnel Rail Link where complaints have been received for one of their fixed installations at L90 + 1, which is indicating that in that particular situation a design aim of L90 + 5 was inappropriate. It is very much along the lines of the evidence we gave on groundborne noise where we have to look at the actual situations where we have problems arising from the use of these design aims, and that is one particular situation.

6958. To achieve a minus five figure is likely to impose additional costs on the Crossrail project compared to a plus five criteria. That is inevitable, is it not?

(Mr Methold) It is. I believe that the cost is minimal for ventilation shafts and I would also make the point that Thameslink 2000 were quite prepared to accept this condition for all other fixed equipment and, therefore, the cost was inherent for that project.

6959. I will come on to Thameslink 2000, do not worry. I will not forget that. In terms of your evidence in relation to costs, am I right that you have not presented any information at all to the Promoters in relation to the research you have conducted on costs?

(Mr Methold) That is correct.

6960. So you have presented no written documentation to the Promoter on that. The first the Promoter heard of your views on that was when you gave evidence-in-chief some moments ago. Is that correct?

(Mr Methold) I think my slide makes it clear that I have done a cost analysis.

6961. So there has been no discussion about the evidence that you have given on costs with the Promoter?

(Mr Methold) No.

6962. That puts me in a slightly difficult position in respect of cross-examination, but I will do my best anyway. You mentioned that there were some limitations to the exercise that you had undertaken. I think you said that you had not examined the implications for the air flow within vents and whether that would be sufficient for the mitigation of noise—

(Mr Methold) That is outside my speciality.

6963. So there is the potential, is there not, for additional costs to be imposed to deal with that sort of issue?

(Mr Methold) There is potential but I think that with the magnitude of additional mitigation that I have come up with in these vent shafts, actually it is unlikely that it would be an issue. I have a specialist in this area who works in the organisation who has been looking at this and without getting too technical there are various issues, such as back pressure that he is more than familiar with, that he is fairly confident that we have not erred in favour of the Petitioner, so to speak.

6964. One last aspect in relation to the plus five/minus five debate, if I can call it that: you have received a copy, I believe, of the draft information paper that has been prepared. That is set out in P75 at page 118. I wanted to draw your attention to paragraph 2.12 of that document, which we see on page 120.⁵⁹ It indicates that: “While the degree of attenuation required is site dependent, not least because of different levels of background noise at different sites, the nominated undertaker will be required to use reasonable endeavours when designing the shafts to reduce the noise below the assessment criterion where it is practicable to do so.” You understand what is being proposed there is, essentially, that the plus five figure is not a target and that where it is possible to have levels where the difference is significantly below plus five, reasonable endeavours will be used to achieve that. Do you understand that aspect?

(Mr Methold) I do understand that aspect. I am concerned about the phrase “reasonable endeavours”.

6965. Indeed, we know, do we not, from your own evidence in LBH47, where you have identified 16 out of the 26 vent shafts already would achieve differences below your minus five criterion level.⁶⁰ Yes?

(Mr Methold) Correct.

⁵⁹ Crossrail Ref: P75, draft Information Paper, Noise from Fixed Installations (HAVGLB-14704-120).

⁶⁰ Committee Ref: A81, Achievability of Alternative Design Aim (HAVGLB-14705-047).

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6966. That indicates that the Promoter is already adopting the approach set out in the draft IP.

(Mr Methold) I think it shows that the Promoter—and this was actually stated at the meeting we had recently—has really just used the Environmental Statement to identify whether their design standard of L90+5 can be achieved. I do not think there is any commitment at all to reducing below that. I am concerned about the use of “reasonable endeavours” and what that actually means in practice. My view is that you can use reasonable endeavours and still only have to meet L90+5, but this is a draft information paper and I would like to explore that further.

6967. That is why it is in draft, so that we can continue discussions and, hopefully, achieve a measure of agreement in the future. Let us move on to deal with your point about background noise levels, if I may, briefly. Am I right in thinking that the background ambient noise levels change over time?

(Mr Methold) Yes, they do.

6968. So it would be right, would it, to carry out measurements of background in the future prior to the design process starting in order to take into account those sorts of changes?

(Mr Methold) Absolutely expected, yes.

6969. So the right approach to the design process for fixed installations, in relation to Crossrail, would be to establish at an appropriate time in the future what the background noise levels are in each location.

(Mr Methold) Correct.

6970. The draft IP that has been produced indicates, does it not, at paragraph 2.14, page 120 again: “The nominated undertaker will be required to determine the relevant LA90 levels to be jointly established with the relevant local authorities.”⁶¹ Now, if that is the approach that is adopted that meets your concerns about the identification of the appropriate background level.

(Mr Methold) It meets my concerns at the design stage; it does not meet my concerns about the information that has been presented in the Environmental Statement, which is still based upon this modal value of background noise level. As I said in my evidence, I believe that it has serious and significant impacts which the Environmental Statement has a duty to report at this stage or to present to the decision-maker.

6971. So you are saying there will be circumstances where the plus five criterion cannot be met?

(Mr Methold) I believe there is, yes. Well, where the plus five criterion would not be met according to the Promoter’s calculated levels at present without further mitigation applied.

6972. So with further mitigation plus five levels can be met in all locations.

(Mr Methold) It may well be but we do not know that. The Environmental Statement does not tell us that.

6973. If the plus five level is adopted as the level of significance (and I do not disagree with that), on that assumption that would mean there would be no significant impacts arising from fixed cost installations.

(Mr Methold) With a mystery level of mitigation incorporated.

6974. Let us deal with Thameslink 2000. That project does not involve any new tunnelling.

(Mr Methold) It does not.

6975. It does not involve the creation of any new vent shafts that are ventilated by fan, as I understand it. Is that correct?

(Mr Methold) As far as I understand, yes.

6976. It does not involve the provision of new maintenance depots.

(Mr Methold) No, it does not.

6977. It does not involve the provision of new stations.

(Mr Methold) I do not think so, no.

6978. It would be right, given those differences, to recall that the fixed installations involved in the Thameslink 2000 project are of a different kind to those provided in relation to Crossrail.

(Mr Methold) I think that what we have to be very clear about is that Thameslink have, essentially, justified L90–5 on acoustical grounds. They have agreed this with the local authorities, they have done their own review of the guidance that I have taken you through today and they have concluded that L90–5 is an appropriate acoustical target to meet. That is important. That is why I have a problem with the Promoter suggesting that they need to go into something else than ventilation shafts because it conflicts with the whole premise that the acoustical target should be moved.

6979. Did the promoter of Thameslink 2000 form that view in relation to all forms of fixed installations, or did they form a view in relation to—

(Mr Methold) I do not know. I was not party to those discussions, I am afraid.

6980. Let us turn to part b) of your proposed undertaking which relates to the absolute levels. I have already identified in that aspect of your draft undertaking that you advocate design criteria of 45 dBA $L_{Aeq,5min}$ at night and 50 dBA $L_{Aeq,1hr}$ for the day time. As I understand it, those figures are drawn from the guidelines for community noise. Is that correct?

(Mr Methold) Not directly, no; they are drawn from the PPC regulations, the technical guidance that goes along with the PPC regulations, which

⁶¹ Crossrail Ref: P75, draft Information Paper, Noise from Fixed Installations (HAVGLB-14704-120).

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recommend that rating levels to those values are used for absolute noise levels from industrial installations.

6981. I see. You have not produced the PPC guidance here.

(Mr Methold) I have not, no.

6982. The reason I believe that the figures were drawn from the guidelines for community noise becomes apparent if we look at LBH20.⁶² We see there “Outdoor living area: moderate annoyance, daytime and evening”, 50 L_{Aeq} and “Outside bedrooms, sleep disturbance, window open” 45 L_{Aeq}. Those are the same figures.

(Mr Methold) They are the same figures.

6983. I just wanted to draw your attention, if I might, to some passages within the Crossrail technical report assessment of noise and vibration impacts, volume 1 of 8. It is page 20.⁶³ If we look at page 20 (this is under the heading of the World Health Organisation) this part of the technical report is examining the implications of the guideline levels that we have just looked at. At paragraph 4.15 there is reference to the National Noise Incidence Study 2000, which found a number of things, but at 4.16 we see that 55 + 3per cent of the population of England and Wales live in dwellings exposed to daytime noise levels above the 55 dBA L_{Aeq}.

(Mr Methold) Yes.

6984. If we look at 4.17 we see, in relation to the night time level, that 68 + 3per cent of the population in England and Wales live in dwellings exposed to night-time noise levels above the 45 dBA L_{Aeq} level. Yes?

(Mr Methold) Yes.

6985. We then go on to 4.18 to see reference to a review of the health effects based noise assessment methods, undertaken for the DETR in 1998. The conclusions of that review are set out in 4.18, which says that: “Perhaps the main weakness of both WHO-inspired documents is that they fail to consider the practicality of actually being able to achieve any of the stated guideline values.” Turn over the page to page 21: “The percentages exposed above the WHO guideline values could not be significantly reduced without drastic action to virtually eliminate road traffic noise and other forms of transportation noise (including public transport) from the vicinity of houses. The social and economic consequences of such action would be likely to be far greater than any environmental advantages of reducing the proportion of the population annoyed by noise. In addition, there is no evidence that anything other than a small minority of the

population exposed at such noise levels find them to be particularly onerous in the context of their daily lives.”⁶⁴ That was the conclusion of the review conducted for the DETR. In the light of that, is it the case that you are seeking to use criteria that could not be met generally without the consequences identified in that report?

(Mr Methold) No, I do not believe so. The situation where this applies is for vent shaft locations predominantly, and here we already have noise levels far in excess of these guideline levels already. The purpose of putting absolute levels of 45 and 50 is to control any creep whatsoever at the higher noise levels. If you limit your emissions from, say, a vent shaft to the 45 at night it means you do not get an increase in L_{Aeq} or L90 for the situations where the noise levels are already high. Also, I have made the point already, those noise levels are taken from Environment Agency guidance from the PPC regs.

6986. It is not national planning policy to reduce ambient noise levels to the guideline values that you referred to in your draft undertaking, is it?

(Mr Methold) No, it is not, but a review of PPG24 undertaken by the Promoter’s specialists indicated, or recognised, that noise levels based upon the then WHO guidelines should be used as absolute noise limits.

6987. It is not part of the Mayor’s strategy to reduce ambient noise levels to the guideline levels set out in your draft undertaking.

(Mr Methold) To the WHO guideline levels?

6988. Yes.

(Mr Methold) No. I think I have made the point they are not actually based on the WHO guideline levels. They happen to be, coincidentally, the same.

6989. They are the same figures, are they not?

(Mr Methold) They are the same figures.

6990. If we turn to LBH29 and 30, where you set out various design criteria that local authorities utilise, and look through those, I am right, am I not, that it is not part of any of the local authorities’ design criteria that the levels of 50 by day and 45 for night should be met within their areas?⁶⁵

(Mr Methold) No, it is not.

6991. So the criteria that you are putting forward in part b) is criteria which is not based upon national planning policy, it is not based upon regional planning policy for London, it is not based on any planning policy that you can refer to for any of the local authorities that are you here representing. That is right.

⁶² Committee Ref: A81, World Health Organisation Guidelines for Community Noise 1999 (HAVGLB-14705-020).

⁶³ Crossrail Ref: P75, Specialist technical reports, Assessment of noise & vibration impacts, Volume 1 of 8 Introduction, scope & methodology, World Health Organisation, billdocuments.crossrail.co.uk (LINEWD-STR109-024).

⁶⁴ Crossrail Ref: P75, Specialist technical reports, Assessment of noise & vibration impacts, Volume 1 of 8 Introduction, scope & methodology, World Health Organisation, billdocuments.crossrail.co.uk (LINEWD-STR109-025).

⁶⁵ Committee Ref: A81, Local Authority Standards and Guidance—Part 1 (HAVGLB-14705-029 and -030).

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(Mr Methold) It is provided in guidance that is applied to every major industrial installation that requires a permit under the PPC regulations.

6992. Does Crossrail require a permit under the PPC regulations?

(Mr Methold) It does not.

6993. Do you think that adopting design criteria that would require “drastic action to virtually eliminate road traffic noise and other transportation noise” might be to place an unjustifiable obstacle in the way of development?

(Mr Methold) Could you repeat the question?

6994. Do you think that to adopt design criteria that would require, in the words of the report I have taken you to, “drastic action to virtually eliminate road traffic noise and other transportation noise” might be to place an unjustifiable obstacle in the way of development?

(Mr Methold) To eliminate it would be, yes.

6995. Can we turn to deal with background creep very quickly, Mr Methold. As I understand it, the approach to using BS4142 that you adopt is that the minimum background noise level should be adopted as the background noise level. Yes?

(Mr Methold) Yes.

6996. If we turn to LBH40, you have set out an indication on that graph as part of your analysis of modal value.⁶⁶ We see, in the middle of the page, “ventilation shafts assumed to be inoperative”. It is right, is it, that there is a significant period of the night when the vent shafts will not operate?

(Mr Methold) I think that is the case for the normal operation of the ventilation shafts. They will be used, of course, during maintenance periods which will be during the night, but we understand that they will be operated to a much lower level.

6997. The minimum background noise level will be at night when the vents are not operating. Is that right?

(Mr Methold) That is not what we are trying to get at with our arguments on this case. We are—I have already made the point—totally in agreement that there is no point in looking at a background noise level for a situation where the equipment will not be operating.

6998. If we went forward with Crossrail and Crossrail was built, and a local authority were faced with an application for a development which was noise creating which needed to be assessed in accordance with BS4142 and the background noise level had to be identified, on your approach the background noise level at night that would be adopted would be that during the period when the vent shafts were not operating.

(Mr Methold) Are you talking about the Crossrail development?

6999. Yes.

(Mr Methold) That is certainly the case. That is the case with all other projects. CTRL has actually used the minimum period throughout the night, even though it acknowledges it may not be operating ventilation shafts. So they have actually gone to—

7000. I think I may have confused you. Assume that the Crossrail station has been built with the vent shaft and a third party developer comes along and wants to get planning permission to put a compressor into their restaurant and that is going to run 24 hours a day. In assessing whether or not to grant planning permission or what conditions to impose, the local authority would apply BS4142, would it not?

(Mr Methold) It would apply its own policies, I suspect.

7001. And it would have to identify background noise levels.

(Mr Methold) Yes.

7002. The background noise level, on your approach, that would be identified would be that which would occur during the period when the vent shaft for the Crossrail station was not operating, because that would be the quietest part.

(Mr Methold) Yes.

7003. So in terms of background creep, it must be the case, must it not, that Crossrail will not affect the background L90s for subsequent developments.

(Mr Methold) That is only going to be the case if it is being put forward in periods when the ventilation shafts are not being operated. We know the electrification equipment—transformers, etc—will be operational 24 hours a day, so that argument really only stands in the case of ventilation shafts.

7004. Creep, as I understand it, is only a problem when development occurs in a piecemeal fashion. Is that right? One development after the other.

(Mr Methold) Well, it is the natural planning process. A developer will come along at some time. I have already said, hundreds of applications go through the local authority system.

7005. You are aware, are you not, that the design criteria in the draft IP applies to all fixed noise sources at each site collectively?

(Mr Methold) Correct. As a single developer I would expect that.

7006. So, to that extent, it is not a case of a vent fan adding to noise that, whatever else, might be at a particular station adding another 5 and so on and so on. It is all taken into account in one hit.

(Mr Methold) Absolutely. It is a single development.

7007. That is the approach that was adopted on the Jubilee Line Extension. Yes?

(Mr Methold) I am not certain but if that is the case then I am quite happy to accept it.

⁶⁶ Committee Ref: A81, Analysis of Modal Value—30 Hyde Park Gardens (HAVGLB-14705-040).

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7008. You are not aware of any complaints arising from the Jubilee Line Extension fixed installations?
(Mr Methold) I am not aware of any complaints. I am also not aware of the actual levels that were achieved for that system. It may well be they achieved much lower levels than L90 + 5.

7009. The local authority policies that have been adopted which we have already seen are designed to address continuous noise, are they not?
(Mr Methold) Predominantly, yes.

7010. They address concerns relating to the piecemeal development we have already discussed, incremental development.
(Mr Methold) Yes.

7011. Were they formulated with a nationally and regionally important infrastructure project?
(Mr Methold) I certainly had to make that judgment on behalf of the local authorities. I said earlier that some of them do apply more stringent design aims on fixed installations, and in recommending that we go for a L90 – 5 I have had to be very careful in discussing this with the local authorities and making the point that I wanted to put forward to the Committee a credible and reasonable design aim that would fit in with the overarching requirement for a major regional infrastructure project. That is why we have gone for L90 – 5.

7012. **Mr Taylor:** Thank you very much. Those are all the questions I have.

7013. **Chairman:** We will adjourn now until 2.30. Can I remind everybody here that if they need refreshment there is tea and coffee along the corridor.

7014. **Mr Mould:** Can I just inform the Committee that I am instructed by Mr Walker that Regent Street Association were in the process of withdrawing their Petition this morning, so I think it unlikely that they will in fact appear before you.

7015. **Chairman:** We are grateful for that, but I would like to place on record that if talks did proceed through the night, or whenever, rather than not turning up they could have made a telephone call earlier on. If you could express that view back to them via their agents.

7016. **Mr Mould:** We will certainly do that.

After a short adjournment

7017. **Chairman:** Mr Straker, what we are going to do now is we are going to resume by finishing off this session with Mr Methold on the noise issues. After Mr Methold is finished we will have the next promoter to come in to speak to the Committee and then the questions you have to deal with that issue. Then we will return to the second witness and then the Petitioner.

Re-examined by Mr Straker

7018. **Mr Straker:** I will then re-examine, if I may, on the cross-examination which occurred before we broke. Just while you sort your papers out, Mr Methold, the first matter I want to re-examine on is the question of PPG24. You will remember you were asked questions about PPG24 which is contained within the file which was given to the Committee and is numbered P75. PPG24 begins at page 70 of 125 and in the right-hand column the numbering is given.

7019. First of all, if you turn to PPG24, you were asked about this document as to whether it constituted the national planning policy guidance. Do you remember that question?
(Mr Methold) I do, yes.

7020. Can you look, please, at page 71 of 125, paragraph 3, because I want the Committee to understand how a proposal works in the planning field.⁶⁷ If you look at paragraph 3, please, you see there that it refers to where the development plan is material to the development's proposal. Section 54A of the Town and Country Planning Act requires applications to be determined in accordance with the plan unless material considerations indicate otherwise. Then it goes on to say that development plans should give developers a degree of certainty. This document PPG24, is this part of the development plan?
(Mr Methold) The local authority development plan?

7021. Yes?
(Mr Methold) I do not believe it is.

7022. Thank you. When considering a proposal, would one consider first the development plan?
(Mr Methold) One would normally do that, yes.

7023. If one looks on within paragraph 3 and paragraph 4, it is indicating that there should be policies referable to noise taking account of the guidance in the rest of this note, do you see that text?
(Mr Methold) I do.

7024. As far as the policies that you have referred to, the UDPs and the local plans which you have exhibited to this Committee, can you help the Committee as to whether they would have been prepared in the light of this planning policy guidance 24?
(Mr Methold) Certainly, the contents of this document would have been taken into account which is a requirement that we are alluding to here, but I believe the local authorities do not necessarily have to adhere in the entirety to this document. I think they can exercise their local knowledge in developing their own policies and standards accordingly.

⁶⁷ Crossrail Ref: P75, Planning Policy Guidance 24: Planning and Noise, Noise Policies in Development Plans (HAVGLB-14704-071).

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7025. The development of the policies and standards by the local authorities, is that subject to control by the Secretary of State?

(Mr Methold) I do not know.

7026. Very well. Can we look on, please, in PPG24 to annex 4, which begins at page 87 of 125, and then we see in annex 4, do we, examples of planning conditions which can come to be imposed pursuant to the planning policy guidance 24?⁶⁸

(Mr Methold) Yes.

7027. If you look on, please, to page 89 of 125, we see condition number 17 there on that page which refers to “the rating level of noise omitted from the site shall [not exceed] [be lower than] the existing background noise level” and so forth.⁶⁹ Then it reads on, I do not need to read out the balance of the text. It refers to the measurements and “assessments shall be made according to BS 4142”. My question of you is this, please, does this document, PPG24, suggest or recommend any particular figure to be imposed in such a condition?

(Mr Methold) No, it does not.

7028. If you look on in the document, please, page 90 of 125 specifying noise limits, “Type of Limit: depending on circumstances, it may be appropriate to set either”, I do not need to read on.⁷⁰ In this case, we know what is being suggested by the promoter, is such a suggestion carried through or made in PPG24?

(Mr Methold) Sorry, can you repeat the question.

7029. We know the suggestion by the promoter LA90 + 5 and my query of you, please, is whether such a suggestion is made within PPG24?

(Mr Methold) No, it does not.

7030. Thank you. I want to ask you next, please, putting PPG24 to one side, a question or two, if I may, about the undertakings recorded as being sought on LBH50 contained within that set of slides which was put in this morning.⁷¹ If you remember, on LBH50 at 1b there is a reference to the rating level not exceeding a given figure at a position one metre from the window of any residential or noise sensitive property and 50dB measured or predicted at a free-field external position. You were asked questions about this which proceeded upon the basis that the World Health Organisation figures, if carried through to effect, would secure or require a heavy diminution in traffic. Do you remember that line of questioning?

(Mr Methold) Yes, I do.

7031. Does the imposition of a rating level carry the consequence that existing traffic is required to be removed from the roads?

(Mr Methold) No, it does no. The rating is quite specifically related to the noise from the new source that is being introduced, it is not the all encompassing noise, everything.

7032. Does the rating level imposed here have any effect upon the existing activities in terms of reducing or affecting those existing activities?

(Mr Methold) No, it does not.

7033. Thank you. Can you go within the same bundle of slides, please, to LBH15.⁷² You were asked questions as to whether or not you could say how many people would be advantaged by the circumstances of having a basis other than dB90 + 5. Do you remember that line of questioning?

(Mr Methold) Yes.

7034. If we look at LBH15, the report of the Wilson Committee records that many people who are annoyed do not complain for one reason or another, although they may be disturbed as much as those who do complain. 4142, the British standard is concerned with complainers, is that right?

(Mr Methold) That is a method of containing that British standard relating solely to the likelihood of complaints, yes.

7035. It is concerned with those who have either written in or telephoned or however they have carried through their complaint?

(Mr Methold) Yes.

7036. Does that reflect the number of people who are disturbed or annoyed?

(Mr Methold) I think this passage is making it clear that it does not necessarily form a robust method of identifying those people who have been disturbed or annoyed.

7037. I think in your document you have produced an illustration in graphic terms, and we have got the LBH11 out, where we see there a graphical representation of the BS4142 position, complaint marginal L90 + 5, complaint unlikely L90-10.⁷³ If one looks at the background noise level line there which is graphically represented, it was being asked of you, are there people who, if I can put it this way, are below the rating level L90 + 5 complaint marginal who are going to be advantaged by the approach of the Petitioners over the approach of the Promoters. Help the Committee, if you can, please, as to whether there are people within that range whose amenity will be affected?

(Mr Methold) Certainly the rating of the L90 + 5 as this graphic shows still indicates the marginal significance of complaint, so on the basis that our preferred design aim is aiming to go below that is

⁶⁸ Crossrail Ref: P75, Planning Policy Guidance 24: Planning and Noise, Annex 4—Examples of Planning Conditions (HAVGLB-14704-087).

⁶⁹ Crossrail Ref: P75, Planning Policy Guidance 24: Planning and Noise, Annex 4—Examples of Planning Conditions (HAVGLB-14704-089).

⁷⁰ Crossrail Ref: P75, Planning Policy Guidance 24: Planning and Noise, Annex 5—Specifying Noise Limits (HAVGLB-14704-090).

⁷¹ Committee Ref: A81, Undertakings Sought—Noise from Fixed Sources (HAVGLB-14705-050).

⁷² Committee Ref: A81, Design Aim Philosophy (HAVGLB-14705-015).

⁷³ Committee Ref: A81, British Standard 4142—Graphical Representation (HAVGLB-14705-011).

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moving towards the situation where a complaint would be unlikely, so it is better in that regard. I think I alluded to one example where we know that another railway project has suffered complaints based upon L90+1 for a situation where the electrification equipment had features which made the ear detect it a lot easier. I am also aware of some of the responses I had from the local authorities when I wrote to them on this issue of examples where they have indeed had complaints recorded at rating levels which are below L90+5. I think there is evidence to suggest that there is complaint likelihood below an L90+5. In the same correspondence, I asked the very direct question of whether complaints had been received for the standards that the local authorities impose, in other words, the L90-5 and the L90-10, and in all cases where that response was received they have said they have not had complaints. Some of these local authorities have been using their policies for 10 to 15 years.

7038. Thank you. One final matter, if I may, by way of re-examination. Can I ask you to look at LPH29, please.⁷⁴ You told us earlier how these planning documents are prepared in the light of the PPG24 or whatever other guidance is in place. I want your help for the Committee on this matter, please. It was asked of you as to whether or not the plans and the policies of the local authorities there listed took into account a project of regional or national significance. Help us in this regard, please, if we take West Minister as the example on page LBH30, there they have an adopted unitary development plan. First of all, as to Crossrail as a project as being in the wings, if one can use that expression, for how long now?

(Mr Methold) At least 15 years, I would say.

7039. The West Minister City Council adopted UDP. UDP has been introduced in the planning regime comparatively recently, can you help the Committee as to whether that came before or after Crossrail came in to, as I put it, the wings?

(Mr Methold) I believe this particular version of West Minister City Council's standards was a fairly recent inclusion within the last four or five years.

7040. At that stage, was the Crossrail route being safeguarded?

(Mr Methold) I would imagine it was, yes.

7041. Thank you very much. That is all I wanted to ask by way of re-examination.

7042. **Chairman:** Mr Methold, there are one or two things. You referred, when you were talking about noise reduction, to the Thames link and Jubilee line extension about the hardware and that you could not understand why it had not been included as it was 100 per cent available. Can you elaborate a little bit on that?

(Mr Methold) Can you repeat that?

7043. **Chairman:** You were talking about the hardware put together for the building of the Jubilee line extension and the Thames Link, all the noise reduction standards, that the hardware which had been prepared for the construction was fully available.

(Mr Methold) I think my reference to the hardware was in relation to whether a preferred design of a L90-5 could be achieved by the Crossrail project.

7044. **Chairman:** Can you elaborate on that a little bit because if there is something available it might be helpful to the Committee and that is why I am interested?

A. *(Mr Methold)* Absolutely. What we have had to do to understand whether an L90-5 was achievable for Crossrail was to understand what Crossrail had assumed would be the level of reduction inside the ventilation shaft as part of their environmental statement work. They gave a fairly detailed report giving us the predicted noise levels that they had from their ventilation shafts but nothing about what was inside the shafts. Some internet searching on our behalf revealed a report which gave us the sound power levels and the assumed level of attenuation inside the ventilation shafts. From that point we were then able to work out the additional attenuation that was required. To step back slightly, there are two types of mitigation that can be applied to ventilation shafts. One we call an "in-line attenuator". Essentially it is placed in front of the coaxial fan, the fans that are blowing the air through the shaft. It is made with an absorbent material and it lets the air flow through it but at the same time it absorbs the noise, in very simple terms. We know that the Promoter assumed an attenuator that is three metres long, which is a reasonably hefty unit. We have found that they do not need to have any more than an extra metre and a half on top of that to achieve L90-5 across all of their ventilation shafts. That is not an enormous extra amount of—

7045. Sticking with that, you also referred in questioning to the costs that might be attributed to doing that in these sections. You gave a figure, less labour costs, of about £100,000. Is that just pie in the sky? Do you have any analysis?

(Mr Methold) I do have analysis. We contacted the supplier that we know Crossrail used to generate their noise source terms and their attenuation performance, the very same supplier, and we had costs from them on a per square metre basis. I am hoping that is consistent with the budget that the Promoter has in place.

7046. Could you prepare a note on that and get back to the Committee, but only in respect of that which we just discussed there, not for the whole of the Crossrail project?

(Mr Methold) Certainly. Just to add to that, the reason we looked at the cost analysis on the vent shafts only was because the Promoter was making the point that it was the main reason they could not accommodate the Thameslink 2000 L90-5 design criterion.

⁷⁴ Committee Ref: A81, Local Authority Standards and Guidance—Part 1 (HAVGLB-14705-029).

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7047. On the question on scientific evidence which Mr Taylor put to you on at least three occasions, I never heard an answer. Albeit you said at one point that there have been complaints at a oneper cent increase and that indicated that there was a problem, you never really answered his question as to whether there was any scientific evidence of fact that it did have that effect.

(Mr Methold) In so far as it was a logged complaint at the local authority from a resident.

7048. I understand where you are going, but his question to you was: Has there been any evidence which showed conclusively that that was a fact or not or was it still a matter that was conjecture and which has not been established yet?

(Mr Methold) Certainly there is a noise assessment done by specialist acoustic consultants in that case and a report was produced which indicated that that complainant was likely to be experiencing L90 + 1.

7049. You would hold that as fact?

(Mr Methold) I would, yes. That was a report

7050. Could you supply the Committee with a copy of that?

(Mr Methold) Certainly.

Chairman: Thank you.

The witness withdrew

Mr Rupert Thornely-Taylor, Recalled

Examined by **Mr Taylor**

7051. Mr Thornely-Taylor is well known to the Committee. I will not introduce him again. What is the objective of the National Planning Policy so far as development that has the potential to cause noise is concerned?

(Mr Thornely-Taylor) It is contained in paragraph 10 of PPG24 which we have already looked at. In a nutshell, it is that there should not be an unacceptable degree of disturbance.

7052. What does the National Planning Policy say in regard to reducing existing ambient noise levels?

(Mr Thornely-Taylor) PPG24 has no section devoted to reducing existing ambient noise levels.

7053. What does the National Planning Policy say with regard to meeting the guidelines for community noise levels set out in the document published by the WHO?

(Mr Thornely-Taylor) The only place you find reference to the WHO material in PPG24 is where it explains how it derives its system for categorising new residential development according to its noise exposure category. That is all.

7054. We have seen from PPG24, paragraph 10 (page 72 in document A75) the reference to: "Much of the development which is necessary for the creation of jobs and the construction and

improvement of essential infrastructure will generate noise. The planning system should not place unjustifiable obstacles in the way of such development."⁷⁵ If a design target is set by reference to the absolute levels set out in the guidelines for the Crossrail fixed installations, what do you say about practicability of design to that sort of target?

(Mr Thornely-Taylor) One has to take a different view by day and by night. By day in some locations it would be a major engineering obstacle to achieve the levels and would place an unjustifiable obstacle in the way of development. In other ways, at night time the WHO levels are nothing like good enough because they use the whole eight-hour night period as the averaging time and since the fans we are talking about may run for only a few minutes in a night, you could in fact have a fan making a noise well up into the 50s and still not exceed the WHO figure of 45. From that point of view, they are very unhelpful. I really think they are a bit of a red herring in the present circumstances because the WHO document is all about transportation noise sources and nowhere in the document do they address noise from fixed plant. It is by extension that people such as Mr Methold seek to apply them to fixed plant. They were never intended for that purpose.

7055. In the context of National Planning Policy indication that the development should not cause an unacceptable degree of disturbance, how do you see a design criterion of background plus 5 dB in BS4142?

(Mr Thornely-Taylor) It fully complies with the requirements of PPG24 and it certainly achieves the objective of not causing an unacceptable degree of disturbance and it is implementable and practicable and shown to work well on previous projects.

7056. You heard the point that was made earlier on this morning that if the plus 5 criterion is adopted, the nominated undertaker will simply design to that so as just to meet that level. In the light of the paragraph to which I drew Mr Methold's attention in the draft IP, paragraph 2.12, what do you have to say to the Committee about that suggestion?⁷⁶

(Mr Thornely-Taylor) Most certainly that will not happen because, as we saw in the draft IP, paragraph 2.12: "While a degree of attenuation required is site dependant, not least because of different levels of background noise at different sites, the nominated undertaker will be required to use reasonable endeavours when designing the shafts to reduce the noise below the assessment criterion where it is practicable to do so." And, as Mr Methold has said, Crossrail have provided information to Havering which shows that there are many cases where it is entirely practicable to do that and many of the shafts will improve on the Crossrail policy and it certainly will not be an upper limit which a contractor will just

⁷⁵ Crossrail Ref: P75, Planning Policy Guidance 24: Planning and Noise, Development Control, Noisy Development (HAVGLB-14704-072).

⁷⁶ Crossrail Ref: P75, draft Information Paper, Noise from Fixed Installations (HAVGLB-14704-120).

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achieve at every single site. It will be a limit that we need to meet at the severe engineering constraints at a few of the most difficult sites.

7057. Chairman: Mr Taylor, we have to do our duty. We will return in 20 minutes.

The Committee suspended from 2.59 pm to 3.12 pm for a division in the House

7058. Mr Taylor: Mr Thornely-Taylor, what scientific evidence is there that a minus 5 dB criterion would result in material benefit to the amenity of those who might otherwise be affected by noise from fixed installations compared to a plus 5 dB criterion? **(Mr Thornely-Taylor)** On this particular topic I already mentioned the fact that most noise targets are about transportation noise for which there is information about the relationship between the number of people, a noise and the levels, but for fixed plant we do not have that kind of scientific evidence. In general, one can say if noise levels are sufficiently satisfactory to avoid an unacceptable effect, then there is no advantage in going below a noise level.

7059. If the plus 5 dB design criterion is adopted, what can you tell the Committee about the prospects of meeting that criterion in terms of the mitigation that is available?

(Mr Thornely-Taylor) It does present some severe engineering challenges. The Committee did receive a slightly over-favourable impression from Mr Methold's evidence. The noise levels we are talking about are low and after incorporation of the fan noise attenuators that were referred to, the dominant noise source is just aerodynamic noise of the air coming out of the louvres of the ventilation shaft. Mr Methold talked about bolting another metre of attenuator on but you cannot bolt an attenuator on the outside of the louvres of a vent shaft and that is the kind of thing which is the reason why there are engineering difficulties, which admittedly can be reduced at a cost somewhere along the line, but they are the top-line concern that we must take into account when considering this policy.

7060. Bearing in mind the evidence that we have heard from Mr Methold today about the likely costs of meeting a minus 5 dB design criterion, what comments do you have to say about the cost estimate he produced in the light of the evidence you have just given about the air flow over the louvres?

(Mr Thornely-Taylor) His cost estimate I think was prices from attenuator manufacturers for extra lengths of fan noise attenuator, but in fact we would need to increase the area of vent shaft outlets which would mean bigger buildings to house the vent shafts, possible difficulties with what has been assessed hitherto in the Environmental Statement but apart from anything else major engineering difficulties in reducing face velocities, the air speed, through the louvres and the bird screens that have to go on these outlets. I do not think, from listening to

Mr Methold's evidence, that he has costed the changes to the building and to the layouts of the ducting that will be required to achieve these things.

7061. Chairman: When I get the note from Mr Methold, I will write to you and ask you for a response to the document, so that I can use your estimates alongside. Then the Committee members will have them both.

7062. Mr Taylor: I am obliged.
(Mr Thornely-Taylor) Thank you, sir.

7063. What relevance does the criterion adopted in the Thameslink 2000 project have to Crossrail?

(Mr Thornely-Taylor) It is very relevant to Crossrail. It is saying that with regard to the minor ventilation plant and minor equipment that Thameslink 2000 has in their specialist technical report, they give specific examples of power supply infrastructure and signalling equipment and passage ventilation shafts without fans. But because Thameslink 2000 has no major plant of the kind that Crossrail has, it is possible to agree to the kind of policies that the local authorities have. In practice, Crossrail will be able to achieve everything the local authorities would wish for the minor plant, but that would come out of the application of the procedures set out in the draft IP on noise from fixed installations. If Thameslink 2000 were anything like Crossrail in having major new station development and significant fan installations for tunnel ventilation, it would be in the same position that we are. I am pleased to be able to say that because I am the Thameslink 2000's advisor as well as Crossrail's.

7064. Mr Methold explained that one of the reasons why he was advocating the minus 5 dB design criterion was a concern about background creep. What effect will Crossrail have on background creep?

(Mr Thornely-Taylor) The most important feature of background creep, as Mr Methold explained, is what happens with sequential applications for new plant. It has given rise to problems in the past, where a new restaurant owner wants a new piece of air-conditioning equipment, measures the background that was caused by the last one, a little bit higher, and so it all creeps up. The central feature of the tunnel ventilation fans for Crossrail—which are really the installations which are driving this policy because of the engineering difficulties I have mentioned—is that they do not normally run. A future developer, wanting to get permission for some plant near to a Crossrail vent shaft, when he is applying his BS4142 procedures or if the local authority are applying them and measuring the background L90, if they follow the standard correctly they will measure without Crossrail fans running because they do not normally run, so they would have no effect whatsoever on the creeping background problem.

7065. What approach to the selection design criterion was adopted for the Jubilee Line Extension?

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(Mr Thornely-Taylor) Exactly the same one that is proposed for Crossrail.

7066. Following the construction of the Jubilee Line Extension, what complaints have there been about noise from fixed installations?

(Mr Thornely-Taylor) I am completely unaware of any.

7067. At page 123 of document 75, there is a cover page of a report to the First Secretary of State for Transport from an inspector appointed to examine an application for the development of Camden Town Underground Station. If we turn on to page 124, we see an extract from appendix 8 of the inspector's report, headed "Conditions". Under the heading "Conditions that should be attached to any grant of Planning Permission" condition 8 indicates that a plus 5 dB approach was to be adopted in relation to that development.⁷⁷

(Mr Thornely-Taylor) Yes.

7068. Is it right to say that the Camden Town application was refused permission?

(Mr Thornely-Taylor) It was.

7069. But, in making his recommendations to the Secretary of State, what approach is the inspector advocating?

(Mr Thornely-Taylor) He has advocated precisely the approach that Crossrail is advocating now. It was agreed with Camden beforehand as an agreed condition—in fact it was one of the few inquiries where I have given evidence and not been cross-examined at all.

7070. So Camden, who are supporting Mr Methold's approach before the Committee, in relation to the Camden Town Underground application adopted a different approach. Is that correct?

(Mr Thornely-Taylor) They accepted the appropriateness of the arguments and the policy that Transport for London were putting forward.

7071. **Mr Taylor:** Thank you very much, Mr Thornely-Taylor. Those are all the questions I have.

7072. **Chairman:** When you answered the query about complaints on the Jubilee Line Extension, could you get us a bit more information. It may be small or medium but there will be some complaints of some kind, and I wonder if you could give us the more up-to-date position on that which maybe helpful to the Committee.

(Mr Thornely-Taylor) Certainly, sir. We are making renewed enquiries of the public health authorities concerned.

7073. **Chairman:** Thank you very much. We are going to bring forward Mr Buckingham now, so we will suspend your evidence.

The witness withdrew

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Mr John Buckingham appeared as Agent.

7074. **Mr Mould:** Sir, in the usual way, I will orientate us, if I may. In this case, the petitioner holds a leasehold interest in a property at 58 Davies Street in the West End which lies opposite Bond Street Station western ticket hall and above the station platform. You will see the relevant plan from the Environmental Statement, showing the construction phase, impacts and proposals.⁷⁸ You can see the property not far from the junction with the South Molton Street.

7075. **Chairman:** Mr Mould, when we went on one of our visits, we stood opposite it.

7076. **Mr Mould:** That is very helpful. You will be aware that the Davies Street worksite, which is shown on this plan, is adjacent to the building in the location there shown. Under the Bill powers are provided to acquire a service interest at the property because the escalator from the proposed new ticket hall at 65 Davies Street passes beneath number 58. The works associated with the provision of this escalator could be at a depth of less than nine metres, and, as a result of sub-surface powers within the Bill, would not be sufficient. The building is used as an antiques market and the Petitioner concern is to mitigate any impact on the market; indeed, he raises concerns regarding compensation. We have indicated to the Petitioner that, notwithstanding the powers set out in the Bill, it would not be our intention to demolish or to acquire the building, provided that appropriate arrangements can be agreed with the Petitioner to enable inspection to be carried out within the basement in relation to the engineering works for the purposes of the escalator provision and for the purposes of adequate protection, both to the building itself and to the escalator shaft. That position has been indicated to the Petitioner in advance of this hearing. Without further ado, I will give way to Mr Buckingham.

7077. **Chairman:** Can I just apologise? You have had to come on a number of occasions so far and been prepared to make your Petition. You have been a persistent person in that respect and we are grateful for the time you have set aside in continuing to come here. Please give your Petition.

7078. **Mr Buckingham:** Thank you. My name is John Buckingham. I am a Chartered Surveyor by qualification and a Fellow of the Royal Institution of Chartered Surveyors and a Member of the

⁷⁷ Crossrail Ref: P75, London Underground (Camden Town Station) Orders Inspector's Report, Conditions that should be attached to any grant of Planning Permission (HAVGLB-14704-125).

⁷⁸ Crossrail Ref: P75, Environmental Statement, Bond Street Station, Construction Works and Impacts Map C5(iii), billdocuments.crossrail.co.uk (LINEWD-ES16-023).

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Chartered Institute of Arbitrators. I am a Director of Union, a retail consultancy. There is no connection between my company and Union Railways who have been referred to by Mr Michael Schabas yesterday afternoon. I am instructed by Antique Hypermarket Limited to appear before you as their agent in connection with Petition 353. As has already been stated, Antique Hypermarket Limited is the leaseholder of 58 Davies Street and 1-8 Davies Mews, holding these properties from Grosvenor Properties under leases with approximately 24 years and 37 years unexpired respectively.

7079. Fifty-eight Davies Street is an attractive terracotta faced building that was originally the showrooms and manufactory of John Bolding and Sons. It was therefore built as an industrial building. The ground floor and basement has been an antique market for approaching 30 years now. The first to third floors are let as offices and the fourth floor as craft workrooms—a use which is linked to the antique market below. One to eight Davies Mews was also part of the John Bolding premises, entirely separate and not connected, and was converted to an antique market about 28 years ago on the ground floor and basement, with craft workrooms on the first floor and residential flats on the second floor, which were sold off.

7080. It may be helpful to the Committee if I give you a brief background to the business of Antique Hypermarket Limited, which is a business that may be unique along the intended Crossrail line. The company has been operating Antique markets at 58 Davies Street which trades as Grays Antique Market and 1-8 Davies Mews which trades as Grays in the Mews for about 30 years and 28 years respectively. They are now well established as a focus for the West End for the antique jewellery trade and for other small high-value antique objets d'art. The antiques trade is one of the few where likes attract—in other words, antique dealers happily trade alongside each other in competition, which is why Portobello Road, Kensington Church Street and places like Broadway thrive as antique centres.

7081. As a leaseholder of these two buildings, the company provides an umbrella under which well over 100 antique dealers trade. The markets are open six days a week—unlike so many others which are one or two day markets—and Grays and Grays in the Mews are actually home not only to 100-plus antique dealers but over 100 businesses. Of the two buildings, 58 Davies Street is a prominently located Grade II listed landmark building, whereas 1-8 Davies Mews, which is also Grade II listed, is tucked away in a mews location and is in a secondary or tertiary retail location. The Mews is therefore entirely dependent on 58 Davies Street for its survival. The company goes to great efforts to encourage visitors to the obvious first port of call at 58 Davies Street to walk round the block to also visit the Davies Mews property. The Mews market could

not survive on its own, as it would not be able to draw sufficient numbers of the public to generate sufficient trade.

7082. Fifty-eight Davies Street provides just under 12,000 sq ft of trading space on ground floor and basement levels and 1-8 Davies Mews just over 12,000 sq ft. So they are substantial buildings. The company has created high quality trading environments in both buildings. Each floor is divided into individual stalls which are let out to dealers on licences which do not carry the protection of the Landlord & Tenant Act 1954. There are parts of the building which cannot be let out because areas need to be provided for circulation space, walkways, common facilities such as toilets and cafes etc.

7083. The licensees pay all-inclusive licence fees to include the space they occupy and a proportion of the cost of running the markets, such as light, heat, rates, repairs and cleaning. Antique Hypermarket take responsibility for marketing and promotion of the business, managing the markets, providing cafes, toilets, secretarial services, telephones and, of course, paying rents to Grosvenor and rates on the markets.

7084. The Crossrail proposals show that 58 Davies Street and 1-8 Davies Mews will each sit above the running tunnels and platforms of the Bond Street Crossrail Station. In addition, it is proposed that there will be an escalator shaft rising up from the platforms to the new Bond Street Station to be built on the site of the present building at 65 Davies Street which will pass within 9 metres of the ground level of 58 Davies Street, so it comes up from under the building.

7085. Antique Hypermarket have very real concerns over what the construction works will cause to the business as a result of road closures, part road closures, noise, dust, lorry movements and the generally hostile environment in Davies Street and Davies Mews during the construction period. Secondly, there is potential for the new escalator to create a noise nuisance. Thirdly, the total inadequacy of compensation payable under the Compensation Code.

7086. Antique Hypermarket Limited's overriding objectives are, firstly, to continue operating the antique markets without interruption and with the least interference during the construction period, and, secondly, to ensure that proper and full compensation is paid for any disturbance, loss of profits or goodwill caused by the works, either to the company or the licensees. The first point, I think, we can now deal with because of the proposal that has been made this afternoon to ensure that the building is not acquired and that there will be no works that are carried out in the basement other than inspection works.

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7087. So it might be better to move on to construction. It is likely that there will be considerable disruption both to Davies Street and Davies Mews during the construction process and to involve road closures, services diversions, half road width closed off and boarded for the full period of the new station being constructed. There will be numerous daily lorry movements, there is bound to be noise and dust. I appreciate that construction sites are now much better protected than they ever used to be but there is bound to be some escape. In short, we are concerned that Davies Street and Davies Mews will be a hostile environmental over a long period of time and not the sort of environment in which to carry out a high end retail business, in which we are attractive to customers and pedestrians.

7088. The company also has concerns about the potential of ongoing noise from the operation of the new escalator being constructed under 58 Davies Street, which could be only five to six metres below the basement level of the antique market at 58 Davies Street. Although Antique Hypermarket Limited's use is less sensitive than many other uses such as recording studios, clearly the continuous background noise from an operating escalator could be an annoyance to occupiers. I do not have the details, obviously, of the likely impact but we would ask that this nuisance is eliminated through proper sound attenuation.

7089. The Committee heard at length yesterday from Mr Norman Winbourne on behalf of the Residents' Society of Mayfair and St James' on the issue of compensation. The objection to the Compensation Code expressed by Mr Winbourne are similar to those held by Antique Hypermakret Limited, and I do not propose to take up the Committee's time by reciting those objections again. In any event, I am not a compensation expert. However, I do want to stress that we consider the Compensation Code will be inadequate for properly compensating Antique Hypermarket Limited.

7090. In this case it is not anticipated that any land will be taken, yet the works to carry out the construction of Crossrail could have a substantial impact on the Antique Hypermarket business and also the businesses of the many antique dealers occupying the stalls within the market. In addition to the noise, dust and disruption caused as a result of the construction process, access to the properties could be severely restricted, which will impact on the visitor numbers to the markets. This in turn could affect the short-term viability of the antique markets. There could be a reduction in profits of the businesses of Antique Hypermarket Limited, albeit temporary.

7091. Antique dealers are a fickle lot and because they can get up and walk at short notice, if the environment in Davies Street and Davies Mews becomes too unpleasant they might just do that. If that does happen then the whole viability of the

business could be put at risk, albeit this might be only temporary. The company will still have to pay rent to Grosvenor and pay other overheads. It may suffer a reduced income. The company is entirely dependent on licence fee income for its survival. Proper provision needs to be made for compensation payable in this event.

7092. Secondly, there is the impact on the licensees themselves. As I understand it, under the Compensation Code the licensees can only benefit from very little compensation because they are not leaseholders and, therefore, do not have the interest in the land. There is no provision to cover damage caused to the businesses due to the construction of Crossrail and there is little opportunity either for the stall holders to relocate to other premises. There is no other market in central London where they could go to. We would ask that the licensees are also properly compensated as if they were businesses. Many have been in the antique markets for 30 years, or getting on for 30 years, and they therefore should be treated as being landholders rather than licensees. That is my evidence.

7093. **Chairman:** Mr Mould, do you want to respond?

7094. **Mr Mould:** Sir, I will just respond briefly to deal with one or two points. First of all, in relation to the last point, that is to say the question of compensation, we have made the submission to you on a number of occasions that it is appropriate that the ordinary provisions of what we have called the national compensation code should apply to Crossrail, and that of course is the point the Committee is considering as part of its deliberations in relation to this and a number of other Petitions. So there is no reason in relation to this Petitioner, or indeed any of the others that you have heard thus far, to make any special arrangements in relation to the application of the code.

7095. As you know, as far as noise, dust and other disturbances are concerned, the law proceeds on the position that those who undertake public works of this kind should do so with all reasonable care in carrying out the works, whether that duty arises in common law not to cause a nuisance or in relation to the compensation code. That requirement is, we would submit, properly and fully reflected in the approach that we have indicated to the Committee we are committed to take in relation to the construction of Crossrail, and you have had evidence before as to the comprehensive provisions of the construction code and the measures within and without the Bill for the control of environmental impacts and the broad proposition, so far as reasonably practicable, to minimise and reduce the environmental impacts of those who are affected by construction works of the project. That applies with no less force to the construction of the Western Ticket Hall at Bond Street as it does in relation to any other of the major works that exist and are proposed along the route.

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7096. Turning to specifics, briefly: as far as dust is concerned, the Committee will recall that the approach taken in the environmental assessment has been to consider the risk of dust emissions from sites on receptors in the vicinity and to grade the severity of that risk in a series of tiers, the highest and most severe being tier 3. Insofar as the Davies Street worksite and for the purposes of the Bond Street Western Ticket Hall is concerned, that is a site that has been identified as a tier 3 category site. That is one with a high risk of dust emissions, and I remind you that the construction code, paragraph 6.3.8 states that where a site has been identified as having a high risk of dust emissions due to the proximity of receptors, the type of activity on site for the duration of the operation, then the highest standard of dust control reasonably achievable will be adopted and then some indication is given of the techniques that may be employed in order to bring about that approach, and this includes possible monitoring, management of dust emissions and things such as total enclosures and so on. You have heard evidence in relation to this in relation to Smithfield, amongst other cases.

7097. It is not at this stage appropriate to go into detail as to what design process might be decided as the appropriate mechanism or package of measures here, but that is the approach taken in the construction code and that is the appropriate tier that has been identified in the Environmental Statement for the Davies Street west worksite.

7098. So far as noise is concerned, we have emphasised to you that the Bill does not seek to affect the operation of the controls vested in local authorities under the Control of Pollution Act for the control of construction noise and vibration, section 16.61 of that Act. You are aware of that and there is a direct regulatory process which local authorities operate in relation to noise, as here, working on the construction site.

7099. So far as environmental assessment is concerned, this is a site which has been identified in the Environmental Statement as one where the range of mitigation measures set out in Section D1 of the statement will be applied, including the erection of a 3.6 metre-high hoarding around worksites and the housing of pumps of compressors in enclosures, so works are identified to control and mitigate the noise emissions of that source in relation to this site.

7100. Insofar as operational noise of the escalator is concerned, retail use is not a use which is ordinarily classified as sensitive in the same way as, for example, is a recording studio or a concert hall or uses of that kind. Our position is that there is no reason to expect that the operation of the escalator following the conclusion of the works will bring about any significant adverse noise impacts upon the occupation of the hypermarket in this case.

7101. Insofar as highways are concerned, we have indicated to the Petitioner that there are a range of controls in the Bill and as part of the environmental minimum requirements whereby the Promoter intends to work with local highway authorities to control and so far as practicable minimise the impact of the works on the operation of the highways and access to premises affected. We have indicated that pedestrian access will be maintained and that as far as reasonably practicable we will maintain vehicular access though there will be occasions here and elsewhere where that will not be possible to achieve as a result of the works.

7102. Sir, finally, returning to the question of compensation, perhaps the point which has not come out entirely clearly hitherto but may have some relevance or have some bearing, and perhaps even give some comfort to this Petitioner, you have heard submissions thus far in relation to Section 10 of the Compulsory Purchase Act 1965 which gives rise to the right to claim compensation for the effects of public works which diminish the value of one's land in circumstances where the land is not actually acquired for the purposes of the scheme. It is important to stress that where access to private property is obstructed for the purposes of public works then compensation is in principle available for any resulting loss of value to the land affected by that obstruction during the course of the works. That is the principle established and recognised by the House of Lords in the hotel case, of which you have heard mention already in submissions.

7103. If a land owner is a business which is dependent upon maintaining access to his premises and is unable to function as a result of such an obstruction for the duration of the works, as I say, it is a matter of principle, a claim for compensation may lie under section 10 in such circumstances. Of course, it always depends on the particular facts of the case, but I thought it right to draw the Committee's attention to that provision which is potentially of some relevance to some of the Petitioners. No doubt you will have heard them and you will no doubt hear more during further sessions of the Select Committee. Unless there is anything else I can help you with in relation to this Petition, that is all I propose to say.

7104. **Chairman:** Mr Buckingham, do you want to have any further time?

7105. **Mr Buckingham:** No, thank you.

7106. **Chairman:** Mr Taylor, if you can resume.

Cross-examined by **Mr Straker**

7107. **Mr Straker:** Mr Taylor, I wonder whether you can take first the information paper which appears at the back of P75. Within that, and it begins at page

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118, at page 119, at paragraph 2.4, we find a reference to the criterion for the Crossrail assessment, that is correct, is it not?⁷⁹

(Mr Thornely-Taylor) Yes.

7108. There we find the basis, do we not, upon which the exercise has proceeded as far as Crossrail is concerned?

(Mr Thornely-Taylor) Yes.

7109. We see there that it records the proposition that airborne noise from mechanical and electrical service plants is not significant if a certain contingency is reached and that contingency includes the proposition that the contrast between the rating level and the background noise level is not more than +5dB?

(Mr Thornely-Taylor) Yes.

7110. So it is referable simply to mechanical and electrical service plants, it is not referable exclusively to ventilation shafts?

(Mr Thornely-Taylor) They are in the electrical and mechanical service plants.

7111. Yes, but it is put in general terms?

(Mr Thornely-Taylor) No, it is put in very specific terms.

7112. Yes, mechanical and electrical services plant.

(Mr Thornely-Taylor) Yes.

7113. So it is put in those terms to embrace all mechanical and electrical services plant?

(Mr Thornely-Taylor) Yes.

7114. It makes the proposition that if the contingency is satisfied, such airborne noise is a matter of no significance?

(Mr Thornely-Taylor) It is more than a proposition, it is part of the scope and methodology adopted for the environmental statement on which Crossrail consulted with the local authorities several years ago now.

7115. Very well. If it is more than a proposition so be it, but it is certainly a proposition that is being advanced and that is a matter of no significance if one has reached a position of +5dB over the background noise level?

(Mr Thornely-Taylor) As I say, it is more than a proposition, it is part of the scope and methodology of the environmental assessment process and the basis of the design policy which is set out in this draft information paper.

7116. Have I put the matter, whether you want to categorise it as a proposition or otherwise, correctly that it is a matter of no significance that one is achieving a figure of +5 over the background noise level?

(Mr Thornely-Taylor) The reason I mentioned the environmental statement is because the word “significant” is an important word in the context of the law relating to the assessment of the environmental effects and one is obliged to discover the significant effects for the development. That is why that particular word is used, and the threshold of significance is if the rating level should differ from the background noise level by more than +5dB.

7117. Very well. I shall proceed upon the proposition that it is not significant. Can you help me therefore with this? Can you go over the page within this document, which is within P75 on the following page, page 120.⁸⁰ Do you see 2.12?

(Mr Thornely-Taylor) Yes.

7118. There we have received the information that the degree of attenuation required is site dependent because there might be different levels of background noise. “The nominated undertaker will be required to use reasonable endeavours when designing the shafts to reduce the noise below the assessment criterion”?

(Mr Thornely-Taylor) Yes.

7119. That assessment criterion is what we have just been taking about at 2.4 which carries the point, so it is said at 2.4 as a matter of insignificance whether one is +5?

(Mr Thornely-Taylor) +5 is the threshold of significant effect.

7120. Yes, and you are saying it is insignificant if it is +5. Can you help the Committee, please? What is the purpose of 2.12 if it is a matter of insignificance if one is +5?

(Mr Thornely-Taylor) Because the approach that the consulting engineers working for Crossrail have taken has been to apply to all the vent shaft sites a standard amount of noise attenuation that can be accommodated within the space available. That, as we heard from Mr Methold in quite a number of cases, produces a noise level which is lower than the assessment criterion. In discussions with the local authorities, of which there have been many, it has been agreed on both sides that it is desirable to capture that through a mechanism which ensures that where a lower noise level can be achieved, it is achieved. We do not have a problem, which I think was alluded to by Mr Methold, of contractors designing right up to the assessment criterion in every case.

7121. What is the point of it? If the situation is the assessment criterion produces a situation of no significance, what is the point of going below that?

(Mr Thornely-Taylor) The point is to meet the requirements of the local authorities. There has been a long sequence of meetings and forums in which their concerns have been raised. Of course, we

⁷⁹ Crossrail Ref: P75, draft Information Paper, Noise from Fixed Installations (HAVGLB-14704-119).

⁸⁰ Crossrail Ref: P75, draft Information Paper, Noise from Fixed Installations (HAVGLB-14704-120).

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listened to them and, of course, we do what we can to accommodate what they require and what they seek can be done and this a mechanism for doing it.

7122. Why do you think they are pressing for this matter?

(Mr Thornely-Taylor) I think it has been explained quite clearly and I do understand it, but where there are explicit numerical objectives in either the UDPs or in supplementary planning guidance or design standards it would be a matter of difficulty for local authorities to explain how they accepted one standard for Crossrail, which appeared to conflict—it does not always conflict—with their own adopted standards. I quite see why we are here and it would be very difficult for a local authority to change their position given what appears to be a conflict. I do not think there is as much conflict as has been suggested.

7123. Very well. That answer refers to, and we can take out the sheet which shows it, LBH29 and 30.⁸¹ There we have the local authority standards and guidance and it is that to which you are making reference in the answer you have given me in respect of 2.12.

(Mr Thornely-Taylor) Not entirely, one of the things that worries me about LBH29 and 30 is that it does not include the text which goes with these numbers. In many cases, the local plans, through caveat and restrictions, sometimes explicitly talk about air-conditioning plants and things like that. It is regrettable that we have a distillation here which is misleading in its apparent blunt confrontation of Crossrail when if you read each of the documents concerned, you would see there is a lot of text that goes with the boxes in column 2 which would be a lot more informative.

7124. When you were taking about point 2.12, the pointers you have given us is that the point is to seek to make a nod towards those planning policies which find expression, albeit in tabulated form, in 29 and 30.

(Mr Thornely-Taylor) I think it is more than a nod, I think the local authorities feel bound to take the stance they have given the high level of apparent conflict that I have mentioned.

7125. It is right, is it not, as you point out, that there is not merely a high level of conflict, there is complete conflict between your criterion in 2.4 that we have been looking at and the policies as listed in 29 and 30?

(Mr Thornely-Taylor) I did not say a high level of conflict, I said a high level, meaning that when you look at this sort of level there appears to be conflict. When you drill down into the words of the policies, there is not always as much conflict as there was. In fact, as I have pointed out, in connection with the Camden town station experience, that there is little conflict and there are circumstances where the Crossrail type approach brings about less noise than the local authority type approach. On a large station

site, if you assessed dozens of different noise sources sequentially you would get the creeping ambient that they worry about. You will get higher noise levels that will result from the Crossrail policy when you take the noise from the entire station site in one hit, as Mr Rueben Taylor put it, and you deal with any danger of creeping background by assessing it all at once against the standard and you get a better result.

7126. Can we take it in stages, please, Mr Taylor. As far as 2.4, your criterion in your draft information paper document, there is no local authority standard which reflects that criterion, is there?

(Mr Thornely-Taylor) There is no local authority standard that does what Crossrail proposes to do, which is to take all the noise from all the different sources on the site and assess them together, they do not do that.

7127. Just tell me the answer to the question, please. Is there a local authority policy in the same terms as the Crossrail assessment?

(Mr Thornely-Taylor) As I say, they do not do that.

7128. It is right, is it not, that as a matter of fact if a developer comes forward with a variety of sources within that development the whole thing is always considered as a development?

(Mr Thornely-Taylor) Regrettably that is not always the case. In fact, I think it has been said that it is seldom the case. Most sites the size of Bond Street Station, for example, would have several separate developers, each making separate planning applications giving rise to the quite legitimate concern about creeping background.

7129. It is perfectly open to the planning authority to require that they will be dealt with together, is it not?

(Mr Thornely-Taylor) No, I think it would be open to challenge. I think the individual applicants for planning permission would quite justifiably claim that the policy was being misapplied if their noise was logged in with the noise of other applicants. I am sure their lawyers would say that was a perfectly justified objection.

7130. Confirm for me this, please, the bulk of the plans, the UDPs and the local plans, itemised in LBH29 and LBH30 will have been prepared, will they not, after a PPG24?

(Mr Thornely-Taylor) I do not know.

7131. UDPs necessarily must have been because they only came into existence comparatively recently?

(Mr Thornely-Taylor) PPG24 was actually structured around the preparation of UDPs. I cannot answer that question.

7132. Can we look at the document upon which you place heavy reliance, BS4142, which is contained in the document P75, and begins at page 99 of 125.⁸² If we can go forward at 101 of 125. First of all, I am

⁸¹ Committee Ref: A81, Local Authority Standards and Guidance—Part 1 (HAVGLB-14705-029 and -030).

⁸² Crossrail Ref: P75, British Standard 4142:1997 Method for rating industrial noise affecting mixed residential and industrial areas, Foreword (HAVGLB-14704-101).

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right in supposing, am I not, in respect of this document that this is the document upon which you have based your approach?

(Mr Thornely-Taylor) Yes.

7133. If we look at the forward, do you see what is in fact the second paragraph: “This British standard describes a method of determining the level of the noise of an industrial nature—”, do you see that paragraph?

(Mr Thornely-Taylor) Yes.

7134. “—together with procedures for assessing whether the noise in question is likely to give rise to complaints from persons living in the vicinity”.

(Mr Thornely-Taylor) Yes.

7135. So the document is based upon the proposition that we are concerned with, the likelihood of giving rise to complaints.

(Mr Thornely-Taylor) Yes

7136. You appreciate, because it is a matter that has been canvassed before, of course, that not everybody who might be annoyed or disturbed about something is going to make a complaint about it.

(Mr Thornely-Taylor) Not everybody, no. We have seen Mr Methold’s helpful quotation from the Wilson report in 1963. I think that may well have been very true in 1963, but, certainly speaking from my own experience of holding public office, and I think honourable members may find it as well, people have become very much more ready to complain in recent years than they used to be. I do not worry a lot about the fact that absence of complaints nowadays means absence of a noise. People are very good at complaining now.

7137. But they still have to take the positive step to complain rather than simply live with some particular problem.

(Mr Thornely-Taylor) It is much easier now. With call centres and the approach to telephone handling of public response, you only have to pick up the phone and register a complaint. In 1963, you would have had to have written a letter to register a complaint.

7138. Look on, please, if we may, in the Foreword. “The standard is intended to be used for assessing the measured or calculated noise levels from both existing premises and new or modified premises. The standard may be helpful in certain aspects of environmental planning and may be used in conjunction with recommendations on noise levels and methods of measurement published elsewhere.” As far as the information paper is concerned, do we see reference by way of the use of anything other than BS4142?

(Mr Thornely-Taylor) No.

7139. Then we can note in the next paragraph that the standard is “. . . necessarily general in character and may not cover all situations.”

(Mr Thornely-Taylor) Yes

7140. Finally, we can note in the Foreword, that “. . . there will be a relationship between the incidence of complaints and the level of general community annoyance, quantitative assessment of the later is beyond the scope of this standard, as is the assessment of nuisance.” So this standard is not concerned, is it, to look at the level of general community annoyance?

(Mr Thornely-Taylor) No.

7141. Can we go on in the document to page 6 of the standard, paragraph 9 (page 107 of 125 in the document provided to the Committee).⁸³ It is this paragraph, is it not, where one gets the reference made to a difference of plus 55 dB?

(Mr Thornely-Taylor) Yes.

7142. It is this paragraph which tells us what it is that should be attached to that, in the context of the consideration of complaints, not a consideration of general community annoyance, and it is here saying that “. . . + 5 dB is of marginal significance”.

(Mr Thornely-Taylor) Yes.

7143. So this document is not suggesting, is it, that 5db plus is of no significance?

(Mr Thornely-Taylor) It says: “A difference of around + 5 dB is of marginal significance”.

7144. Yes, not of no significance. And it is looking at it not in the context of community annoyance but simply in relation to the question of complaints.

(Mr Thornely-Taylor) Yes.

7145. Am I right in supposing that, perhaps influenced by the length of time in your career and otherwise, acoustics as a science has made progression over the past 20 or 30 years?

(Mr Thornely-Taylor) The laws of physics have not changed. There has been progression in awareness and understanding. It would have been very difficult to have dealt with the complex numbers we have dealt with before this Committee 30 years ago, because it would have been such a strange subject—I am sure you will say it is strange enough as it is, but awareness has greatly improved—but the engineering underlying it is in many respects much the same as it was 30 or 40 years ago.

7146. Policies, of course, have advanced during the past 25 or 30 years, have they not?

(Mr Thornely-Taylor) Yes.

7147. And concern over noise has in fact become greater.

(Mr Thornely-Taylor) Very much greater.

7148. That has found expression in some of the policy documents to which reference was made earlier today.

(Mr Thornely-Taylor) Yes.

⁸³ Crossrail Ref: P75, British Standard 4142:1997 Method for rating industrial noise affecting mixed residential and industrial areas, Assessment Method (HAVGLB-14704-107).

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7149. You have relied upon, amongst other things, the Jubilee Line Extension.

(Mr Thornely-Taylor) Yes.

7150. That was before Parliament in the late 1980s?

(Mr Thornely-Taylor) No, in the early 1990s.

7151. There was no debate or challenge within that, was there, to the approach which you are now putting forward.

(Mr Thornely-Taylor) Yes, there was. Westminster led the same argument as we are having today.

7152. At Camden, you have relied upon the inquiry. It is right, is it not, that the London Borough of Camden did not call any technical evidence?

(Mr Thornely-Taylor) No, it was all agreed before we got into the inquiry.

7153. There is no discussion in the inspector's report, is there, as to the validity or otherwise of an approach of plus 5?

(Mr Thornely-Taylor) It was not necessary because both Camden and Transport for London agreed on a condition.

7154. Am I right in supposing that, if one introduces a new plant into an existing situation where obviously there is noise, the background noise must increase by virtue of the introduction of the new plant?

(Mr Thornely-Taylor) No. Before the break in my evidence I did explain that, as far as the tunnel vent fans are concerned, which are the sources that will be principally affected by this policy, there is no effect at all on the background as determined by BS4142 by a subsequent developer.

7155. Forgive me, the question was posed in relation to an existing situation, where there is a background noise and one introduces something into that background noise which is going to have a noise of its own.

(Mr Thornely-Taylor) No, the tunnel vent fans will not normally run, so when a subsequent assessment is made of some other source, and background is determined, according to BS4142, which is what we are talking about at present, there is no change in the background for the next development.

7156. Forgive me, let us look at it without reference to how one might go about a subsequent assessment. I am simply concerned to establish what the facts are. If a noise source is introduced to a situation where there is already noise, then the background noise, by virtue of that introduction, must be increased, must it not?

(Mr Thornely-Taylor) No, because the background noise is defined in section 7 of BS4142, and, because the tunnel vent fans will not normally run, they will not be running when the background is measured and there will be absolutely no change in the background.

7157. The situation posed by the terms of the Crossrail works with which we are concerned—if we move it slightly beyond ventilation for the moment—is that there will be continuous noise.

(Mr Thornely-Taylor) If we move out to outer areas where we have line-side equipment, traction, signalling equipment, there will be some items of plant which run continuously up to a point—the demand on them will change throughout the day—but those are sites where the provision in the draft information paper (to do much better than the L90+5) will bite and lower noise levels will be achieved.

7158. Can we take that step again, please, Mr Thornely-Taylor. The fact of the matter is that the equipment provided by Crossrail will generate noise into an already existing noise climate, will it not?

(Mr Thornely-Taylor) Some will not, normally. Some will, but it is likely to benefit from a greater amount of noise control engineering.

7159. If one does introduce as a general concept noise into an already existing noise climate, the background noise must go up, must it not?

(Mr Thornely-Taylor) Not as defined in section 7. As long as we are concerned with BS4142—which we are—the answer has to be no.

7160. You then just go back to BS4142 and say, “We are not going to measure at particular times, therefore the background has not gone up.” Is that it?

(Mr Thornely-Taylor) It is frightfully important, because in other places you will see me supporting for all I am worth if a local authority is concerned about creeping background noise. It is a major problem in Central London, where there are blocks of flats looking inwards to a light well, and one after another people get planning permission for an air-conditioning condenser and the noise level creeps and creeps and creeps until it becomes quite a significant problem at night, and you cannot pin the cause on any one owner or any one piece of equipment and it is very, very difficult for local authorities to take enforcement action I wholly support that. But, here, we are talking about something completely different: we are talking about a facility which is not normally used, which will occasionally run, which has intense engineering problems associated with its design and with the achievement of better than acceptable noise levels, and it will not give rise to that problem of creeping background for the reason I have explained: that assessment of the next piece of plant from the developer and adjoining piece of land will be done without the fan running, so it will have absolutely no consequence at all. Just as I fully support the concern about creeping background, so I fully assure the Committee that that will not be a consequence of this policy in the cases where we need to use up all of the policy.

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7161. If we go back, please, to page 106 of 125 within the British Standard, paragraph 7, we are there concerned with contemplating the next person who comes along.⁸⁴

(Mr Thornely-Taylor) Yes.

7162. As far as the next person who comes along, he has to measure the background noise level at the assessment location.

(Mr Thornely-Taylor) Yes.

7163. He has to do that—see 7.3—“on days and at times when the specific noise source would normally be operating”.

(Mr Thornely-Taylor) Yes.

7164. So the background noise to be measured is going to depend upon the prospective further development which is under assessment.

(Mr Thornely-Taylor) Yes.

7165. If there is coincidence between that and the running of the equipment with which we are particularly concerned—the vent shafts—the background noise is bound to be higher.

(Mr Thornely-Taylor) No. The normal state of affairs will be nothing happening in these vent shafts. The injunction in BS4142 to measure the background noise level which is typical of the background noise, means that you measure without these fans running because they are atypical.

7166. Do the transformers run part of the time?

(Mr Thornely-Taylor) The transformers, as I was talking about a moment ago, will be capable of easy attenuation to levels which will, I am sure, be found in accordance with local authorities’ requirements and will benefit from the provision in the draft IP that the contractors will be required to use reasonable endeavours to achieve a better noise level.

7167. Do transformers run all the time?

(Mr Thornely-Taylor) They are live all the time. The load on them varies substantially throughout the day.

7168. The transformers, you say, can be dealt with in a way which would accord with what the local authority is seeking here.

(Mr Thornely-Taylor) Yes.

7169. All other equipment can accord with what the local authority is seeking, save for the ventilation shafts. Is that it?

(Mr Thornely-Taylor) Save for the provision of reasonable endeavours in the draft IP.

7170. Is there anything likely to be covered by that other than the ventilation shafts?

(Mr Thornely-Taylor) The ventilation shafts are by far the most difficult case. When we come to the matter of the depot, which I know we are not talking about in detail today, the combination of a very large number of geographically distributed noise sources at the depot make it very hard to do any better than LA90 + 5.

7171. Can you go, please, to LBH44.⁸⁵ There we see a reference to the Environmental Statement for Thameslink 2000, and Thameslink 2000, in terms of an infrastructure project, is the closest in kind of recent date to that which this Committee is considering.

(Mr Thornely-Taylor) No, the closest in kind is the Channel Tunnel Rail Link and the Jubilee Line Extension. There are major differences between Thameslink 2000 and Crossrail.

7172. The closest in time, in any event.

(Mr Thornely-Taylor) It is the most recent railway project to have been to public inquiry.

7173. This was something which you were, I think, involved with.

(Mr Thornely-Taylor) Yes.

7174. So we see in LBH44 that the evaluative criteria that have been adopted have been “reviewed and updated so as to allow for recent changes in legislation standards and guidance on noise assessment. In particular, absolute levels of noise have been assessed. This enables the assessment to accommodate the greater emphasis that is now being given to environments already exposed to high noise levels as well as the requirements of the European Noise Directive.” Pause there. That has not happened here, has it?

(Mr Thornely-Taylor) There is nothing more we can do. I think it has probably escaped the notice of the Petitioners that the consequence in terms of changes in the LA_{eq} level, which is how you measure environmental noise, of meeting the Crossrail policy is an increase which is only measurable using decimal fractions of a decibel. There is no need to go better because we are having no material effect on the environmental noise levels as measured in, for example, the European Noise Directive.

7175. Pause for a moment, please, if I may. The approach there identified has not been followed in respect of Crossrail, has it?

(Mr Thornely-Taylor) Because we are already well ahead of the European Noise Directive. We are well ahead of the continental Europe in its practice. The practice in continental Europe is to look at changes in the noise environment by comparing LA_{eq} with LA_{eq}. They would look at the vent fans and say the LA_{eq} level should not go up by more than 5 at night, in the case of France, and by 3 in the case of Italy. We are way ahead of continental Europe practice in

⁸⁴ Crossrail Ref: P75, British Standard 4142:1997 Method for rating industrial noise affecting mixed residential and industrial areas, Background Noise Level (HAVGLB-14704-106).

⁸⁵ Committee Ref: A81, Thameslink 2000 Extract from Environmental Statement—Scoping and Methodology Report June 2004 (HAVGLB-14705-044).

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adopting what is this extremely stringent approach of comparing LA_{eq} with L90. So once something is good you do not need to make it better.

7176. I am sure I am gratified to hear that but just help on the question which has been asked, please, as to whether the approach which has there been identified has been followed as far as Crossrail is concerned.

(Mr Thornely-Taylor) Crossrail is completely compatible with Thameslink 2000 in its approach. I think what is being referred to is the standard which applies to the minor plant—parts of the infrastructure, signalling equipment—as set out in the specialist technical report for Thameslink 2000. Crossrail will be achieving very similar results and there is no difference between what the outturn will be for Thameslink 2000 and for Crossrail.

7177. I am going to take that as a negative answer and move on to LBH45.⁸⁶

(Mr Thornely-Taylor) For the record, it is actually a positive answer. I am saying that Thameslink 2000 has allowed for recent changes, and Crossrail is doing exactly the same for the sources that are mentioned. So it leads to a positive answer.

7178. If we go over the page we can expect to see the same results for Thameslink 2000. LBH45. Do you have that?

(Mr Thornely-Taylor) I do but it is incomplete. The paragraph before says: “Given the context of Thameslink 2000 where no major ventilation plant is required, noise from permanent fixed installations excluding public address noise, eg power supply infrastructure, signalling equipment and ventilation shafts (I interpolate that passage as ventilation shafts) has been assessed using the methodology of BS4142 and the following design has been agreed with the Inner London Local Planning Authorities.” If the two paragraphs are read together then, as I said a moment ago, the outturn of the two projects will be very similar.

7179. Let us have a look at this then, please. “The design and installation of new fixed items of plant shall be such that, when operating, the noise level $LA_{eq, Tr}$ arising solely from the new plant measured or predicted at 1 metre . . . shall be 5 dB(A) below the background noise level LAF90.” You are asking for 5 dB above?

(Mr Thornely-Taylor) No, you have misunderstood the paragraph you have just read. The noise level is not the same as the rating level. That is stated slightly ambiguously because the little “r” has been put after every $LA_{eq, Tr}$, but the Crossrail policy refers to the rating level, which is not actual noise. The rating level of fans, which have terminal characteristics, is the actual noise with five imaginary decibels added as a penalty to the noise level. So what happens in all circumstances where there is tonal character is that the noise level in the Crossrail case is actually equal

to the background noise level. Bearing in mind that the background or the ambient LA_{eq} will be, as we saw in Mr Methold’s exhibit 9, 7-10 dB greater than $LA_{eq, Tr}$, that is what we are combining the new noise with. If you combine two noises that differ by 7 the increase is less than 1 dB and if you combine the two noises that differ by 10 the increase is less than half a dB.

7180. Tell me this: if there is consistency between the two, Thameslink and Crossrail, why can you not have the approach set out in LBH45 duplicated to Crossrail?

(Mr Thornely-Taylor) For the reasons set out in the paragraph just above this extract from LBH45. I will not read it again but it says given the context where no ventilation is required. That is why.

7181. If we just pause and keep that to hand but go back, please, to your draft information paper, we see trackside equipment dealt with at 4.1, page 121 of 125.⁸⁷ Yes?

(Mr Thornely-Taylor) Yes.

7182. Is there any great significant difference between the trackside equipment in Crossrail and trackside equipment in Thameslink 2000?

(Mr Thornely-Taylor) Crossrail bases its obligation on: “The nominated undertaker will be required to use reasonable endeavours when designing trackside equipment to reduce the noise below the assessment criterion where it is practicable to do so.” It is most likely, in the other areas where this equipment occurs, that each individual local authority will look to achieve their own particular policy requirements for that equipment. Technically, it will be possible and there will be no particular cost obstacles to achieving that.

7183. Let us just take it in steps. As far as the equipment is concerned, there is going to be no difference of character, is there, between the equipment trackside for Crossrail compared to Thameslink?

(Mr Thornely-Taylor) Exactly.

7184. What is being proposed by you is that there is going to be criterion which is plus five dB—your paragraph 4.1.

(Mr Thornely-Taylor) That is not the whole criterion. That is the same criterion copied across from the basic criterion we saw on page 119, but it is substantially modified by 4.2.⁸⁸ It is unfortunately not possible to have 15 different criteria. If the trackside equipment, if we were to, say, adopt the local authority requirements in each case, as we see from the exhibit which sets out the extract, LBH29 and 30, Crossrail will have to have 13 different

⁸⁶ Committee Ref: A81, Thameslink 2000 Extract from Environmental Statement—Scoping and Methodology Report June 2004 (HAVGLB-14705-045).

⁸⁷ Crossrail Ref: P75, draft Information Paper, Noise from Fixed Installations (HAVGLB-14704-121).

⁸⁸ Crossrail Ref: P75, draft Information Paper, Noise from Fixed Installations (HAVGLB-14704-119).

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policies, which I do not recommend.⁸⁹ I think paragraph 4.2 lays the ground work to achieve local authority objectives for this kind of equipment.

The Committee suspended from 4.25 pm to 4.38 pm for a division in the House

7185. Mr Taylor, can I ask you, please, to go within your information paper to page 1, paragraph 1.2, which will be found at page 118 of 125.⁹⁰ I just want to have a look at 1.2 and I would like your help, please, as to the differences between the items itemised here and Thameslink 2000. Ventilation shafts is a difference is it not?

(Mr Thornely-Taylor) Forced ventilation shafts, yes.

7186. Draught relief shafts—are they present in Thameslink 2000?

(Mr Thornely-Taylor) Yes.

7187. They are. Electrical trackside equipment present?

(Mr Thornely-Taylor) Yes.

7188. Power supply facilities present?

(Mr Thornely-Taylor) Yes.

7189. Mechanical ventilation and air conditioning equipment associated with building is present?

(Mr Thornely-Taylor) Not in a similar way to Crossrail. There is revision to stations such as Blackfriars and Farringdon and that will include plant, but not on the scale you get at the kind of station that will be constructed for Crossrail.

7190. Very well. Other fixed installations at depots and sidings such as—and you give examples. Present with Thameslink?

(Mr Thornely-Taylor) No.

7191. And public address systems present at Thameslink?

(Mr Thornely-Taylor) Yes, but separately dealt with.

7192. Apart from those three items, the first and those last two we have mentioned, all those items are present at Thameslink 2000 and were capable of being dealt with on a minus five basis.

(Mr Thornely-Taylor) Yes.

7193. And appropriately dealt with on a minus five basis.

(Mr Thornely-Taylor) Not in the view of some local authorities. It would not satisfy all the policies, but a good many of them.

7194. In your view, appropriately dealt with on a minus five basis.

(Mr Thornely-Taylor) It was an agreed way forward settled between Thameslink 2000 and the local authorities.

7195. Am I, therefore, right in supposing, if we keep an eye on that list, that you have not included within “fixed installations” a train which simply happens to be in a siding overnight but might still be generating some noise?

(Mr Thornely-Taylor) If it is not in a depot, no, it is not included.

7196. Help me about this please: am I right in this proposition, that as far as forced ventilation shafts are concerned for the majority of them L90–5 can be achieved?

(Mr Thornely-Taylor) For many of them. I will not be so precise as to say the majority.

7197. For many of them it can be, and for the balance where it is not presently shown as being achieved further works could be investigated to see whether it could be achieved.

(Mr Thornely-Taylor) Yes, further works are all the time in progress as our understanding of the consequences of various aspects of the Crossrail design are proved, and this is what has given rise, for example, to the problem I have already mentioned on aerodynamic noise being the controlling influence in determining whether or not we can meet a particular level.

7198. So we can agree, can we not, that L90–5 can be achieved in a large number of cases.

(Mr Thornely-Taylor) There are many cases where it can be achieved.

7199. If it could not be achieved then, of course, it could be the position that you would be required to use best practicable means to reduce the noise.

(Mr Thornely-Taylor) Not according to the Crossrail approach. The Crossrail approach is that the nominated undertaker will be required to achieve 90+5, not to use best practicable means because we do not want to have complaints arising from the operation of tunnel vent fans.

7200. Forgive me, I was concerned with the situation of just looking at it from the point of view we have seen how, in a large number of cases, even including the ventilation shafts, L90–5 can be achieved. One possibility would be to have, would it not, L90–5 as the requirement as per Thameslink with the option that if it could not be achieved one was required to use best practicable means?

(Mr Thornely-Taylor) No, I recommend against that because that has got no upper limit to it. We could end up with complaints about tunnelling plans, which we certainly do not want to do.

7201. So the difference, therefore, potentially, that can be recorded is this: you are suggesting L90+5 for everything. Yes?

(Mr Thornely-Taylor) Yes.

⁸⁹ Committee Ref: A81, Local Authority Standards and Guidance—Part 1 (HAVGLB-14705-029 and -030).

⁹⁰ Crossrail Ref: P75, draft Information Paper, Noise from Fixed Installations (HAVGLB-14704-118).

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7202. Against L90 – 5 over the opportunity to use best practicable means if one could not achieve that.
(Mr Thornely-Taylor) That is right. That is it in a nutshell. The latter option has no top limit.

7203. The top limit is required, or demanded by, the requirement that one uses best practicable means?
(Mr Thornely-Taylor) No, it is not. That could hypothetically be any number. What Crossrail has done is determined now that it is possible, and a lot of effort has gone into determining that it is possible, to achieve L90 + 5 and making that an overriding limit. I think that is a far better approach than the local authorities approach.

7204. Help me with one further matter on this, please. If, as you say, L90 + 5 can be achieved in all cases—yes?
(Mr Thornely-Taylor) Yes.

7205. Then L90 – 5 together with best practicable means, if one cannot achieve that, is not ever, is it, going to go over L90 + 5? Yes?
(Mr Thornely-Taylor) That is correct.

7206. So the position is that one would have achieved what was achieved in Thameslink and would be within what you say is beneficial outside the limit of L90 + 5.
(Mr Thornely-Taylor) No, because it is coupled with the best practicable means caveat.

7207. We have seen how that operates. I do not need to repeat that. Can we just tidy up one or two matters, please? Questions of cost I can leave over to a note. I would like to ask you one or two questions, if you do not mind, by reference to the modal value approach. Could you take LBH40?⁹¹ Here it is right, is it not, that correctly is recorded or shown, in relation to the one illustration, the approach which was followed in working out the background noise?
(Mr Thornely-Taylor) No, we were led to believe this was the basis of the environmental assessment, which is not true. The environmental assessment was carried out on the basis that the significance criterion would be through LA90 + 5 and that we have satisfied ourselves that certain mitigation was available to achieve that, as a consequence of which there will be no significant effect from the operation of tunnel vent fans. The material to which large parts of Mr Methold's evidence were devoted about background level and mode comes from subsequent information which was shared with local authorities when Crossrail was looking at a lot of "what-ifs" in further analysis of the design process for fixed plant. It is not part of the Environmental Statement.

7208. We can take it shortly, it would appear, because you agree, do you not, that it would be an incorrect way to determine using the modal value of the L90?

(Mr Thornely-Taylor) No, I do not, I recommended it. The reason is that when interpreting BS4142 in a formal way you have to apply mechanisms that give effect to the words in a mechanistic fashion, and when the words talk about measuring background noise that is typical, or which is representative, the best mathematical way of doing that is to find the level which occurs most frequently, on the basis that if an environmental health officer should go out to investigate a complaint the most probable number he will get on his noise meter is the most frequently occurring one, and that is the mode. It is not nearly as bad an indicator as appears from the six case example in LBH39 because you have hundreds of numbers from which to determine the mode.⁹² It is a very good way of turning semantics into numbers. The issue I think which Mr Mehtold was getting at is that the mode has been applied over a period over which noise levels are falling and he shows that other measures such as mean might be better, and I understood his evidence to be that he favoured the minimum, but there is actually no such thing as the minimum because you have to define the number of times you go out and measure. Both Havering and Crossrail know that if you go out twice to measure you get different answers, because we did that; Havering asked us to do it and a repeat measurement was done. So what is the minimum? Is it what you get on one occasion, two occasions, three occasions, or over a year's continuous monitoring? There is no such thing, really. You have to take a determinable metric that two people would get the same answer from the same set of numbers, and the mode is good for that. But it is of no relevance for present purposes because we are here considering what the noise levels of the vent fans will be when they are designed in the future. As Mr Methold I think agreed in cross-examination, this will be for the local authorities to determine in conjunction with the nominated undertaker's contractor, according to BS4142, which may well not be the 1997 version by then. Whatever it says about how you determine the background is how it will be done. We do not need to take up time now about whether modal value is right or not because it plays no part in the outcome of the matters we are considering.

7209. But whatever happens, therefore, if there is going to be a new BS4142, you would say that it must make absolutely plain that one is using the mean, mode or some other definition, because one can have a very wide variation depending on which statistic one uses.

(Mr Thornely-Taylor) Indeed, and each contractor will, as part of the general consultation process, discuss with the local authority the appropriate way of settling on what the L90 is. It was not difficult for the Jubilee Line Extension, I do not see it being difficult for Crossrail.

7210. Plainly, all these matters will have to be borne

⁹¹ Committee Ref: A81, Analysis of Modal Value—30 Hyde Park Gardens (HAVGLB-14705-040).

⁹² Committee Ref: A81, What has the Promoter done? (HAVGLB-14705-039).

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in mind. Would you have a look at LBH41, please.⁹³ The penultimate bullet point is that this approach is not being used as in other recent projects.

(Mr Thornely-Taylor) It has not been used on Crossrail. I have explained that it was not used in the environmental assessment process.

7211. In the Environmental Statement process, what was used for the L90?

(Mr Thornely-Taylor) Forgive me, I need to repeat myself—I do not know whether I should. The Environmental Statement took the significance threshold of LA90+5, checked that certain mitigation was available to achieve that, and came to the conclusion that there would be no significant effect from the operation of tunnel vent fans. That is how it was done.

7212. Forgive me, you must have identified some figure for the LA90?

(Mr Thornely-Taylor) No, it was not necessary. It was a similar approach that was used for groundborne noise of setting a significance threshold, determining that engineering means were available at affordable cost to meet it, and coming to the conclusion that there would be no significant effect—which is what is required of an Environmental Statement.

7213. On that basis, whatever the LA90 was, you were saying, “Well, we can work LA90+5 and be all right”.

(Mr Thornely-Taylor) Yes. And it was very important that we established that it would be.

7214. Even if the LA90 happens to be particularly low, you are all right.

(Mr Thornely-Taylor) Yes.

7215. You can achieve that. Very well, I can leave that matter there. I think you are going to provide some information about complaints as to the Jubilee Line?

(Mr Thornely-Taylor) We will inquire of the environmental health departments of Lambeth and Southwark and Tower Hamlets, and check whether they have any complaints.

7216. What about London Underground Ltd itself?

(Mr Thornely-Taylor) We will also do that.

7217. Thank you. Is every single phone call which is ever made to London Underground in respect of noise complaint or a public transport operator logged?

(Mr Thornely-Taylor) I cannot speak for them. It is usual for modern methods of complaint handling that that happens, but I cannot speak for them.

Mr Straker: Thank you very much, sir.

Re-examined by **Mr Taylor**

7218. Mr Thornely-Taylor, you were asked some questions, having been taken to the Foreword of BS4142. I think the hint was that BS4142 should not be used as a basis for assessing significance. What approach to the assessment of significance of noise from fixed installations is advocated in PPG24?

(Mr Thornely-Taylor) The use of BS4142.

7219. In relation to assessing the significance of noise changes in relation to fixed installations, are you aware of any other British Standard or indeed any other standard that is used in the UK?

(Mr Thornely-Taylor) There are other standards relating to determining noise levels, but there is no other standard for assessing significance.

7220. The local authorities were advocating a minus 5 dB design criterion. If BS4142 is not to be used, what can that minus 5 dB design criterion be based upon?

(Mr Thornely-Taylor) It has no meaning whatever outside the definitions of BS4142.

7221. **Mr Taylor:** Thank you very much.

7222. **Chairman:** Thank you very much. We will resume tomorrow at 10 am and hear the second witness.

7223. **Mr Straker:** It might be useful if I mention, so far as timing for tomorrow is concerned, that I would not expect the second tranche of my case to take anything like the time that the noise aspect has taken.

7224. **Chairman:** That is good.

7225. **Mr Straker:** The third tranche of my case will not take even that smaller amount of time; because I am not calling any evidence in relation to it, I am simply making certain observations to you in submissions apropos the enforceability of the undertaking that has been given.

7226. **Chairman:** It will help members of the Committee to meet with staff and to review the work that it has been doing over the last few days. Thank you.

⁹³ Committee Ref: A81, Why is this wrong? (HAVGLB-14705-041).

Thursday 20 April 2006

Before:

Mr Alan Meale, in the Chair

Mr Brian Binley
Mrs Siân C James

Mrs Linda Riordan

Ordered: that Counsel and Parties be called in.

7227. **Chairman:** Mr Straker, do you want to call your second witness?

7228. **Mr Straker:** Thank you very much, sir. I will call Mr Martyn Thomas. Sir, I think my learned friend Mr Mould wanted to say something before he gave his evidence just to set the scene.

7229. **Mr Mould:** Sir, I think it would be helpful if, in the usual way, we were to put up some photographs and just show you the location of Romford. Perhaps we can put up page 18 please.¹ Sir, the first business of the day relates to the proposed station, changes to the station at Romford, and this is an aerial photograph. You can see here the station which lies just to the left of the arrow shown marking the station entrance. The station is in the embankment which you can see there and the station entrance is actually underneath the overbridges that you see in the photograph. The street that the bridges run over is South Street and you see marked just to the south of South Street the bus interchange which is about 75 metres walking distance from the existing station entrance. To the north of the station and on either side of South Street is the main area of Romford town centre and, just going back down under the bridges down South Street and turning to the right along Atlantic Boulevard, one comes to an area of bus stands which is marked on the photograph.

7230. If we can put up number 16, we have here a plan showing the existing station arrangements and you can see marked the main entrance to the station just from South Street with the yellow arrow pointing to the left and then the existing ticket hall and entrances there shown, the gatelines.² There is a secondary access to the south which is shown marked as "Step-free access on request" and that is very much a secondary entrance. It is a sub-standard ramp, sub-standard in the sense of the gradient, and generally there is a locked door giving access behind the gateline essentially for cyclists and for mobility-impaired travellers who can get in if they ask the station staff to let them in that way. We show there again the bus interchange and, with the red arrows, the bus stops and the alighting points for the

terminating buses and the pedestrian routes which connect between the various parts of the transport interchange at the station.

7231. If we can put up number 61 please, these are some photographs and in the top-left hand corner, looking in a south-westerly alignment towards the existing station entrance underneath the overbridges, this is South Street that you see and you can just see the platform canopies on the slow lines which are the two lines which run on the northerly alignment through the station, and the fast lines, as you recall from other Petitions, are on the southerly overbridge.³ To the top right you get a view of the secondary access ramp that I mentioned a minute ago immediately to the south of the station and you can just see the ramp going up there to the door which gives access to the station behind the gateline. Then the entrance itself is shown and then you get a view of the interior layout and it may be helpful just to mention that although this is a very busy station, one of the busiest stations on the Great Eastern main line, this is a decidedly sub-standard station at the present time and it may be helpful just to outline briefly to the Committee some of the problems.

7232. The ticket hall is a long, narrow structure which easily becomes congested at peak hours. It is linked to the high-level platforms by an over-complex network of ramps, passageways and stairs, and you get a sense of that in the photograph, particularly to the right of the photograph. The ticket office itself is located at an intermediate level and it is, therefore, necessary to climb a flight of stairs to reach it. Although the station has recently been the subject of a fitting-out scheme with automatic ticket barriers, that has tended to worsen the congestion. Because of the narrowness of the ticket hall, it was not possible to fit an adequate number of gates in, so passengers descending via the stairs from the platforms, particularly at peak times, are now forced to queue back to the gateline in order to leave the station, and the various ramps and stairs are sub-standard by any modern criteria for accessibility and that includes the southern ramp, so it is a station that internally cries out for improvement and that is what Crossrail proposes, so we will show you briefly the proposal.

¹ Crossrail Ref: P75, Aerial photograph of Romford Station (HAVGLB-14704-018).

² Crossrail Ref: P75, Map of Romford Station Crossrail Proposals (HAVGLB-14704-016).

³ Crossrail Ref: P75, Photographs of bridge, ramp, entrance and ticket hall at Romford Station (HAVGLB-14704-061).

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7233. If we could have number 17 up please, what we are proposing is a new station building immediately to the north of the embankment, and you see that marked in the beige colour, with an entrance about 50 metres to the north of the existing entrance on South Street, so somewhat closer to the main town centre.⁴ You see that we propose a single entrance to the station at that point. We have proposed the removal of the sub-standard ramp and the effect of that is to increase the distance from the proposed entrance to the bus interchange by about 50 metres, so from 75 metres to about 125 metres for pedestrians.

7234. If we turn finally to page 60, we have a computerised aerial view of the station and you will see here that the proposals comprise a new, three-storey ticket hall, extending the existing station which includes ticketing facilities, automatic gates, escalators and lifts, staff accommodation and passenger facilities.⁵ The design satisfies the requirements of the disability discrimination legislation with step-free access between pavement and platform level. New canopies and platform facilities will be provided to the Crossrail platforms, which are platforms 3 and 4 on the island platform and platform 5. As I said, the main station entrance will remain on South Street to the north of the railway, but will be wider with better provision for a gateline. You can see those points on this computerised layout and you can see the station entrance to the bottom right-hand corner giving access to the concourse area, and then the gateline is immediately to the left and we have then shown different coloured, dotted lines as accesses to the Crossrail platforms, platforms 5, 3 and 4 respectively, and then access to the main line platform, platform 2, and we have shown the MIP lift arrangements with red blocks either side of the embankment itself. I will not take more time going through that illustration, but you can see there that we have marked, I hope helpfully, a number of other features of the proposals.

7235. Sir, that is a very swift run-through of what is proposed here. I will hand over to Mr Straker. The issue, I think, relates to the fact that the new station proposes a single entrance to the north and, as we have said, we will remove the existing secondary access to the south and do not propose a replacement to that. I will not say more about that now; we will be addressing that in the course of the hearing.

7236. **Mr Straker:** Sir, perhaps I can just add this: that the issue as between the parties is that everyone would regard it as sensible no doubt for bus passengers to be able to access the station, the railway station, immediately from the precincts of the bus station. However, Crossrail at the moment

indicate that that cannot be done. We would like it further investigated as to whether it could be done. Sir, having said that, I will then call, with your leave, Mr Martyn Thomas who has taken his place at the witness table.

Mr Martyn thomas, sworn
Examined by **Mr Straker**

7237. **Mr Straker:** You are Martyn Thomas, being the Development and Transportation Planning Manager with the London Borough of Havering? (**Mr Thomas**) That is correct.

7238. I think your post is within the regeneration and strategic planning service of the Council's Sustainable Communities Directorate and you are a chartered town planner with some 26 years' planning experience in a wide range of planning fields? (**Mr Thomas**) That is correct.

7239. You have produced, I believe, a bundle of slides which are capable of being displayed and which have also been reproduced in paper form for the Committee.

7240. **Chairman:** We will mark this A82.⁶

7241. **Mr Straker:** Thank you, sir. It sets out on its first page, if we could go to that, the key themes of your evidence and could you just take us through that please?⁷

(**Mr Thomas**) Yes, the key themes of the evidence that I will look at are how amendments to Crossrail's proposals for Romford Station will achieve a much better level of access for station users and integration with other facilities, principally the bus interchange to the south of the station and, by so doing, be consistent with policies requiring better integration of transport modes which I will be explaining in summary as part of my evidence. Secondly, at the end of the evidence we will be looking at where we currently stand with Crossrail in regard to undertakings by them on other issues.

7242. I think we can pass through the next plan which can be shown on the screen, HAV2, which simply identifies where Havering is by reference to the M25.⁸ Then at HAV3 we have the strategic planning policy context, so can you just identify these documents and how these have come into being?⁹

(**Mr Thomas**) Yes, there are a number of key planning policy documents which we feel are directly relevant to the situation here and I have highlighted the key ones here. First of all, we have the London

⁶ Committee Ref: A82, Evidence of Mr Martyn Thomas, London Borough of Havering

⁷ Committee Ref: A82, Key Themes of Evidence (HAVGLB-14705-053).

⁸ Committee Ref: A82, Location of London Borough of Havering in London (HAVGLB-14705-054).

⁹ Committee Ref: A82, Strategic Planning Policy Context (HAVGLB-14705-055).

⁴ Crossrail Ref: P75, Map of Crossrail Proposal & Proposed layout (HAVGLB-14704-017).

⁵ Crossrail Ref: P75, Crossrail Proposal—Preferred Option Aerial View of Ticket Hall Architect Schematic Diagram of Romford Station (HAVGLB-14704-060).

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Plan adopted in 2004, we then have the draft Sub-Regional Development Framework which is derived from the London Plan, and related to both of those and produced by the Mayor and Transport for London is the London Mayor's Transport Strategy. As far as Havering is concerned, we have our Unitary Development Plan which was adopted in 1993 and following on from that we are currently working on our Local Development Framework which will replace the UDP. In addition, the Council has brought forward a number of other strategies of various types over the years and the principal one of relevance for consideration is the Romford Urban Strategy which was adopted last year. It may be helpful to the Committee if I just highlight some of the key themes which we feel are relevant to the consideration today and which emerged from these documents. Romford, in the London Plan, is identified as a metropolitan centre. It is one of only two metropolitan centres in east London, the others being Wood Green and Ilford. It is identified as being part of the Thames Gateway area and, as such, is a priority for regeneration and for redevelopment. Fundamental to those initiatives are a whole range of issues relating to securing improvements as far as transport infrastructure is concerned. Transport infrastructure improvements are key to the direction of the Thames Gateway and the regeneration of that area and, as such, are also key to Romford town centre in a lot of ways. Those themes are picked up in the draft Sub-Regional Development Framework. Annex 1 of that document in particular identifies accessibility as being a key consideration for metropolitan town centres and, with regard to Romford, the document highlights that improvements to accessibility through schemes such as Crossrail and the Thames Gateway transit will be fundamental to securing economic and physical regeneration of town centres, so I think there are a number of key themes beginning to emerge which we feel are relevant to this issue. The London Mayor's Transport Strategy from 2001 identifies Romford as a key location for interchange improvements which is clearly relevant in this consideration. Our own UDP in 1993 identified improvements being necessary at public transport interchanges and these themes are very much themes which are emerging through our own Local Development Framework. The Romford Urban Strategy also identifies accessibility improvements throughout the town centre as absolutely fundamental to Romford's regeneration, whether we are talking about the station, whether we are talking about people coming on public transport from other parts of the town centre or people moving around the town centre on foot or coming in by car. If we move on to slides 4 and 5.¹⁰ At slide four, we have an extract from the Greater London Authority London plan and I think you have recited certainly the text of the plan but put a summary word on the right-hand side so that, for

example, in the first box we see policy 3C1, integration of transport and development and you have just highlighted certain aspects and recorded integration.

(Mr Thomas) That is correct. What I tried to do with these policy extracts is highlight what we feel are the fundamental points of issue here. As Mr Straker has said, the right-hand side of the page includes a highlighted word for the issues which are being identified. For policy 3C1 integration is the key issue between public transport capacity and town centres. On policy 3C3, at the bottom of the page, you see that highlighted is the phrase "greater integration between bus, rail and underground services". If we turn over the page on to slide 5, I have referred already to the Mayor's transport strategy and there are a number of policy extracts here which we feel are directly relevant to this issue. The first one identifies assessable hubs and it refers to highly accessible hub nodes which would act as key development and interchange points and where appropriate also link with regeneration initiatives. Policy 4P1, in the middle of the page, highlights the word "co-ordination" because we feel that policy 4P1 looks at ensuring co-ordinated improvements for transport integration, facilitating greater use of public transport: walking and cycling. Moving down the page, we have highlighted the word "interchange". This policy from the Mayor's transport strategy 4P2 talks about Transport for London working with its partners improving interchange between public transport modes, walking and cycling, et cetera, to make interchange accessible enabling people to access the public transport system by car, et cetera. Finally, on that page we have policy 4P2 which is the one that I referred to earlier which identifies the need for investment proposals at interchange. The documents incidentally identifies Romford as one of a number of key interchanges in the Greater London area.

7243. Then we come to an extract from a Havering Unitary Development Plan STR27, where you have highlighted improvement, being your word, outside the box and highlighted improved interchanges as part of the policy aspiration.¹¹

(Mr Thomas) That is correct. This is policy STR27, one of the strategic policies from the Havering UDP. The document is somewhat old but even in the early 1990s the council was committed to achieving improvements in the social area and trying to make a better interchange there for the benefit of the town centre. This is evidence of that initiative. It is something that we have followed with a variety of other initiatives over the years as part of town centre improvement schemes and as part of funding bids for Transport for London for funding. In that context I would mention that the council is pursuing the funding bid, Transport for London, for an area based scheme around Romford Station to secure

¹⁰ Committee Ref: A82, Extract from the GLA London Plan, Closer integration of transport and spatial development (HAVGLB-14705-056); and Extracts from the Mayor of London's Transport Strategy 2001, Policies 3.8, 4P.1, 4P.2 (HAVGLB-14705-057).

¹¹ Committee Ref: A82, Extract from the London Borough of Havering Unitary Development Plan STR27 (HAVGLB-14705-058).

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improvements in that area. The very fact that TfL have indicated their support for that scheme we feel adds further weight to the validity of our case here.

7244. Let us then pass from that policy STR 27 to the seventh slide where we see a location plan, is that correct?¹²

(Mr Thomas) That is correct.

7245. You have added on the right-hand side Romford Station at the heart of the town centre?

(Mr Thomas) That is correct. This slide is meant to give a pictorial presentation of where exactly the station lies in Romford town centre so that we can see exactly how important it is for the key activities which happen within the town centre. Centrally the town centre is bounded by the ring road which is substantially the area which has a red outline around it, but also is completed in the south-east quadrant by the uncoloured section just at the bottom right-hand corner of the page. The main town centre activities happen within the ring road, not exclusively within the ring road, but the main town centre within that area. The plan highlights a number of key activity areas. Number 1, we have the marketplace which is still a key area of activity for the town centre. It dates back to the 13th century but is fundamental to Romford's character and its success. Number 2 is the Liberty Centre which is a shopping centre originally developed 30 years ago but was substantially enhanced a couple of years ago and is now one of the key pedestrian destinations in the town centre. Number 3 is the Mall Shopping Centre which was developed in the mid-1980s to complement the Liberty Centre. Number 4 is the Brewery Centre which came on stream four or five years ago and is a re-development of a former brewery site. Now it is a key shopping destination, a key leisure destination. It includes housing and leisure facilities as well. Number 5 is the main office activity area within Romford, an area of both smaller office premises but a number of large and recent developments with national organisations represented there. Item 6 just outside of the ring road area and to the north of the plan is what effectively we call the city quarter which includes the council's main offices, the core buildings, the library and so forth. To the south of the white circle there are other town centre areas and to the south-west of the circle, that is in the bottom left-hand corner of the page, there is an area of industrial activity. On the opposite side of South Street, so that is the bottom right-hand side of the page, there is an area of mixed commercial use and residential use. That is essentially the character of the town centre in a nutshell. From that you can see that the station is quite clearly at the centre of all the activities that happen within the town centre.

7246. We can also see that the East London Transport transit route marked in blue is a perspective route, is that right?

(Mr Thomas) That is correct. What the plan shows marked in blue is the proposal by Transport for London for a light transit system which would connect the outside of the borough and other parts of the Thames Gateway through the town centre and moves into the north of the borough. It is fundamental to this scheme that it comes past Romford Station and therefore creates a very significance and substantial transport interchange. It reinforces the point about the bus interchange which we have seen on the photographs which Crossrail has produced and will be shown in my photographs in a few moments.

7247. I think the bus interchanges reviewed its proximity to the station and we have got the yellow box, the proposed transport node in the vicinity of the bus station?

(Mr Thomas) That is exactly right. The yellow node has been slightly obscured by the white circle but it is immediately joining the station area within the white circle.

7248. Let us pass on please to the next plan which is number 8 and this reveals, as indicated, does it, that the bus station next to Romford station, the routes, are all centred on that very bus station?¹³

(Mr Thomas) That is correct. This is a plan which was sourced from Transport for London indicating bus routes throughout of borough. It shows that essentially there are in excess of 30 bus routes which service the station area, which by any stretch of the imagination is a very considerable number. Public transport patronage in Romford has been always particularly high, it is amongst the highest of all the London boroughs. Bus use in Romford is also very high compared with a lot of other boroughs. In general terms there are probably in excess of 50,000 people coming to Romford by bus every day.

7249. If we go to the next slide HAV9, please, this is the station today and we have had the advantage also of seeing already a similar slide from the Promoters.¹⁴ We can see here the main entrance A, the occasional entrance B and that is the ramp, is that right?

(Mr Thomas) That is correct. We will see in a moment from the slides that the main entrance is quite restricted, as Crossrail themselves acknowledge. Entrance B is the ramp entrance to the south of the station which although it is an occasional entrance is quite substantially used. It is used by people with mobility problems, for pushchair users and frequently when it is being used by those people other mobile passengers use it as an access of choice because it is a convenient way to get into and get out of the station. Just to put some further dimension to the station usage, the indications from Crossrail are that 45 per cent of passengers using the station arrive at the station from the south, which we feel is significance, 55 per

¹² Committee Ref: A82, Location plan showing Romford Station, Romford Urban Strategy 2005 (HAVGLB-14705-059).

¹³ Committee Ref: A82, Bus Routes in Havering (HAVGLB-14705-060).

¹⁴ Committee Ref: A82, Romford Station Crossrail Proposals—Existing Layout (HAVGLB-14705-061).

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cent come from the north of the station. That will give you a feel for the number of passengers arriving. Crossrail's own figures suggest that in 2001 during the peak morning period there were in excess of 4,800 passengers arriving at the station. With the Crossrail scheme that figure would rise by 2015–16 to about 6,800 over the morning peak period. Transport for London's figures suggests that in excess of 5 million passengers a year use the station currently.

7250. Very well. There we see those particular matters. If we go on we get the first of your photographs, I think?

(Mr Thomas) That is correct. Slide 10 is taken from South Street, which is the key shopping street running through the town centre.¹⁵ It was the original shopping street before the new shopping centres were built. This photograph was taken from just north of the railway station on the opposite side to the station entrance. I think it is self-evident and you can see that it is a fairly busy area. There are a number of passengers and pedestrians on the pavement by the station. We can see the two station entrances which are the main entrances currently. In the background to the photograph we can see the bus interchange with buses arriving and departing.

7251. Then HAV11, the next photograph, that one is a close-up to the entrances to the station?¹⁶

(Mr Thomas) That is correct. It is close-up to the entrance to the station. Those two doorways are the only routine entrances into the station. You get a feel from the picture of the restricted area that pedestrians have and you get a feel for the number of passengers that are typically around the station. These photographs were taken during the evening peak period.

7252. HAV12 moves slightly closer to where the buses are, is that right?¹⁷

(Mr Thomas) That is moving underneath the bridge in the direction of the bus interchange. It shows people walking away from the station. Again, it gives an impression of the level of pedestrian activity, the relatively restricted space in that area and the absence of any facilities for people to meet people without getting in the way of other pedestrians.

7253. Then we have HAV13, please?¹⁸

(Mr Thomas) This photograph was taken from the opposite side of the bridge, so we have moved underneath the bridges and are on the opposite side of the road of the bus interchange. It shows the

station entrances and people walking from the station entrances back in the direction of the bus interchange.

7254. Is it possible to pick up on this photograph where the perspective station entrance, the present station entrance is being closed, will take place?

(Mr Thomas) Yes. The photograph on the extreme right-hand side shows that the rear end of the blue single-decker bus in general terms is where Crossrail's main entrance to the station would be under their current proposals.

7255. Very well. Let us then go over to 14 where we look at the bus interchange.¹⁹

(Mr Thomas) This is the bus interchange immediately adjoining the station and immediately next to the south embankment of the station. You can see from this photograph there are a number of bus stands which evidences the 30 bus routes I was talking about serving the town centre and serving the station. You can see from this the levels of passenger activity that are typically found in this area during peak periods. Passengers alighting at the buses have to walk past the front of the small shop units which are on the ground floor of the main building. Essentially they come around the corner, past the blue fence that we see and walk down towards the station entrance. In walking terms we have heard how far the distance is, it is probably about a minute's walk from the bus stand to the current station entrance. If the proposals proceed as currently are intended my estimate is just to get to the station entrance that walking time would double and then passengers would then have the added inconvenience of getting ticketing arrangements within the ticket hall and then walking back on themselves to get back to the platform entrance. By any stretch of the imagination my view would be that for a commuter who may be in a hurry adding an extra minute and a half to every trip is not a very attractive proposition.

7256. Having identified HAV14 where the buses are, can we go to HAV23 and on HAV23, one can see the bus on the left-hand side and one can see also, which one noticed in HAV13, the blue rails leading up alongside.²⁰ Can you just help us, therefore, as to this photograph and what you take from this photograph, please?

(Mr Thomas) Yes. This photograph shows the walking route that passengers from the buses have to follow: they leave the buses—we can just see at the edge of the photograph—walk across the photograph and then off the page to the station entrance. The blue fencing is on the ramp which joins the southern entrance on the southern side of the station and this is the occasional entrance which was referred to earlier on. If you look at the middle of the page, at the top of the ramp, you can see a grey panel on the embankment wall and the doorway is

¹⁵ Committee Ref: A82, Photograph of existing Romford Station main front entrance (HAVGLB-14705-062).

¹⁶ Committee Ref: A82, Photograph of existing Romford Station entrance beneath railway bridge photo shot (HAVGLB-14705-063).

¹⁷ Committee Ref: A82, Photograph of pedestrian forecourt (HAVGLB-14705-064).

¹⁸ Committee Ref: A82, Photograph of Station entrance from the south (HAVGLB-14705-065).

¹⁹ Committee Ref: A82, Photograph of bus Interchange (HAVGLB-14705-066).

²⁰ Committee Ref: A82, Photograph of route between station and bus interchange (HAVGLB-14705-075).

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immediately beneath that. That doorway is not permanently open; there is a call arrangement whereby passengers have to press a button and somebody from the station staff at the mezzanine level arrives at the other side of the door to open the door for passengers to use it. It is used primarily by people with disabilities, but, increasingly, as well our evidence is that it is used by people with pushchairs and people who have a significant amount of shopping, and it has become used as an entrance to the station.

7257. As I understand it, that is proposed to be closed under the Crossrail proposals?
 (Mr Thomas) Crossrail's current proposals would delete that entrance option, that is correct.

7258. In HAV23, you refer at the foot of the page to a southerly entrance to the station proposed by the council would utilise access to an arch in the flank wall of the station next to the bus interchange to provide a direct link between the station and the bus interchange. The arches that you have got in mind there, any one in particular of those that one can see?
 (Mr Thomas) Our position is that we are unaware of the station structure in detail, but we feel that investigations should be carried out of the opportunities for using one of those arches to provide a direct access between the bus interchange and the main ticketing hall, the main entrance of the new station. To pick up on the proximity, it would reduce the distance passengers would have to walk. It seems like a very attractive proposition.

7259. If we go back in the photographs, please, I think we can travel quickly through 15 which is looking at the interior of the station, is it not?²¹
 (Mr Thomas) That is correct. Fifteen is the right-hand side of the interior of the station. Confirming what was said earlier on about the restricted space available, in the background of the photograph, we can see the ticket booths or ticket gates and we see the stairs up to the mezzanine level, which is just underneath the display screens showing the travel information. On the right-hand side of the station is the staircase up to the intermediate level where the ticket office is, that is in the top right-hand corner of the photograph. From this picture, we can see it is a pretty cramped, there is not a great deal of space to move around, particularly when it is busy and we can see the staircase access is very steep and there is restricted width.

7260. HAV16, one looks at some shops on the left-hand side of the station concourse?²²
 (Mr Thomas) That is correct. This photograph is on the other side of the station entrance, it is the left-hand side as we walked into the station. There is a gentleman on the right-hand side using some

ticketing machines to purchase tickets; on the left-hand side we have a number of small retail units which supply station services: dry cleaning, a hot food takeaway, and on the other side of the station there is a newsagents. Our contention is that there should be an investigation for the opportunity to take a passageway through from this area to the embankment directly through to the south side of the station, which as I referred to earlier on, almost half of the passengers arriving at the station arrive from.

7261. Then we go on, having identified that point, HAV17 shows a staircase on the right-hand side, I think is one entrance to the station?²³
 (Mr Thomas) Correct. It is just a more detailed photograph of the staircase, again showing the restricted width and the steepness of the stairs. Just to the right is the other retail unit I mentioned a few moments ago.

7262. Eighteen shows the ticket barriers in use?²⁴
 (Mr Thomas) That is correct. It shows the volume of passengers that you typically see at the station at busy periods coming down the stairs and through the ticketing barriers.

7263. Then 19, the stairs from the ticket office down to the main entrance?²⁵
 (Mr Thomas) Yes, it is self-explanatory, the steep staircase and the restricted width.

7264. Then 20 and 21.²⁶ Twenty first, obviously, this repays a moment's explanation, does it not, because it is within this photograph that one can see or one can locate the position of the access used by those who you have just described?
 (Mr Thomas) That is correct. This is the mezzanine level, as it were, at the station. To the level left of the photograph, we have the stairs down to the main ticket hall and to the main station entrance. Slightly off to the left, we have where passengers would come from the ticket hall itself. To the right of the photograph, we can just see the handrail on the right-hand side of the photograph. The platforms are served by ramps and stairs. Platform five has ramps we can see. Beyond that, there are a number of staircases leading up to the platforms. Right at the end of the photograph on the far wall, behind the gentlemen in the centre of the photograph, is the doorway which is at the top of the ramp on the south side of the station. If we move to the next slide, slide 21, that is the doorway entrance we have just been talking about which is currently described as the occasional entrance but is used far more significantly than that.

²¹ Committee Ref: A82, Photograph of existing Station concourse showing cramped hall and steep stairs to ticket office (HAVGLB-14705-067).

²² Committee Ref: A82, Photograph of other side of entrance (HAVGLB-14705-068).

²³ Committee Ref: A82, Photograph of internal existing Station (HAVGLB-14705-069).

²⁴ Committee Ref: A82, Photograph of station ticket barriers (HAVGLB-14705-070).

²⁵ Committee Ref: A82, Photograph of stations stairs (HAVGLB-14705-071).

²⁶ Committee Ref: A82, Photograph of Mezzanine Level (HAVGLB-14705-072); and photograph of access doorway (HAVGLB-14705-073).

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7265. Then we go to 22 and we see that which is presently proposed, so we have got a closure of a ramped access and a movement of the main entrance further along the road away from the bus station?²⁷ *(Mr Thomas)* That is correct. Crossrail's main entrance or entrance to the station would be the yellow arrow which I have indicated as "A" on my plan. We can see that it is an increased distance away from the bus interchange at B. The bus interchange also has other facilities in terms of a taxi rank as well alongside Atlanta Boulevard, given the nature of transport interchange, a transport hub and so forth. That is probably all I can say about the photograph.

7266. We can move on I think to HAV26 where we see that which you are asking for and perhaps, you can just help us as far as this is concerned because it is a request that it should be considered whether one can get through rather than a requirement that one should do that, is that right?²⁸

(Mr Thomas) That is correct, yes. What we are seeking is an undertaking that Crossrail, as part of their proposals to the station, will at least look at this as an opportunity. We understand that the works that are taking place at the station as part of the Crossrail scheme are really quite significant in terms of construction works, and are probably going to last in excess of two years. To our mind, it does not seem unreasonable within that timescale to begin to look at the opportunities to produce what we feel is a common sense solution to a very practical issue about improving passenger access to the station for very sound reasons.

7267. Consequently, there is an undertaking there or it is put in terms of "unless the nominated undertakers are of the reasonable opinion that there are reasonable engineering reasons why it cannot be constructed, the nominated undertakers shall construct the pedestrian tunnel link"? *(Mr Thomas)* Correct.

7268. I can leave that matter there and can I ask you then to go to 27, please, where some further draft undertaking is continued and the only one that I need to mention, is this right, is the one on cumulative impacts?²⁹

(Mr Thomas) That is correct, yes. Since the slide was prepared, we have a response back from Crossrail's side in response to our suggested undertaking. We have difficulty with their proposed revisions for our undertaking because it would only rely on looking at issues which have been identified in the environmental statement.

7269. If we pause there for one moment, just take it in stages, if I may, the cumulative impact undertaking, there is a liaison requirement and, as far as that is concerned, there is now no difference between the Petitioners and Crossrail?

(Mr Thomas) That is correct, yes.

7270. Then there is an undertaking written down here "adjust where reasonably practicable the timing and extent of the works to minimise the cumulative environmental impact on residents and businesses in Romford town centre". That is being suggested by the Petitioners. The suggestion from the undertakers is that it should be limited to minimising the substantial adverse effects in the environmental statement?

(Mr Thomas) That is correct, yes. Our position is that, by definition, that will be ruling out any impacts which arise from works which have not already been identified in the environmental statement. Romford has been undergoing very considerable change in recent years, considerable amount of development; that is the background to this point as far as we are concerned, there is a need to match up and take account of the concerted implications of the construction activity that is taking place.

7271. Thank you very much. The other one south end arterial construction, dealt with or can be left over?

(Mr Thomas) Yes.

7272. Mr Thomas, thank you very much indeed.

Cross-examined by Mr Mould 7273. **Mr Mould:** Mr Thomas, you have shown the Committee, helpfully, a number of planning policies which deal with the aspiration for the better integration of public transport interchanges throughout London and, indeed, locally, yes?

(Mr Thomas) That is correct, yes.

7274. You will know that discussions have taken place between the Promoter and your borough regarding the provision of a southern access to Romford Station certainly since a meeting took place in relation to that issue in January 2005, is that right?

(Mr Thomas) It is the subject of ongoing discussions, yes.

7275. You know from those discussions that one of Crossrail's objectives for station designs is, where practicable, to improve intermodal and transport interchange and that that aspiration is one, therefore, that reflects the policies that you have shown the Committee, yes?

(Mr Thomas) That is correct, and we welcome Crossrail's commitment to doing that. What we are asking them to do now is to demonstrate the commitment to achieving that in way which we feel is worthy of investigation.

²⁷ Committee Ref: A82, Plan of Crossrail Proposals for Romford Station (HAVGLB-14705-074).

²⁸ Committee Ref: A82, Draft Undertakings sought by London Borough of Havering (HAVGLB-14705-078).

²⁹ Committee Ref: A82, Draft Undertakings sought by London Borough of Havering (HAVGLB-14705-079).

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7276. I mentioned our objective and our aspiration and, as you rightly say, in so far as the aspiration is concerned, all things being equal, it is one that we share, but I emphasise the words “where practicable”. In principle, that is a fair qualification to import into that objective, is it not?

(Mr Thomas) It is a very fair qualification under the circumstances, yes.

7277. Two key issues in relation to railway construction and design that affect practicability are firstly engineering considerations, yes?

(Mr Thomas) Correct.

7278. Secondly, the disruption that construction of any particular scheme is likely to cause to the operation of the existing railway?

(Mr Thomas) Yes.

7279. You are aware, are you not—and we will go through the correspondence in a moment—that the two main reasons as to why the Promoter has taken the view that it is not practicable to provide the southern access to the Romford Station which you seek are, firstly, that it would involve major engineering works.

(Mr Thomas) That has recently been indicated as the case. It has only recently been indicated as such. We have had to raise that with Crossrail as part of preparing this work to establish whether that was in fact the case.

7280. You say recently, you have been made aware of our concerns about engineering disruption in relation to the provision of a southern access since, at least, that meeting in January 2005, have you not?

(Mr Thomas) I do not recall that being put forward as an issue at that stage.

7281. Certainly those are my instructions. Mr Berryman can confirm that, if appropriate, in a moment. It is certainly a point that was set out in the Petition response document that was sent out to the London Borough of Havering.

(Mr Thomas) Yes, I would confirm that.

7282. In particular, major engineering works to the existing embankment which carries the Great Eastern fast lines, the southern of the four tracks which pass through Romford Station.

(Mr Thomas) Yes, that is correct.

7283. At page 59 of our document, as we can see, we have a computerised image of the existing structure.³⁰ This is the slow track—the “e’ lines” as we call them.

³⁰ Crossrail Ref: P75, Schematic Diagram of Existing Structure of Romford Station (HAVGLB-14704-059).

(Mr Thomas) Yes.

7284. And South Street running under here.

(Mr Thomas) Correct.

7285. The fast line is here.

(Mr Thomas) Correct.

7286. The eastern line. In the existing Victorian structure there is what you might call the “pinch point” which we have mentioned to you. This is the area which is part of the original Victorian structure of the railway line.

(Mr Thomas) Yes.

7287. We are unaware of the contents and the materials which form this structure.

(Mr Thomas) Yes, and I would say that is what we are asking Crossrail to investigate, to see whether there is the possibility of putting a connecting link through that area rather than simply saying it cannot be done.

7288. In order to undertake even those works that you mention would require major intrusion and disruption of the existing fast trains, through possessions and engineering works which would cause significant disruption, major disruption, to the existing Great Eastern service.

(Mr Thomas) I would accept that it would require some disruption to the existing service. Crossrail have not told us exactly how much disruption there would be and how long that disruption would take or what the frequency would be. I mentioned in my evidence that all indications are that the works to the station will go on for some two years plus. Further down the line, under Crossrail’s current proposals, there are further works proposed to achieve the depot scheme. This cannot be seen in isolation as the only interruption to the existing services.

7289. I will ask Mr Berryman to comment in a moment on the degree to which disruption would be caused to the operation of the existing mainline and also the degree to which that would be over and above or of a greater order of magnitude than every other proposed disruption.

(Mr Thomas) I would like to add that, although I am not a railway specialist, there may be some scope for services to be diverted on to the other lines to facilitate this, and the option is there for Crossrail to look at that and to explain why that would not be a feasibility, if indeed that is the case.

7290. You say you are not a railway specialist, are you an engineer?

(Mr Thomas) I am not. I am a planner.

7291. There are two points that we have raised with you: major engineering works and severe disruption to the operation of the existing railway through possessions and the carrying out of those works. Is that right?

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(Mr Thomas) You have raised those and Crossrail say there will be severe disruption. We are saying that, so far, we have not had that quantified.

7292. The principal access is via the entrance which is located beneath the bridge structures. That is right, is it not?

(Mr Thomas) That is correct. My photographs show there are two relatively narrow entrances into the station concourse there.

7293. There is a secondary access to the south which is only available on request, which, as you indicated, is principally used by persons of restricted mobility and, also, from time to time by people carrying shopping bags or with prams and pushchairs and so forth.

(Mr Thomas) That is characterising it as not being used very extensively. When I was at the station earlier on this week in the middle of the afternoon period, it was more or less in constant use. The station staff routinely patrol the mezzanine level and are available and do open the door on request for people who use that ramp to gain access into the station.

7294. It is plainly right to characterise it as a secondary access and one which is only available on request.

(Mr Thomas) Yes, but I would add that in what we might call the “out of hours operation of the station” that is the main exit for the station.

7295. That is an access which physically is at a gradient which is substandard: 1:20.

(Mr Thomas) I have not measured it but I know from Crossrail’s documents it is 1:20, yes.

7296. In order to bring that access up to a standard which is acceptable would require works which would impinge upon the public highway, is that right?

(Mr Thomas) Again, I have not designed a ramp—that is not my role in these things—but to achieve a ramp of an appropriate gradient may take it beyond the current area, yes.

7297. The main station entrance itself is presently some 75 metres from the bus interchange on foot, is it not?

(Mr Thomas) Can we add one further point, please. The council’s position is not that that ramp itself should be used as the entrance. That is not its preferred option. The preferred option would be to come through at ground level through the arches.

7298. **Mr Mould:** We have the photograph on the screen. You have described them as arches, but in fact they are not arches. They are buttresses to the Victorian structure at page 59 which we looked at a moment ago.

7299. **Chairman:** Mr Mould, could I pause there. Can you tell me why the current entrance cannot remain open—or at least what Crossrail has in terms of ideas for access for disabled users?

7300. **Mr Mould:** Yes, sir. We are proposing to provide lift access—and you can see it on the slide that has just been put up—to platform 2 and indeed platforms, 3, 4 and 5 as part of our station proposals.

7301. **Chairman:** We have the council here suggesting something. Can you not give an undertaking to consider it?

7302. **Mr Mould:** We have considered it. This is the point. I am exploring one or two points with the witness in cross-examination. I am happy to bring that to an end and ask Mr Berryman to deal with the points.

7303. **Chairman:** When you are looking at the other areas where the council were saying that they wanted to find out what was there, would it be that difficult to do some drilling and take materials out to try to establish this?

7304. **Mr Mould:** The answer is yes. Mr Berryman can explain that to you in a moment when he gives his evidence. The basic position is this: it has been said that this is works to be done. We are satisfied from the work that we have done that, whilst in principle we would like to have a southern access to the station, it is not possible.

7305. **Chairman:** I fully understand that. You have given an undertaking that you are going to do something and all the council are seeking to ask is whether you would consider what they are suggesting.

7306. **Mr Mould:** I understand that. This is the difference between us. Our position is that, if you will, there is no reasonable point in us understanding that process because we are satisfied from the work we have done already that it is not reasonable or practicable to provide the access that they suggest may be a possibility. It is striking, from what you have heard, that the council’s themselves acknowledge that they have no substantial basis to question the reasonableness of the work that we have done and the conclusions we have drawn from it.

7307. **Chairman:** Okay. We will check that again with Mr Berryman.

7308. **Mr Mould:** Mr Thomas, I would like to confirm with you that the structures adjacent to the ramp that you described as arches are in fact buttresses, as we can see from this slide.

(Mr Thomas) With the benefit of that slide, I can see, yes, that they are buttresses. From the position on the ramp and looking at them and not having access to them, the reasonable conclusion was that at the very least they were arches, even if they were

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something else behind those arches. The council did not have access to make any further investigation. Again, without being an engineer, I am not aware of what practical difference that makes—whether they are arches or buttresses—to the practicality or otherwise of providing a pedestrian link on the south side of the station through into the main station entrance.

7309. I will ask Mr Berryman to explain that. He is an engineer, so he can help us with that.

(Mr Thomas) Thank you.

7310. Can we examine the existing arrangements. The current position is that the main entrance to the station is some 75 metres from the bus interchange.

(Mr Thomas) Yes.

7311. Under our proposals, that distance would increase by something up to 50 metres.

(Mr Thomas) It would increase, and, as I mentioned, I think there would be a further distance involved because passengers arriving from the south side of the station would go in through the new station entrance and they would then effectively have to double-back on themselves to gain access to the platforms, which, as far as we are concerned, seems an unnecessary and undesirable journey for them to make, both in terms of distance and in terms of time. But the council position is quite straightforward, that an access from the south side of the station, maybe including some sort of ticketing barrier, so that season ticket holders could go through the barrier and have direct access to the station, is at least worthy of investigation. We are not suggesting that a full ticket office where passengers would buy tickets should be provided on the south side, but it would enable passengers with a season ticket, an Oyster card or whatever to make a relatively straightforward transition from the bus interchange up to the platforms.

7312. I am going to ask Mr Berryman to comment on the management implications of that proposed arrangement in a moment. You suggested that the greater distance involved might involve a typical increase in journey time of a minute or a minute and a half.

(Mr Thomas) When I walked it, I would say that was the general level of increase, yes.

7313. To do, what, 50 metres and then double-back on yourself a little bit?

(Mr Thomas) To do the extra distance, yes, and to come back on yourself.

7314. It seems, with respect, a very slow moving pace to do 50-odd metres. But there it is. One has to balance against that fact, as I think we agree, that the existing station is one that is sub-standard and is congested, particularly at peak times.

(Mr Thomas) It is, yes.

7315. Of course congestion itself gives rise to delays, does it not?

(Mr Thomas) Yes.

7316. I think we agree, do we not, that as far as the proposed Crossrail station is concerned, it will very substantially relieve those problems particularly in relation to congestion?

(Mr Thomas) I do not think that is an issue between us at all. I think we see a station which is, with all considerations in mind, at the moment very sub-standard for a metropolitan centre, a gateway to Romford in many senses, and Crossrail's proposals in that sense would significantly improve it, but that is not the issue that we are looking at currently.

7317. And in considering the impact of the relatively minor increase in distance of the order of 50 metres which will result from the proposed Crossrail station entrance, one has to balance against that the savings in typical journey times for pedestrians through the relief of congestion that you have just described?

(Mr Thomas) That would have to be taken into account, yes, but under Crossrail's proposal the existing pavement area in the front of the station would be the only pedestrian area into the station, so passengers would still a relatively congested area to negotiate.

7318. Can we just consider another point. Can we put up your slide seven, please. You told us about the town centre proposals when you gave your evidence and it is fair to say, is it not, that the Crossrail station proposals will be very well placed to serve those who are journeying to and from the station and the town centre?

(Mr Thomas) That is correct. The Council has, in that sense, been very supportive of Crossrail's proposal. It is seen as having potentially a very beneficial effect on Romford and Havering generally in terms of the improved accessibility to employment and transport modes that we would expect a scheme like this to have. There is no issue as far as that is concerned. By the same token, Crossrail may in fact bring more people to Romford in terms of bringing people to work in Romford who may not currently be working here.

7319. Yes. In relation to the reasons why from the Promoter's point of view the provision of a new southern access to the station is not a practicable solution, we set out our reasons to you in summary, did we not, in the letter we wrote to you on 16 April this year, which is our document 126.³¹ You have seen that letter, I take it?

(Mr Thomas) I have seen that letter, yes.

7320. If we can just turn to page 127, please, and those reasons are there set out on that page.³² I am not going to trouble the Committee with reading that out but it is fair to say, is it not, that you do not take issue with what is said in that letter so far as its accuracy is concerned?

³¹ Crossrail Ref: P75, CLRL letter to London Borough of Havering, 18 April 2006, p1 (HAVGLB-14704-126).

³² Crossrail Ref: P75, CLRL letter to London Borough of Havering, 18 April 2006, p2 (HAVGLB-14704-127).

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(Mr Thomas) I would say that is a representation of the position between us at the moment, yes.

7321. And you do not bring any evidence before the Committee to suggest that any of those reasons is unjustified or incorrect?

(Mr Thomas) No, I have dealt with my evidence so far.

7322. And the same point arises, does it not, at the bottom of the page and over the page which deals with the retention of the existing secondary access.³³ We have explained the reasons why we do not believe it is practicable to retain that. You do not suggest the reasons we give there are unjustified?

(Mr Thomas) We have discussed that already, yes, and I have made my position clear about those points.

7323. So if we turn then finally to your proposed undertaking which is at your document, page 26 under A, which is the undertaking which is concerned with the provision of a new access to the south.³⁴ The way in which you suggest it should be put is that “unless the nominated undertaker is of the reasonable opinion that there are reasonable engineering reasons why it cannot be constructed”. Then you say we should carry out the works that you there set out. So you accept that it should be a matter for “reasonable opinion” and it should be based upon “reasonable engineering reasons” as to whether construction is a practicable proposition?

(Mr Thomas) That is correct, yes, and we have asked for information and clarification on those points.

7324. And certainly the letter I have just shown briefly to the Committee is the present judgment of the Promoter of Crossrail, is it not?

(Mr Thomas) I would have to agree that that is Crossrail’s current position, yes.

7325. And you suggested if there were any differences to those points that they should be subject to an arbitration clause at C?

(Mr Thomas) That is correct, yes.

7326. But there is, in fact, on the evidence before the Committee nothing to arbitrate, is there, because you do not bring any contrary evidence before the Committee to suggest that the Promoter’s position on the engineering operation and the disruption that would result from what you propose is in any way unjustified or unreasonable?

(Mr Thomas) We do not bring any contrary opinion or contrary evidence because we have not got any evidence to bring in that sense. We have asked Crossrail to provide evidence to explain why the position is as it is for Crossrail.

7327. The final point relates to the undertaking on next page, page 27, in relation to cumulative impacts.³⁵ You have mentioned the need to take account of impacts which had not been identified in the Environmental Statement. Can you please tell me what impacts you had in mind which would result from the operation of Crossrail which have not been identified in the Environmental Statement?

(Mr Thomas) We are talking here about impacts which arise cumulatively in Romford from the implications of other developments taking place, which I mentioned earlier on, and the Crossrail works, and those are the cumulative impacts that we are concerned about.

7328. We have confirmed to you, have we not, that we would take reasonable, practicable steps as appropriate to programme the timing and extent of works so as to reduce environmental impacts that the Crossrail construction would cause on residents and businesses in Romford town centre. Yes?

(Mr Thomas) You have.

7329. Essentially that is what you seek, is it not?

(Mr Thomas) Yes.

7330. **Mr Mould:** Thank you very much indeed, Mr Thomas.

Examined by the Committee

7331. **Chairman:** Mr Thomas, just enlighten me. Could you go back on the undertakings on the southern side. Could you just briefly explain to me the difference between what is in the undertakings which have been given and that which you still are holding out for? What is not contained in that? What more do you want from that?

(Mr Thomas) I do not think we want any more than this. This is what we are looking for.

7332. That is what you are looking for at the end of the day?

(Mr Thomas) But for Crossrail to demonstrate the issues for us.

7333. On the other side of it, you said earlier on in your evidence that by 2016, I think it was, five million passengers may be going through this particular station. How many of those would be affected by the need for this southern access?

(Mr Thomas) Maybe I did not present the figures as clearly as I should have done. The five million figure is a figure that Transport for London have given us already for the level of passenger use in the last year or so. In the existing Romford station, in a typical year up to 2005, their evidence is that five million passengers a year would use the station.

7334. Out of the five million, how many would be affected by this lack of access, the longer journey time?

³³ Crossrail Ref: P75, CLRL letter to London Borough of Havering, 18 April 2006, p3 (HAVGLB-14704-128).

³⁴ Committee Ref: A82, Draft Undertakings sought by London Borough of Havering (HAVGLB-14705-078).

³⁵ Committee Ref: A82, Draft Undertakings sought by London Borough of Havering (HAVGLB-14705-079).

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(Mr Thomas) I am not sure that I can make that direct connection but the other figure that I alluded to in my evidence is almost half the passengers arriving at Romford station currently arrive from the south, from the bus station outside the station.

7335. That would be two and a half million people you expect to be affected in the course of a year?

(Mr Thomas) If that connection could be made, yes, that would appear to be the case.

7336. I did remember you said between one and two million and now it is one to one and a half million but even at one to one and a half million that could mean close to four million minute in the course of a year?

(Mr Thomas) It could be, yes, or for an individual it is not unusual these days, in terms of looking at people's lifestyles, to gross up how a small inconvenience can all of a sudden become a very significant inconvenience over a working lifetime.

7337. So it is not inconsiderable, it is quite considerable; that is what you are saying?

(Mr Thomas) That is the Council's position that individually for separate passengers it would be an issue and if you apply it to the gross figure of people using the station then it becomes an even more significant issue.

7338. **Chairman:** Thank you very much.

Re-examined by **Mr Straker**

7339. **Mr Straker:** Can I just ask one or two matters by way of re-examination. May I first touch upon the undertaking at HAV26, the one just spoken to, which is the undertaking that the Petitioners are seeking. Mr Thomas, could you have that open and could you also be shown, please, page 127 of P75, which is the letter of 18 April 2006 from Crossrail.³⁶ If you look at page 127 you will see that the third paragraph refers to "to extend the ticket hall" and then goes on to suggest certain things would be required in order for it to be done. First of all, please, are the petitioners, the London Borough of Havering, seeking an extended ticket hall?

(Mr Thomas) No, the Council's position is that the ticket hall does not need to be extended. All we are seeking in this instance is for an access arrangement from the south side of the station. There may be, we acknowledge, a need for there to be a ticket barrier system so that people can use their season tickets or Oyster cards to get into the station, but we are clearly not asking for a ticket hall to be a duplicated facility on either side of the station.

7340. In the undertaking put forward, HAV26, there is a reference to "reasonable engineering reasons".³⁷ May I ask you this please: do you take that which is set out in this letter as constituting "reasonable engineering reasons"?

(Mr Thomas) Not in itself because we have not had the reasons explained to us in any detail.

7341. And as far as what has been said in the letter of 18 April 2006, can you help the Committee as to when that was first said by Crossrail? Have you had that detail before?

(Mr Thomas) We have not had this detail before, no.

7342. Can you just help me on one further matter, please. Could we have number 60 of the Promoter's diagrams, the "Preferred Option Aerial View of Ticket Hall".³⁸ What I would like you to help the Committee upon is this, please—and it touches upon the access for the less mobile or for others who might otherwise have used the present ramp which is proposed to be closed—in this plan we can see the station entrance on the right-hand side of the plan?

(Mr Thomas) We can, yes.

7343. And we cannot see identified by words or pictures where the bus station is but it is plainly to the left of where one can see the words on the plan "existing rail bridge structure"?

(Mr Thomas) Very considerably off to the left, yes.

7344. Now what happens, please, if someone has travelled by bus, mobility impaired in a chair or other device, who has then to come to the station entrance, the closure of the present ramp having been effected?

(Mr Thomas) As I interpret this drawing, somebody who arrived in that context would have to travel from the bus interchange, round the front of the station, along the front of the station in that relatively restricted area which was on my photographs, pass under the railway bridges, the two sets of tracks, and along to the right-hand side of the drawing to the station entrance, before entering the station and then gaining access.

7345. **Mr Straker:** Thank you very much. Sir, that is all that I would wish to ask by way of re-examination. I am much obliged to you.

The witness withdrew

7346. **Mr Mould:** I would like to call Mr Berryman, please. Whilst Mr Berryman is taking his seat, can I clarify one thing, lest there be any doubt about it. We looked at the draft undertakings which were set out in Havering's document before the Committee. I should make it clear the draft undertakings we were looking at are those which Havering themselves are

³⁶ Crossrail Ref: P75, CLRL letter to London Borough of Havering, 18 April 2006, p2 (HAVGLB-14704-127).

³⁷ Committee Ref: A82, Draft Undertakings sought by London Borough of Havering (HAVGLB-14705-078).

³⁸ Crossrail Ref: P75, Crossrail Proposal—Preferred Option Aerial View of Ticket Hall Architect Schematic Diagram of Romford Station (HAVGLB-14704-060).

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suggesting that we should enter into. We are not content to do that for reasons I have explored in cross-examination and Mr Berryman will now deal with in evidence.

Mr Keith Berryman, Sworn

Examined by **Mr Mould**

7347. **Mr Mould:** Mr Berryman, can we please have up our document 61. Can you first of all, please, just explain briefly to the Committee how the present facilities at Romford railway station were developed?

(Mr Berryman) I am happy to do that but I would prefer to have slide 59.³⁹ I think slide 61 is useful in that it shows what a very sub-standard station exists in Romford at the moment. This is the slide that shows the structure of the station and the structure of the station is a very important determinant in the design that we have taken forward. The station was originally built in Victorian times when the Great Eastern Railway was built as a two-track railway, and you can see the two tracks on the south side there—could someone point that out on that side—with the original two tracks which formed the railway. The railway station at Romford was further to the west, that is to say away from the bridge. The platforms probably extended to the bridge but the station buildings were well back so the bridge which carried the railway over South Street was formed as an arch in those days. It is a very solid construction. You can see the very heavy structure there which says “existing Victorian structure” on it. It is marked as that and that was the original abutments for the bridge which carried the railway over South Street. In the 1930s the additional tracks, what we call the ‘e’ lines and the tracks which would be used by Crossrail, were built, and the opportunity was taken at that time to build a new station underneath those lines to give much more direct access to South Street itself. The existing Victorian structure which is marked there is a very heavy brickwork structure. We understand that the thickness of the walls will be in excess of one metre, based on the history of the works. The material inside that brickwork structure will be either compacted fill or more likely, given the age of the structure and the technologies and techniques available at the time, brick rubble, that is to say broken bricks and the like. We do not know for sure but what we do know for sure is that it is something solid in there.

7348. **Chairman:** It would not be just impacted soft soil?

(Mr Berryman) No, it would not be. It is extremely unlikely it would be that. The structure on the north side of the station, that is to say the relatively new line built in the 1930s, is shown there, and it is much more amenable to modification than on the south side, but you can see that the whole building on both sides of the station is very heavy construction. It was all built in brick, it is all substantial, and that has

been a major determinant in the design solution we have developed for the station. The main lines at that time were not subject to rebuild. There was just a mezzanine passageway put at the back of the existing bridge abutment to allow circulation to the platforms. Perhaps if we could have 61 now.⁴⁰ There you can see some of the features. The bottom left-hand corner shows the new structure which was erected during the 1930s. The bottom right-hand corner shows the interior of that. To describe Romford station as “congested and not fit for purpose” would be a mild understatement. It is a diabolical mess and it needs to be sorted out whether Crossrail is built or not, but on the assumption that we are going to do it, the solution that we have developed is to improve the circulation areas within that space, to provide MIP access to all the platforms, but to do that within the context of the structure that is there and within something that can be reasonably and economically built but to modern standards.

7349. **Mr Mould:** And if we go back to 60 we see what we propose?⁴¹

(Mr Berryman) This is what we are proposing, yes. One of the things that we need to do is to improve the circulation down from the platforms to the concourse. On Tuesday evening, after appearing in Committee here, by way of relaxation I went down to have a look at Romford station and to see how it works in the peak. I have been there many times before, of course, but I thought it was worth refreshing my memory. It is very, very congested. It takes several minutes to get off the platform down through that very narrow area that I showed you on the previous slide to the street. What we are proposing is to provide escalators from the platforms down to street level, but to fit in within the structure that we have got, to provide the escalators and to provide the run-off for those escalators in order to make them properly useable, we have to use the whole of the space out as far as the South Street frontage. That means that we need to provide a new ticket facility and gateline on the north side of the station. That is shown on this plan. The amount of space that is available at the station will be increased by a factor of about four or five.

7350. Just in relation to MIP access, we show the proposed lifts there?

(Mr Berryman) Indeed, and it might be worth saying a word at this stage about the existing ramp on the south side of the station. That has a gradient of approximately one in ten.

7351. I got that wrong, I am sorry about that.

(Mr Berryman) The existing ramp is one in ten. The current standard for MIP access is one in 20, with landings every five metres, so from an MIP perspective that access is extremely sub-standard.

³⁹ Crossrail Ref: P75, Schematic Diagram of Existing Structure of Romford Station (HAVGLB-14704-059).

⁴⁰ Committee Ref: A82, Romford Station Crossrail Proposals—Existing Layout (HAVGLB-14705-061).

⁴¹ Crossrail Ref: P75, Crossrail Proposal—Preferred Option Aerial View of Ticket Hall Architect Schematic Diagram of Romford Station (HAVGLB-14704-060).

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Although I accept it is useful for people with buggies and luggage and so on, I think it is probably of less use for anyone in a wheelchair, whereas the scheme that we are proposing will provide full lift access to all platforms.

7352. So in that sense, as far as MIP access is concerned, it is a clear policy of improvement?

(Mr Berryman) Very much so.

7353. Can we come to the issue between us today of why the option of providing a station that was accessible from not only the north site but also the south side was not adopted by Crossrail?

(Mr Berryman) The original brief to consultants was in fact to provide a station underneath the whole viaduct, so there was a full entrance on the south side and a full entrance on the north side as well. Obviously from a transport planning point of view that would be a much better solution. It is common ground between us and the borough on that point. The difficulty was that when we started to get into the structural and construction implications of how that could be built, bearing in mind the presence of this very large almost block of brick, it became very difficult to see how the construction and in particular the railway possessions could be handled. This is a congested site. It is in the middle of a busy town centre. Some of the options which are available to us in the country are not available here, such as building a bridge alongside and slotting it in. It is just not physically practicable so it meant very long possessions of the railway—what we call blockades where we have quite a long possession. Even with that, we could not really make a satisfactory structural solution work. That is why we turn to this proposal which fits in with the existing brickwork structures and tries to make use of them as far as possible but can be built with very much less disruption to the railway.

7354. Can we just be clear, the extended period of possessions and possibly blockades that you mentioned, would that be in relation to the existing Great Eastern main line?

(Mr Berryman) Yes it would.

7355. That is where this engineering activity would need to be focused?

(Mr Berryman) Yes and indeed on the 'e' lines as well because in order to achieve that kind of solution the escalator location would have to move further west and that would involve rearranging some of the structures on the 'e' lines as well as on the main lines.

7356. There was some discussion a few moments ago about the number of passengers that might be affected by the lack of a southern access to the station and the amount of journey time that might cumulatively result from that. Is it possible to get any sense in practical terms of what the implications of the kind of extended possessions and possibly blockades you mentioned might be in terms of impact on commuters and so on?

(Mr Berryman) There would obviously be a direct impact on the commuters from Romford but the main impact would be on the whole of the Eastern Region of the railway networks because, as you know, these are lines that go to Norwich and Ipswich.

7357. Have you got any sense in terms of the duration, for example, how many days or weeks it might be?

(Mr Berryman) It is a very large number. 30 or 40 substantial possessions would have been needed. I do not have the figure at my fingertips but it was in that range.

7358. The Council say so be it, if those kinds of problems arise from that proposal, what about then as a fall-back simply maintaining an access through to the south which can give ingress, if you will, on to the new station to the north of the embankment? What do you say about that?

(Mr Berryman) There are two issues there. First of all, that access comes directly into the paying side of the station and brings supervision problems of course. The next issue is that the ramp itself is sub-standard, it is too steep. The third issue is we have identified that side where the ramp is as a possible location where Network Rail might wish to provide MIP access to the main line trains. We are providing it to Crossrail trains of course. On all of those grounds keeping that existing entrance open would not be a desirable thing to do.

7359. In evidence Mr Thomas suggested that one might gain access via what he described as one of the arches. We can see there what he was referring to, a series of four buttresses on the south side of the Victorian structure. Is that a realistic proposition?

(Mr Berryman) They are not arches of course, they are buttresses. The way an arch works is that it supports the load from above by the arch action. The way a buttress works is it supports the load from the side by the arch action. In other words, those buttresses are there to resist the pressure of the soil or rubble or whatever it is that is inside that large box. To knock through them is not a minor task. Nothing in engineering is impossible but it is quite a big job and if you were to do that, of course, you would only be breaking into the paying side of the station in any event so you would still have the problem of managing and dealing with that.

7360. Can we then please put up HAV26, the proposed undertakings.⁴² The undertaking that the Petitioners propose in relation to Romford station is shown on this page. What it effectively anticipates is that there be further work undertaken by the Promoter in order to review the possibility of a southern access being provided at the station as part of the Crossrail works. Yes?

(Mr Berryman) Yes.

⁴² Committee Ref: A82, Draft Undertakings sought by London Borough of Havering (HAVGLB-14705-078).

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7361. In the light of your understanding of the engineering situation and of the possessions and so forth that would be required, can you comment on the degree to which you think there is any practicable purpose in any further work being undertaken?

(Mr Berryman) I think we have pretty well exhausted the options that we have looked at for this, apart from the very substantial works that I talked about before, looking at a more modest solution. Our starting point was that we should have the entrance on the south side. That would be, in transport terms, a much better solution and I do not think anybody would argue with that, but we just have not been able to develop a way of effectively doing that and, frankly, I cannot see that there is much else we could do other than what we have done already.

7362. Mr Berryman, can we think about other ways of improving access from the south side of the station to the proposed Crossrail station ticket hall. Have we made any suggestions to the London Borough as to how the existing street access might be enhanced or improved in the absence of a southern entrance to the station itself?

(Mr Berryman) We have. We have suggested that we should work with them to improve the urban area outside the station to improve the flow of pedestrians in front of what will be the closed existing station. It is worth noting that one of the reasons that the footpath outside the existing station is very congested is that people are coming from the north and the south and there is a considerable mixing up of the pedestrian flows in that area. This will be ameliorated to some extent by our proposed station construction which has the entrance further to the north closer to the town centre, but it can be improved considerably even beyond that by making the footpaths wider and perhaps improving the general layout of the area, and we would be happy to work with them towards that.

7363. Finally, so far as making our position clear to the Petitioners in relation to the issue that we have raised for the Committee to consider today is concerned, are you satisfied that we have explained our position to the Petitioners as is summarised in our letter of 18 April?

(Mr Berryman) Certainly. We sent the design report to them, from recollection, I think it was in early 2005 and I know that we have had several discussions with them since then.

7364. **Mr Mould:** Those are all my questions in chief.

7365. **Chairman:** Mr Straker, how long will your cross-examination be?

7366. **Mr Straker:** It is not going to be very long, say, quarter of an hour.

7367. **Chairman:** Then I think we had better break now for coffee for ten minutes.

After a short break

Cross-examined by **Mr Straker**

7368. **Mr Straker:** Mr Berryman, can I ask you first please to look at your drawing number 59, I think it is, which shows the existing structure.⁴³ If we look at that which is called the 'existing Victorian structure', over that you have put a red line to signify that it runs from an element which is pink over some light grey, darker grey and then to the pink into which the doors are set.

(Mr Berryman) Which doors would those be?

7369. I am sorry, it is the doors that we can see on the photographs, the timber doors.

(Mr Berryman) Do you meant what Mr Thomas described as 'the arches'?

7370. Yes, that is right.

(Mr Berryman) Yes.

7371. That is the early Victorian structure and within the pink or just to the right of the pink where 'existing Victorian structure' is written, there is the continuous grey which is shown and it is that area which is the area, is it, of uncertainty in the sense that that has not been recently explored?

(Mr Berryman) No. This drawing is an obviously unsuccessful attempt to demonstrate this in 3D, so the different coloured greys are intended to show where the vertical faces of the brick structures are and the pink surfaces are intended to show where the horizontal surfaces will be, assuming a cut was taken immediately below the railway lines, so the pink outline, if you like, represents the brick structure. Inside that brick structure we know there is material of some description. We do not know whether it is compacted earth or brick rubble, but there is something there.

7372. With that in mind, would you go next please to photograph HAV23.⁴⁴ There we see what have been described as 'arches' set into what you have called the 'Victorian structure'.

(Mr Berryman) Yes. They are not arches of course, they are buttresses.

7373. Plainly one can get into them because there are little internal doors with padlocks, it can be seen.

(Mr Berryman) That is correct, yes.

7374. So plainly one can get into them and go a little way back no doubt?

(Mr Berryman) Yes, indeed.

7375. The Victorian structure can be seen in this photograph continuously, can it not, from the right-hand side where the photograph ends running all the way across, represented effectively by that sort of greyish brick?

⁴³ Crossrail Ref: P75, Schematic Diagram of Existing Structure of Romford Station (HAVGLB-14704-059).

⁴⁴ Committee Ref: A82, Photograph of route between station and bus interchange (HAVGLB-14705-075).

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(Mr Berryman) Yes.

7376. So the Victorian structure runs back almost out of sight in effect in the photograph because one gets cut off from the corner of the modern building outside which the bus is parked?

(Mr Berryman) That is correct. We believe that the original station building was further to the west than is shown in this diagram and that that ramp which you can see represents the bit of the ramp which led up to the station building at that time, so if you produced that line onwards, it would give you the approximate position of where the earlier building was.

7377. So we can see within that Victorian structure, can we not, the door which has been described as the one for occasional use, the level of occasion being described in evidence?

(Mr Berryman) Yes, that is right.

7378. And that is something which has been cut into the existing Victorian structure, is it not?

(Mr Berryman) That is correct. It has been cut into the existing perimeter wall.

7379. It has been cut into the existing perimeter wall and, moreover, a way through has been found so as to enable people to get through.

(Mr Berryman) You will notice that that is at the back of the buttress structure. The buttress structure, as I mentioned earlier, is acting as one end of the bridge over South Street. That bridge was originally an arch bridge, whereas at the moment it is a steel-beam bridge. The very heavy abutment will be constructed as a dead weight to stop that arch springing apart. Where that opening has been cut through is at the back of that abutment structure, so the structure at that point changes, as I think you can see on our drawing number 59.⁴⁵ Moreover, when that was built, there were a couple of things to bear in mind. First of all, the railway was only a two-track railway at that stage and, as the new two tracks were built, trains could be diverted on to those tracks to allow construction underneath of the existing railway, if you understand what I mean, during the phases of construction, and that option is no longer available to us because all four tracks are now very heavily used.

7380. Nonetheless, it is right, is it not, that there is, notwithstanding your observations, something which has been cut through what has been described as the 'existing Victorian structure'?

(Mr Berryman) It is something which has been cut through a Victorian structure, but it is not the same Victorian structure as the abutment structure which is formed by those heavy buttresses.

7381. Can you then please have to hand the document to which reference has been made, pages

126 and 127 within P75. If we go to 127 and look at the third paragraph of that, we can see that the point at issue was an extension of the ticket hall.⁴⁶

(Mr Berryman) Yes.

7382. I am right in supposing, am I not, from your evidence, Mr Berryman, that Crossrail, when it first was considering this matter, thought the good sense of the situation suggested that the station should be underneath the tracks so as to enable direct access from the bus station?

(Mr Berryman) Yes. As I said in my evidence, it is common ground between us and the Borough that that would be a more desirable solution.

7383. Works were done, were they not, in connection with the consideration of putting the station underneath the tracks?

(Mr Berryman) Yes, that is right.

7384. It is right, is it not, that constructing a station is quite an extensive exercise?

(Mr Berryman) Indeed.

7385. Would it be right to say that constructing a station is a more extensive exercise than merely putting through a pedestrian passage?

(Mr Berryman) Yes, it would.

7386. Would it be fair to say that it is considerably more extensive than merely putting through a pedestrian passage?

(Mr Berryman) It is certainly more extensive, yes. It depends on the circumstances and the work of course.

7387. Am I right in supposing that the report to which you have referred, which on our side we have not immediately been able to put any finger upon, was a Mott Macdonald report?

(Mr Berryman) Yes, that is correct.

7388. A Mott Macdonald report in connection with the positioning of the station underneath the tracks?

(Mr Berryman) My recollection is that the report actually arrived at the solution that we have got now, having considered the station under the tracks, yes.

7389. So the report was to the effect, "Well, let's think about whether we can have a station there", and then you came up with the point, "Well, it's difficult to put a station there because of the engineering works required"?

(Mr Berryman) Extremely difficult.

7390. That was the character of the report, but there has not been, has there, any report on the question as to whether there could merely be a pedestrian link?

(Mr Berryman) There has been no specific report on that point. We have had internal workshops on that, but the difficulty is, apart from the construction difficulty of breaking into a very massive Victorian

⁴⁵ Crossrail Ref: P75, Schematic Diagram of Existing Structure of Romford Station (HAVGLB-14704-059).

⁴⁶ Crossrail Ref: P75, CLRL letter to London Borough of Havering, 18 April 2006, p2 (HAVGLB-14704-127).

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brick structure, which is not really a very tasty thing to do from an engineering point of view, that any such passageway would discharge into the paid side of the station and that has practical and operational problems.

7391. The practical problem is that you do not want people to go into the paid side if they have no tickets?
(Mr Berryman) That is indeed the problem.

7392. So one puts in a ticket barrier to ensure that only people with tickets go through.
(Mr Berryman) Yes, but ticket barriers are not allowed to be unsupervised, so when you put a ticket barrier in, you finish up with a suite of offices and things of that sort on the south side, but that is not really the main objection. The main objection is the difficulty of putting a structure through that very heavy brick abutment structure which is certainly in excess of a metre thick brickwork. It is Victorian and the structural integrity of it would be something which would be certainly very much influenced by this kind of opening being made in it and we would not wish to undertake that.

7393. But the structural integrity of it for the purpose of putting a pedestrian route through has not been investigated, has it?
(Mr Berryman) There has not been a specific study done of that, but of course we have on our team of advisers many experienced engineers who are able to look at these things by inspection almost and say, "No, it doesn't really work".

7394. Whether it could be put through, a pedestrian passageway would require some further work to investigate the matter, yes?
(Mr Berryman) I would not have said so. Again I think it goes back to this sort of engineering judgment that one uses. It is the kind of structure that one would not lightly tamper with, particularly the buttress structure on the south side. You are really going to be dealing with something which is under significant load stress which is difficult to analyse. Of course in engineering if you chuck enough money at it, all things are possible, but I really do not think this is something that we would lightly undertake.

7395. You would not lightly undertake, but the investigation for a pedestrian passageway has not been undertaken, has it?
(Mr Berryman) Not formally.

7396. If we just could then touch upon one or two other matters please, you mentioned that there would be disruption if engineering works were being undertaken. Do you remember that passage of question and answer with Mr Mould?
(Mr Berryman) Yes.

7397. The disruption which has hitherto been considered of course is in connection with that which has hitherto been considered, namely putting a station underneath, is it not?
(Mr Berryman) Yes, that is what I was talking about at the time.

7398. I am right in supposing, am I not, that there has been no measurement of the disruption which would occur in connection with putting a pedestrian passageway in?
(Mr Berryman) That is correct, although it would still be significant, quite substantial in fact.

7399. As far as disruption is concerned, am I right in supposing that the introduction of Crossrail is going to produce major engineering works along the line?
(Mr Berryman) Not really, no, not on the surface sections. Most of the works on the Shenfield branch are actually modifications to stations.

7400. And the modifications to the station here proposed are going to be carried forward over a number of years, is that right?
(Mr Berryman) It will take a couple of years at least, yes.

7401. Two years at least, and those two years at least, will they involve some disruption to services?
(Mr Berryman) Quite minimal. One of the main objects of the design as it has evolved has been to minimise the number of possessions required.

7402. But there will be some disruption to services?
(Mr Berryman) I would not like to say that there will be none, but it will certainly be very limited.

7403. You will seek to limit as much as you possibly can the disruption to services consequential upon Romford Station?
(Mr Berryman) That is right. Can I go back to the point about disruption which may be caused by building a pedestrian tunnel, as you call it? It will be necessary in this kind of material to form that from the surface as we would not be allowed to tunnel through that abutment.

7404. We do not know precisely what type of material it is, do we?
(Mr Berryman) We know it is something solid and we know it has been there since Victorian times. We would not be allowed to tunnel through it.

7405. Unless we worked out what it was, but we do not know what it is yet, do we?
(Mr Berryman) We know it is something solid.

7406. We know it is something solid, but, beyond that, we are in the dark.
(Mr Berryman) Well, yes, except that we know it is something solid.

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7407. Can I just ask one or two questions by reference to photograph 23, for Havering please.⁴⁷

The present intention of Crossrail is that, whatever happens, you are going to close down that access that we can presently see on that photograph?

(Mr Berryman) Certainly we are going to close that access when we rebuild the station and provide step-free access by other means.

7408. And that step-free access, to attain that, to get to there from the bus station is going to require whoever needs it to go along the pavement in front of the station and then the added distance to the new station entrance?

(Mr Berryman) That is correct, but, as I have already pointed out, that ramp is in any event not compliant with standards for MIP access and if we were to rebuild the station, as we intend to, we will be required, as I think you know, to rebuild that ramp in any event and it would not be possible to have it there as there is not enough space.

7409. Has it been investigated whether using some further process, a zig-zag or something of that character, one could achieve the gradients which you say are desirable?

(Mr Berryman) Well, they are not just desirable because they are set down by standards. Of course a zig-zag would be possible, but that would require taking more land in the bus station area and obstructing access around those buildings and you can see that.

7410. Has that been a matter of consideration?

(Mr Berryman) We have done sketches of that, yes, but, as I say, the need for that goes away because the MIP access will be provided by lifts and far more satisfactory arrangements.

7411. Help us on one final matter, the pavement in front of the station, as proposed by Crossrail, what is the width of that going to be compared with the pavement in front of the entrances as they presently are configured?

(Mr Berryman) I am afraid I do not know the answer to that question. As I have said earlier on in evidence, we would be very happy to work with the borough to come to an appropriate solution for wider footpaths and improvements to make this passageway much better.

7412. I can leave matters there, thank you very much.

7413. **Chairman:** Can you elaborate on why Network Rail is insisting on having this other section where they may wish to use it. You referred a little bit earlier to a portion of the other side of the station where Network Rail are saying they may wish to have access to for safety reasons.

(Mr Berryman) As part of the Crossrail works we are providing MIP access to the Crossrail platforms and part of that will make use of that mezzanine

walkway which is what emerges from that grey opening in the photograph there. We are not intending, as part of our scheme, to provide MIP access to all the Network Rail lines which are used by the mainline trains, however, we are making passive provision in our design so that when this comes up on the Network Rail Access For All Process they will be able to provide a lift from that point up to the platform. The platform is behind the wall in that picture. There are two different colours of brick. There is an older blue brick, which is the bottom section, the Victorian structure, and then there is the yellow brick above it, the London stock brick which is the back wall of the platform for that side of the station. The idea would be that you could put a lift up approximately where the door is up to the height of the platform and have another hole knocked in that wall there.

7414. **Chairman:** You are an engineer, it is not beyond the realms of the imagination to have thought to bring both the ideas of providing this access and of course an entrance and exit? Could you not do the two together, albeit at the end of the design stages?

(Mr Berryman) Do you mean the access from the ramp which is shown there?

7415. **Chairman:** Yes. I tell you why I say that, I see that as a solution. You have got Network Rail with lines being used and Network Rail want the access, you are building a brand new station and everything else. What concerns me is the way things are at the moment, albeit brand new, disabled people cannot go right the way around the building. It seems to be that the end gain is that these are the people you should be serving rather than people who are already getting the cheaper lines there, the business and are getting the extra access. I think if that little bit is being kept aside to do for the future, why can it not be incorporated in the thinking for people who are disabled or need access to the station.

(Mr Berryman) As I say, the ramp that is there is substandard, it certainly would not be able to be kept like that. It would need to be rebuilt as a zigzag as the council suggested.

7416. **Chairman:** I am asking that because it is not just around the building, it is inside, the lift and things. One thing that puzzles me, what happens if there is a fire or a security issue and disabled people are in there? If there is only that then there is a difficulty. Can you elaborate on that?

(Mr Berryman) It is the same as any other building which is equipped for MIP access. A contingency plan has to be drawn up for what will happen to people who cannot use lifts. Of course this is a big issue with our underground stations and much less of an issue here because the prospects of a fire and the extent of damage that that might cause are much easier to manage. Normally the solution would be to take people away to a place of immediate safety.

⁴⁷ Committee Ref: A82, Photograph of route between station and bus interchange (HAVGLB-14705-075).

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7417. **Chairman:** If you have an exit people would rely totally upon that which would help in that process, in that place of safety and route.

(Mr Berryman) It would do to an extent but people still have to get from that area. There is a two-stage process to get down to ground level, you have got the mezzanine floor there.

7418. **Chairman:** I can accept your difficulty about entering into ticket halls and all the rest of it, but when an engineer can design everything else, companies that are working alongside the Department, but they make disabled and old people walk around the building, I find great difficulty in understanding that.

(Mr Berryman) The other thing to bear in mind is that exit is not normally open, you have to push a bell and someone has to come and let you in. I have only tried it once and contrary to Mr Thompson's experience, nobody came.

7419. **Chairman:** When design is undertaken these things will be incorporated in any future solution.

(Mr Berryman) Yes, but it is a management and manning issue for the station.

7420. **Chairman:** Can I take you to one other thing which is that it takes an extra minute, a minute and a half, two minutes, whatever, with five million passengers a year, 50 per of which would come from the south-side, bearing in mind if Crossrail is ever built in 2016, which we hope it will be, there will be considerably more passengers. If we are managing it, should we not manage it in such a way that we are not using the extra five million minutes or whatever it might be?

(Mr Berryman) The first thing to say on that is half come from the south but half come from the north and they will get a much quicker journey because the congestion will be enormously reduced and the path through the station would be much clearer and easier to use.

7421. **Chairman:** I understand that, but if you are saving on one, you are still ending up with five million passengers and it is already congested?

(Mr Berryman) It is congested now but it will not be when the new station is built because it will be four or five times as big in floor area.

7422. **Chairman:** It will be more congested than the plans you have got if you are still making people walk for longer on one side of the station.

(Mr Berryman) This happens quite a lot in the design of new facilities, that the entrance is not in exactly the same place. Some people, as you say, are disadvantaged and some are advantaged. It is all part of the development of an urban framework.

7423. **Chairman:** Can I ask that you will have a look at the issue which I raised in relation to this other entrance?

(Mr Berryman) Certainly.

7424. **Chairman:** Rather than give an undertaking now, can you go away and look at it?

(Mr Berryman) We will certainly do that.

7425. **Chairman:** Thank you very much.

The witness withdrew

7426. **Mr Mould:** Sir, we now come to the closing submissions. I know that my learned friend has a further point that he wants to take before the Committee which relates to the enforcement of the environmental requirements. I have had a word with him and I think I understand his concern in relation to that, he is not proposing to call any evidence in relation to it, just to make submissions to you on it. We are in your hands, but it may be convenient if Mr Taylor and I were to close our case and if I were to pick up on that point when I make my submissions. Then Mr Straker simply develops that argument in the course of his closing submissions to you.

7427. **Mr Straker:** Sir, I am perfectly happy with that. I have explained the matter informally to Mr Mould. It is a matter of concern over an undertaking that Mr Elvin gave, not the terms of the undertaking, we are not arguing about that. It is a simple question of enforceability. I have explained the point to Mr Mould so he, I suspect, will be able to deal with it from his point of view and then I can deal with everything that is a matter of concern to Havering in one go.

7428. **Mr Mould:** Mr Taylor is going to close on the noise issues and then I will pick up the other matters.

7429. **Mr Taylor:** I will deal with the issues in relation to the fixed installations and noise. Planning policy guidance, note 24, sets out the national planning policy with regard to noise.⁴⁸ That policy is applied to all new developments. There is no basis for adopting a different policy approach to Crossrail. Paragraph 10 of PPG24 explains that much of the development which is necessary for the creation of jobs and the construction and improvement of the infrastructure will generate noise. The planning system should not place unjustifiable obstacles in the way of such development. Nevertheless, local planning authorities must ensure that development does not cause an unacceptable degree of disturbance.

7430. The Mayor's ambient noise strategy reflects the National Planning Policy Framework within which it was formulated. It has the aim of minimising the adverse impacts of noise. In order to conflict with that a development would have to have an adverse impact. In other words, it would have to cause an unacceptable degree of disturbance. The central issue in relation to the Petition raised by the London Borough of Havering and supported by the other local authorities relates to the fixed installations and noise and is whether the approach set out by the Promoter in the draft IP for the

⁴⁸ Planning Policy Guidance 24: Planning And Noise www.communities.gov.uk

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mitigation of noise from such sources would result in an unacceptable degree of disturbance. That question has to be considered in the context of the nationally and regionally significant benefits that Crossrail will bring. The guidance set out in BS4114 you have heard so much about is recognised by at the national planning policy as the appropriate approach to adopt. You can see that from paragraph 19 of annex 3 of PPG24. Applying that approach a difference of around +5dBA over the background noise level is of marginal significance.

7431. This approach is adopted in the draft information paper which has been presented to the Committee and it ensures that the policy objective of not causing an unacceptable degree of disturbance is met. There is no scientific evidence that the adoption of -5dBA design criterion would result in materially better noise levels. You will remember the confirmation of that after me putting a number of questions to Mr Methold yesterday. BS4142 only addresses the significance of better than a -10dBA difference or a +5dBA approach. It does not address the significance of a -5dBA approach. There is therefore no scientific basis for the design criterion proposed by the local authorities.

7432. Mr Methold, when he was asked for evidence, referred to one example of a complaint from somebody where the level was plus 1. One single complaint as an example is not a scientific basis for establishing the minus 5 design criterion, it is the appropriate level for determining where an acceptable degree of disturbance would arise in our submission.

7433. The design criterion proposed by the local authorities therefore has the potential to impose additional costs upon the Crossrail project without any identifiable material benefit arising. In our submission the local authority approach should therefore be rejected.

7434. Obviously there are still matters relating to costs outstanding but you will have heard from Mr Thornely-Taylor yesterday that we have grave misgivings about the figures and costs which Mr Methold provided to you because certain significant factors had been left out of that account. That is something we will pursue in a note or a letter that we will write to the Committee at some point in the future.

7435. Turning then to the aspects of the draft undertaking sought by the local authority in relation to absolute noise levels. Reference to the significance of absolute levels of noise are misconceived in the context of the Crossrail project. The levels identified in the report printed by the WHO, *Guideline for Community Noise*, were considered by a review undertaken for the DTR in 1998. That review identified that the WHO inspired documents failed to consider the practicality of being able to achieve the guideline values. Further, a reduction in the numbers exposed above the guideline value levels would require

drastic action to virtually eliminate road traffic noise and other forms of transportation noise from the vicinity of houses.

7436. It explained that the social and economic consequences of such action would be likely to be far greater than any environmental advantages of producing a proportion of the population annoyed by noise. In addition, there is no evidence that anything other than a small minority of the population exposed to such noise levels finds them to be particularly onerous in the context of their daily lives. You will remember that extract is set out in the technical report and the Assessment of Noise and Vibration Act, page 20, paragraph 4.18.

7437. It is not national planning policy to reduce ambient noise levels to the guideline levels nor does the policy in the Mayor's strategy or the local authority development plans to do so, as Mr Methold confirmed. To adopt such a policy would, in the words of paragraph 10 of PPG24, "... place an unjustifiable obstacle in the way of development which is necessary for the creation of jobs and the construction and improvement of essential infrastructure", it would be contrary to national planning policy.

7438. To adopt a design criterion that essentially seeks those levels being met is obviously flawed and contrary to policy in our submission.

7439. Even in areas with an existing background noise level which is relatively high, the design criterion of +5dBA over a background proposed by the Promoter will be sufficient to protect amenity and to ensure that there will be no significant disturbance caused.

7440. I turn then to deal with background creep. The issues of creeping background noise raised by the local authorities is addressed by the protocol included in the draft information paper. Design criterion is to apply to all fixed noise sources from a single site; paragraph 2.13 of the draft information paper.

7441. As Mr Thornely-Taylor explained, background creep is only a problem where development occurs in a piecemeal fashion. However, because the design criterion applies to the total of all fixed noise sources, each site creep is automatically taken into account. This is an approach which has been adopted in the past on a number of projects, including the Jubilee Line extension and you heard about the agreement that was reached with Camden at the Camden Town Tube Station public inquiry.

7442. As Mr Thornely-Taylor explained, the project is not likely to give rise to background creeping in any event. The vent shafts and their fans associated with Crossrail are not likely to give rise to continuous noise seven days a week, 24 hours a day. Mr Methold explained that in applying BS4142 the

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local authority approach is to adopt the minimum background level measured. This will occur when the vent shafts associated with Crossrail will not be operating, thus Crossrail will not affect the background noise levels so the background noise will occur in relation to subsequent development.

7443. In relation to other track-side sources Mr Thornely-Taylor explained that the position then was addressed by the words of paragraph 2.12 of the draft information paper, they use reasonable endeavours to do better than the plus 5 criterion.

7444. The local authority policies that were appointed to in support of the -5dBA approach are not appropriate in relation to Crossrail, they are formulated in the context of controlling background creep in circumstances where development may well occur in a piecemeal fashion over time within an area. They are formulated with continuous noise in mind and they are not formulated in the context of a nationally and regionally structure project.

7445. Issues relating to identifying background noise levels, we heard quite a bit about that. Thankfully the point is met quite simply. The draft information paper proposes that the background noise levels to which the design criterion is to be applied will be established in the future in discussions with the local planning authorities. That means that any issues relating to what has been done in the past are irrelevant.

7446. So far as Thames Link 2000 is concerned, the reference to the criterion adopted in relation to that project is misconceived. The fixed installations in relation to Thames Link 2000 are of an entirely different nature to those within the Crossrail project. A distinction can and should be drawn between the approach that is appropriate to each project.

7447. To conclude, the draft information paper sets out an appropriate design criterion which will ensure that amenity is protected and that significant impacts from noise arising from fixed installations from Crossrail will not arise. This approach accords with national planning policy and is appropriate in the context of this nationally and regionally important infrastructure project.

7448. **Chairman:** Mr Mould?

7449. **Mr Mould:** Sir, I will deal first with the issues arising in relation to Romford Station, if I may. I am not going to take time to deal with the question that you raised with Mr Berryman about maintaining the existing secondary access for mobility impaired persons, save to say you have had his evidence as to the management and engineering difficulties in relation to that; he is going to write to you about that in due course. Turning to the Petitioner's principal case, as is of course reflected in their proposed undertakings in their documents, is founded upon the proposition that one breaks into the existing Victorian structure which lies beneath the main lines

at Romford Station and, for the record, you will recall that we showed that structure in the computerised image on page 59 of our documents. The council's case appears to have proceeded on something of a misconception, that what appeared to be arches on the south side of that structure were indeed arches. As we have explained, they are not arches, they are buttresses and they are integral to the stability of that structure itself. Mr Berryman, speaking from an engineering perspective with his knowledge and experience, has explained to you that, as far as he is concerned, any substantial physical interference or intervention into that Victorian structure is fraught with engineering difficulty. To use his vivid phrase: "It is not a tasty prospect", and there are, as I put in cross-examination to explain the evidence, there are major engineering concerns about any intervention into that structure and major concerns about the potentially serious—indeed severe—disruption that is likely to result to the operation of the existing Great Eastern main line in order to carry out the kind of works that the council have floated. I use that word "floated" advisedly because they have been known to place themselves from an engineering perspective to challenge what Mr Berryman has told you today, to be floated as a possibility in presenting their case. We think it is fair to say that whether or not such intervention within that structure to provide a new southern access, whether it be of the order of the scale of works that were discussed in our letter to the Petitioners of 18 April, the extension of the new ticket hall or whether it be the passage they have suggested in their case to you today, that that would necessarily involve undermining the integrity of the existing mainline track in a manner which we consider to be without precedent in so far as the Crossrail proposals themselves are concerned elsewhere on the Great Northern line. It is fair to say that it would involve or is likely to involve certainly a degree of disruption of the operation of the existing mainline services which is not proposed elsewhere within this section of the line in order to construct the Crossrail project. We would submit the matter is a very significant consideration for the Committee to bear in mind in considering the merits of the proposals that the Petitioners put before you. On that basis, our submission is that the undertakings that the Petitioners suggest the Promoters should have entered into are simply not justified in this case. To set this in context, we made it clear to you today, and we have made it clear to the Petitioners in the past, that we came to this station with the aspiration to provide access from the south as well as from the north. Our objective mirrored their own policy objectives in relation to securing improved transport interchanges. As I emphasised in the questions, that has to be on the basis of whether or not it is practicable to do so. We have simply come to the view, and Mr Berryman has explained the position to you, that it is not practicable to do so in a way that the council have set out in their principal case before you today. There appears to be no substantial evidence to the contrary in relation to that. Summarising one or two other points of context, it

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is common ground that the existing station is significantly sub-standard and in particular is significantly congested, particularly at peak times. Crossrail's proposed new station and ticket hall will be a very substantial improvement in relation to that in any event. It will be well placed to improve the service to the main part of the Romford town centre, that is a point of common ground. There is existing principal access to the station at present to the south. The sub-standard ramp, as you have heard, is very much a secondary access, principally used on request to provide access to mobility-impaired persons, and the improvements that we have proposed to the station are very modern, compliant provisions for such persons as part of our design, so that is a clear improvement over the existing position. As far as the distances are concerned, what, in practice, is involved is an increase of some 50 metres in terms of walking distance from the bus interchange to the proposed new entrances compared to the existing entrance underneath the bridges. That has to be set against the very substantial improvements in terms of congestion which, of course, carries with it very substantial delays in terms of journeys to homes. Of course, Mr Berryman pointed out in answer to your question, sir, the decrease in distances of people moving to and from the main part of the town centre to the north. There is a balance to be struck there. We have also indicated that we are perfectly content to work with the local authority and other stakeholders, bus companies for example, with a view to considering what improvements can be made to the public realm in the vicinity of the station, particularly that short stretch of journey between the new entrance and the existing bus interchange in the south, given the practical difficulties in providing the new access through that Victorian structure. For all those reasons, we would submit, with respect, there simply is not any justification for the principal undertakings that the council suggests we should enter into in relation to the provision of their new sub-access to the station. Essentially, there is not any basis to think that is likely to be any more a practical possibility in the future than it is now, ie no practical possibility for the reasons Mr Berryman has given. That is all I want to say about the Romford Station issue. Turning to the matter that Mr Straker is going to raise in relation to the environmental requirements—

7450. **Chairman:** For the record, can I say one thing. We have come here today and spent a very long time on Romford Station, and in your summary what you seem to imply is that a full consideration has been given to everything in relation to access to Romford Station. I have talked to some of my colleagues already during the course of the day and we are very concerned—and it is probably best if we minute it now in the minutes of evidence which are being taken—that within the planning process of the delivery of this Bill, the needs of people for access, particularly disabled people, are absolutely put to the fore. I think in the case of Romford, we have managed, particularly with the help of Mr Berryman

today, to extract a couple of undertakings to Parliament. One is that the Promoters will undertake to work with the council to see if they can develop the foyer of the entrance to this in such a way that it would improve access and exit. The second thing is, given the undertaking to the Committee, they will go away and examine if there is a possibility for a new access which might be of multiple use. I think it is important that we say that because, undoubtedly in other evidence we are going to hear from other Petitioners which will come forward, this question will arise. Let there be no doubt in the mind of the Promoters that we are very, very concerned about access to these stations, particularly for those people who most need it.

7451. **Mr Mould:** Sir, nothing I said was intended to suggest that we in any way differ from the Committee's position in relation to those aspirations. I was simply seeking to answer the case that has been put in relation to the principal case put by the Petitioners, but I should make it clear that the Promoter is also committed to making a proper and appropriate provision, particularly for the needs of mobility-impaired travellers and others, such as parents with children in pushchairs and so on and so forth, in order to meet those needs as they arise as a result of the Crossrail scheme.

7452. **Chairman:** Do not be put off the by the briskness of my accent or my approach, it is just a style like you have got an individual style. I am just making the point because Members are wishing it to be known on that this case and others that may come forward with opinions that we also hold opinions on access particularly for those who need it most.

7453. **Mr Mould:** Forgive me, I was not in any way suggesting there was any difference between us. I apologise. I am simply seeking to say we agree, effectively.

7454. **Chairman:** Let us move on.

7455. **Mr Mould:** Perhaps I should have said “we agree”, it would have been easier! Mr Straker is going to make a point, I think, about the enforcement of the environmental minimum requirements. There has been a suggestion of correspondence recently between ourselves and the council and it may be helpful, given that the document is in the papers before you, to read into the record there is a letter from the Department on 10 April 2006, which I think is document ten in our bundle of documents, which sets out our position in relation to the point.⁴⁹ I am not going to read the letter out because it seems to me that would be unhelpful, but I mention the existence of that letter as a source of our position. Essentially, just to set the point in context, as you have been told already, there are a number of environmental controls in relation to the construction and operation of the Crossrail

⁴⁹ Crossrail Ref: P75, Letter from Department for Transport to Sharpe Pritchard, Environmental Minimum Requirements, 10 April 2006 (HAVGLB-14704-010).

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project, both within the Crossrail Bill itself, in other legislation which applies to the construction and operation of Crossrail and also outside the formal statutory process through what we call the “environmental minimum requirements”, which in this context is, principally, the construction code itself which you have been referred to. By way of example, directly enforcing statutory controls within the Bill, an example of which is particularly pertinent in the case of Havering, would be the controls exercised by the local planning authorities, under schedule seven, we have heard reference to that the past, pertinent examples of controls that are outside the Bill but within other statutory controls would be the Control of Pollution Act in relation to environmental impacts under section 60 of the Act, you have heard reference to that and the fact that it applies in relation to Crossrail as indeed to controls on waste management and so on. The Secretary of State’s position is that those controls apply with force of statute and it would be inappropriate normally for him to seek to duplicate those controls, it is for local planning authorities rightly to exercise their statutory functions within that Bill in relation to those matters. That set the context for Mr Elvin’s undertaking, which you will recall on day one in his opening to this Committee, where he said: “in so far that controls are not directly enforceable within or indeed outside the Crossrail Bill against the appointed and nominated undertaker or other contractors, the Secretary of State will take such steps, as he considers to be reasonable or necessary, to secure compliance with those requirements”. That was particularly focused upon the environmental requirements and in particular the construction code. Sir, you have heard that the Secretary of State will enter into a contract with the nominated undertaker that will require contractual provisions which will provide for securing compliance with, amongst other things, the detailed requirements for the construction code. Of course, the contract is enforceable in the usual way by the Secretary of State. That is a model that was developed and used successfully on the Channel Tunnel Rail Link, on the Jubilee Line extension and indeed on the terminal five scheme at Heathrow. It is our submission that the contractual route to enforcement by the Secretary of State is appropriate and sufficient to secure compliance with the environmental minimum requirements in practice. That is the fundamental submission. In relation to that, we make the point, I hope reasonably, that the Secretary of State represents the public interest in the proper compliance with those requirements during the construction process and indeed shares the local authorities’ desire that the nominated undertaker should carry out the construction of Crossrail in an appropriate manner according to the code and in accordance with those environmental controls that are required by it. The burden of the case that is to be put by Mr Straker, as I understand it, is that there is not sufficient means whereby, if you were a third party, you can enforce the Secretary of State’s enforcement of compliance with the code and other environmental minimum requirements, so

Havering, he will say, will have no means whereby it can require or force the Secretary of State to enforce his contract. We say that proposition must proceed on a fundamentally unsound basis in these two ways: firstly, it must proceed on a proposition that the Secretary of State will act unreasonably or, indeed, perversely in declining or failing to enforce compliance in circumstances where compliance is clearly required. We say that this Committee has no reason to proceed; it would be wrong for the Committee to proceed on the basis of the Secretary of State acting in that way. Secondly, it is founded on the proposition that Parliament, to whom the undertaking given by Mr Elvin on day one was given, will not take steps to hold the Secretary of State to his undertaking if circumstances were to arise where it was felt that he was not enforcing where he ought to do so. As we say, that is not a realistic proposition for this Committee to take, with respect. On that basis, we simply submit to you that what Mr Straker will seek, which is that Mr Elvin’s undertaking should be enshrined in the Bill itself, that is what they are proposing, we say that that step is an unnecessary one and that the undertaking set in the context of the matters that I have mentioned to you is sufficient to secure proper compliance with the requirements which are set out in the code and other relevant documentation. It is also pertinent to bear in mind that the EMRs themselves are subject to continuing detailed discussions with stakeholders including the local authorities through the planning forum process and that process will continue and there is an example of that which I think is being dealt with behind the scenes; we are not going to trouble you with this. There have been discussions between ourselves and Havering in recent days about the issue of where it is reasonably practicable in taking steps to reduce significant adverse environmental impacts, which were found through the environmental assessment process, where it is possible to do so. That is something which is part of the continuing debate through the planning forum process and illustrates the proposition that I have just made.

7456. We also draw attention to the proposal that there be a Complaints Commissioner, which is dealt with in Information Paper F5, so that any third party may lodge a complaint and ask the Commissioner to pursue that complaint in relation to the performance of the project. Again, experience suggests that that is a proven and effective way in practice of resolving day-to-day concerns and disputes about whether the nominated undertaker or his own contractors are proceeding in accordance with the code.

7457. A final passing shot, which I feel very keenly, is that the approach we commend to you, for the reasons I have just given, is one which is essentially focused upon securing proper practical implementation of the scheme in accordance with the requirements that we have set out in the code and elsewhere. It tries, as far as possible, to minimise the involvement of the legal profession—and I am sure

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the Committee will wholeheartedly endorse that. The Council's way, by contrast, is founded upon the prospect that Mr Elvin's undertaking be enshrined in the Bill, and is presumably predicated on the idea that people will run off to court and ask the courts to get involved in the performance of compliance with the Construction Code and so on. We submit that is not desirable. That serves to confirm my submission to you that the arrangements we have put forward are adequate, sufficient, proper, and that what Mr Straker is going to suggest is simply unnecessary.

7458. Those are my submissions in relation to that. It is slightly odd, in the sense that I am anticipating what is going to be said, but I hope it will become clearer when Mr Straker has explained his points to you.

7459. **Chairman:** Thank you.

7460. Mr Straker, we are in your hands. How long do you need?

7461. **Mr Straker:** I suspect it will take me past one o'clock, but I am happy to continue past that time. I should have thought I could be finished by quarter past or 20 past.

7462. **Chairman:** Ten past would be even better!

7463. **Mr Straker:** I shall keep my eye on the clock, bearing that in mind. I am conscious that an apology that one has taken less time is always well received.

7464. Could I start with the matter which has just been touched upon by Mr Mould. The question here is one of enforceability. Can I invite the Committee to have a look at page 6 of 125 in P75, the undertaking which has been given.⁵⁰ It is plainly a welcome undertaking. It is given to Parliament that: "insofar as the environmental minimum requirements are not directly enforceable against any person appointed as a nominated undertaker or to whom the powers of the Bill are devolved . . . [the Secretary of State] will take such steps as he considers are reasonable and necessary to secure compliance with those requirements." It requires, therefore, the Secretary of State, when one has an environmental minimum requirement not directly enforceable, to take such steps as he considers are reasonable to secure compliance. It is a default power which contemplates a minimum requirement not being enforceable and therefore requiring the taking of steps to secure compliance.

7465. Sir, as we say, it is laudable that an undertaking has been given, but a question distinctly arises as to how the undertaking should be enforced or could come to be enforced. Sir, can I do this illustratively. If it is supposed that a local authority considers that an environmental minimum

requirement is not being made but is of a character which is not directly enforceable, the person to whom the local authority would look in that circumstance would be the Secretary of State. They would say to him: "Please consider acting in accordance with your undertaking."

7466. Sir, here we are looking into the future, of course. If the Secretary of State for some unexpressed reason declined to act or said that he would not consider the matter, the local authority would then pose this question: "What is the procedure for enforcing the undertaking? Can it be enforced in the House of Commons?" They would be told—and they would be correctly told—that there is no procedure for enforcing it. There is simply none at all. They might then ask: "Can we go to court to ask that the undertaking should be enforced?" and they would be told, "No, you cannot go to court because the Bill of Rights says that the courts will not entertain proceedings questioning anything which has happened in this House." Consequently, knowing they cannot go to court, they might then ask, "Can we go to the House of Lords to enforce?" and they would be told, "No, because Crossrail have been asked and have declined to repeat their undertaking when this matter goes to the other Place."

7467. The situation is one, therefore, where there could not be enforcement in the House of Lords where there is a process for enforcement. The only possibility, sir, that we can see would be for a local authority in that circumstance to seek the cooperation of a private member to raise the matter on the floor of the Chamber, pointing out that which had occurred.

7468. Now, sir, we would readily accept that we are contemplating a circumstance which it is hoped will not arise, but if, sir, we are to be seriously concerned about the environmental minimum requirements, as we ought to be, we ought just to contemplate that possibility. Accordingly, bearing in mind that there is no present mechanism for enforcement, we have suggested that precisely the same terms of the undertaking should be put into the Bill. If I could ask for page 2 of 125 within P75 to be put on display, you will see in that clause that exactly the same terms are being put into the Bill.⁵¹ Faced with a response by the Secretary of State, "I simply will not consider your request," that would enable the local authority to go to court in order to be able to secure, at the very least, an explanation from the Minister as to why he was not even considering the exercise of his undertaking. That may be a remote possibility, and it is to be hoped that it is.

7469. Contrary to what my learned friend says, the involvement of the law can very often reduce the involvement of the lawyers rather than increase it,

⁵⁰ Crossrail Ref: P75 The Crossrail Undertaking, Environmental Minimum Requirements (HAVGLB-14704-006).

⁵¹ Crossrail Ref: P75, Amendment proposed by London Borough of Havering, new clause after Clause 46 Environmental Minimum Requirements (HAVGLB-14704-002).

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because if the matters are clear and there is a mechanism for enforcement then people operate accordingly. That is the exercise that we seek. We seek, therefore, a recommendation to that effect.

7470. In the absence of a recommendation to the effect that there should be a new clause in the way given, the second best solution—which is a long way behind—would be a recommendation that the undertaking should be repeated in the House of Lords where there is a mechanism for enforcement. In the absence of that, the third best suggestion we would make is that there should be an indication that undertakings are plainly a matter of great importance, and the suggestion could be made that consideration be given to a procedure for enforcement so that there is one here as well as in the House of Lords.

7471. Sir, that is all I want to say on that particular matter and I will turn, if I may, to a residual point which I can take from page 14 of 125. You will see that within our material, right at the bottom of the page, we were asked about concern for cumulative impacts. I can invite you to look on to page 128, where the Promoter is indicating at (b) that they will “adjust where reasonably practicable, having regard to the overall construction programme, the timings and/or extent of works to reduce the adverse environmental impacts that construction of Crossrail will cause . . . from the likely significant adverse impacts identified in the environmental statements . . .”⁵² You will recollect, sir, that we gave evidence to the effect that we do not want that to be linked exclusively to the environmental statements. The reason for that is straightforward; namely, that we contemplate the possibility that, notwithstanding the extensive material, there might be something which emerges which has not actually been identified from the environmental impact in the Environmental Statement.

7472. That is a straightforward point there, dealing with that undertaking, and it enables me to move then to noise and then Romford Station.

7473. As far as noise is concerned, the position is as follows. First, it is agreed that over the past 25 years, noise has become, as Mr Thornely-Taylor said in his evidence (reference transcript 7147), “very much greater”. This has found, as he said, expression in some of the policy documents mentioned by Mr Methold. Those policy documents include local plans and unitary development plans which are produced by local planning authorities following inquiries and subject to control by the Secretary of State. If they are out of line with practice, they are subject to control by the Secretary of State. Those policies, as Mr Taylor indicated (reference transcript 7127), do not reflect the Crossrail assessment, so we have a range of policies of recent origin which do not reflect the Crossrail assessment. However, Mr Thornely-Taylor said (reference transcript 7121 and

7122) that those policies should be met if possible; otherwise, he went on to say, it would be a matter of difficulty for the local planning authorities. He accepts that local authority policies should be met if possible.

7474. Thameslink 2000 has an approach consistent with what the local authorities are here suggesting, requiring that the noise produced by plant should, at the facades of properties, be 5dB less or quieter than the background noise. Please, I ask the Committee to note, there is a substantial overlap between the equipment for Crossrail and for Thameslink. As Mr Thornely-Taylor said, it was appropriately dealt with in the way in which it was framed for Thameslink. On that basis, he indicated (reference transcript 7194) that L90-5 was the agreed way forward for Thameslink. But for Crossrail it is being suggested that the noise provided by the plant should, at the facades, be 5dB noisier than the background noise—that is 5dB more, or “noisier” as I would put it, than the background noise.

7475. Of course it has been acknowledged that concern over noise creep has increased; indeed, Mr Thornely-Taylor went out of his way to condemn it and said it was of considerable concern. It is inescapable that if one produces a noise into a situation where there is already noise, the background noise goes up. With the greatest of respect to my learned friend, it is an incorrect approach to the matter to say that you could then measure your background at a quiet time so as to receive hereafter the suggestion that thereafter the background noise has not gone up. That is why, when one gets to the position of noise being introduced, one has to be concerned about the situation. What is the difference? Mr Thornely-Taylor said that the difference is a nutshell—and that was his word—was that for Crossrail it was being suggested background plus 5 for everything; whereas for the Petitioners it is being suggested background minus 5 for everything, with the possibility, if that could not be achieved, that best practicable means should then be used.

7476. In my respectful submission, this is really no contest between the Petitioners and Crossrail. First, background minus 5 is Thameslink. Second, background minus 5 reflects more accurately the local planning authorities’ policies. Third, background minus 5 is achievable for everything on Crossrail save a minority, so it is said, of the ventilation shafts. Fourth, for that minority, we know that we are not going to go over background plus 5. That is what Mr Thornely-Taylor said (reference transcript 7204), so that, if one has L90-5 with an allowance that if that is not achievable one can use best practicable means, it would not lead to the high numbers which Mr Thornely-Taylor suggested. All his observation to that effect shows is that, supposing Mr Methold is wrong and one cannot in a cost-effective way further mitigate the ventilation shafts to L90-5, if one has L90-5, one has produced in the vast majority of places a result in

⁵² Crossrail Ref: P75, London Borough of Havering, Draft Undertakings (HAVGLB-14704-014).

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accordance with policy and producing a better result, with the ability for Crossrail to proceed in a perfectly sensible way.

7477. Sir, that is why we have put forward, in the form that we have in the document which has been seen, the undertaking. As I say, there is no contest there; it is straightforward. It is minus 5 on one side, which can be achieved sensibly; and plus 5, which is out of line with all the policies and with Thameslink and would produce an unfortunate situation. And plainly there would be an effect upon amenity, because my learned friend is completely wrong, if I may respectfully say so, simply to tie his mast to the question of complainants, because it is commonplace, of course, that one has those people who get so annoyed, so disturbed that they will write in, and then, beneath them, if one may put it in that way, there is a range of people who are concerned but cannot sufficiently bring themselves to complain. They may be annoyed or disturbed, but it may be that they are not sufficiently provoked to write in, so one can see, even though one is not reaching levels of complaint, that one is protecting amenity.

7478. Sir, can I move from the question of noise to Romford Station. Here there is an obviousness about the whole matter, if I may respectfully say so. Two matters are obvious. The first is that it is obviously better if one can have a pedestrian access on the bus station side. The second matter which is obvious is that what has happened here is that Crossrail first thought, and indeed gave evidence, to this effect: that it would be nice to have the station so that it opens out on to the bus station side, and then thought about whether we could have the ticket halls and so forth underneath the tracks, having effectively the station that side, and came to the view that we cannot. That was Crossrail's position. They have not ever thought about not that solution but the present position being put forward by the Petitioners: "Do not worry about having the station facilities there, the ticket hall and so forth, all we want is to have people be able to walk through." That is a matter where there has been no report prepared as to whether you can have a pedestrian passage, no report as to the extent of the disturbance which we would suffer, no measurements as to the effect of the work which would be done, and no work in fact done. We do not even know what the

materials contained within the Victorian structure are. All we know is that it has been broken through in the past by way of a pedestrian passage.

7479. Sir, can I therefore ask the Committee to look ahead and to contemplate a circumstance in 2016, or whatever year one cares to think of? In that situation, if the Crossrail proposals as presently formulated go through, the circumstance that will happen will be that one can sensibly predict that there will be people who will ask this question, when day after day after day they have to tramp around from the bus station to the new entrance and they see people being pushed in the chairs or the buggies going around as well: "Why on earth do we have to do all that? Why can we not go through into the station from the bus side? Look at the wall there, would it not be a simple operation? Why on earth do we have to do that?" The answer they would be given if they dug around and researched the matter would be: "The reason why you have to do that is because Crossrail did not investigate whether you could have a pedestrian route Crossrail did not investigate the level of disturbance which would arise from that investigation, they did not carry out any research into that particular exercise." However, they did look, so it is said, at the possibility of having the ticket hall underneath and arrived at the view: "No, we cannot do that, therefore we cannot do anything." Sir, that situation, in my respectful submission, reveals why it is so obviously sensible to go down the route of the undertaking proposed by the London Borough of Havering which simply says: "If there are reasonable engineering reasons why it cannot be constructed, well so be it, but at least let us see whether there are reasonable engineering reasons, and if there are no such reasons then for goodness sake let us do it."

7480. In my respectful submission, it is, once again, a no contest position, because it is so blindingly obvious that that is what ought to be done that I respectfully commend it upon this Committee.

7481. Sir, I can do so with an apology that I have gone one minute past the time. That is all that I wanted to say, unless I am reminded of anything or unless you would wish me to address any other topic.

7482. **Chairman:** That is fine. Thank you very much indeed.

7483. We will adjourn now until next Thursday at 10 am. There will be a private session of the Committee on Tuesday. We look forward to meeting you next week.

Thursday 27 April 2006

Before:

Mr Alan Meale, in the Chair

Mr Brian Binley
Mrs Siân C James

Sir Peter Soulsby

Ordered: that Counsel and Parties be called in.

7484. **Chairman:** Can I just say as to what I have said in the past, it will not be necessary today to have a cup of tea at 11.30.

7485. **Ms Lieven:** We would be delighted to have a cup of tea with you, but there does not seem to be anybody else. There is no business this morning. Very briefly: London & Continental have settled and will withdraw their Petition once the undertaking is signed. Loon Fung have settled and, similarly, will withdraw once the undertaking is signed. The three other Petitioners, City Aviation, London City Airport and Marketspur, who are all basically in the same pond, have been agreed in principle and an

undertaking is being prepared, and we are so close to agreeing with them that we agreed to defer the Petition because there is no point wasting the Committee's time with that this morning.

7486. **Chairman:** Today is time for us to reflect on, perhaps, yesterday or the day before in Parliament.

7487. **Ms Lieven:** Yes, there are matters to reflect upon, I suspect.

7488. **Chairman:** That means that next Tuesday was to be a day for a session, but we will next meet at 10 am on Wednesday.

7489. **Ms Lieven:** Indeed, sir, thank you very much.

Wednesday 3 May 2006

Before:

Mr Alan Meale, in the Chair

Mr Brian Binley
Kelvin Hopkins
Mr Ian Liddell-Grainger

Dr John Pugh
Sir Peter Soulsby

Ordered that Counsel and Parties be called in.

The Petition of the London Borough of Newham

Mr Neil Cameron appeared on behalf of the Petitioner

Sharpe Pritchard appeared as Agent

7490. **Chairman:** Good morning. Today we are supposed to be hearing the Petition of the London Borough of Newham. Mr Elvin, do you want to say anything?

7491. **Mr Elvin:** Only to say that again matters have resolved themselves at the last minute and Mr Cameron, who appears for the Petitioner—the Committee has come across Mr Cameron on a number of occasions of course—will briefly explain the position. We have offered undertakings in relation to trains now stopping at Maryland Station, just east of Stratford; on the use of local labour wherever possible and lawful; and on certain other matters; and we have provided information relating to airborne noise and the like, which has satisfied Newham. Mr Cameron will explain his position and if I can assist you any further, then I will.

7492. **Chairman:** Thank you. Mr Cameron.

7493. **Mr Cameron:** Sir, that is right, that Newham is satisfied on a number of issues; but if you will allow me, sir, can I explain why Newham is satisfied, without wishing to take up too much of the Committee's time? Sir, the issues that Newham wish to raise are the following. First, train services at Maryland Station; station accessibility; matters relating to Custom House Station; integration with the Olympic Proposals; the revised tunnelling strategy; employment of local labour and diversity issues; and airborne noise attributable to the operation of the railway.

7494. Sir, on those issues, as far as the Maryland Station is concerned Crossrail initially indicated that trains would not stop there because of a problem with the platform and in particular platform length, and as a result existing services would not run and there would be a significant reduction. Newham were understandably concerned about that but what Crossrail have now undertaken is to investigate selective door opening and if selective door opening is possible to serve the Maryland Station. Sir, that has satisfied Newham.

7495. The next issue is station accessibility. That is a matter of great concern to Newham and existing stations, particularly Maryland, Manor Park and Forest Gate. We understand, sir, that that is going to be dealt with as a generic issue and therefore it is not appropriate for us to pursue it today, but it is still a matter of very great concern to the London Borough of Newham, and we note the remarks that you made, sir, and others have made when considering the cases of other Petitioners on that issue.

7496. Sir, as far as Custom House Station is concerned, Newham Council were concerned about integration of the new station with proposed development and the possibility of a bus interchange and an undertaking has now been given and that satisfies Newham's concerns.

7497. As far as the Olympics are concerned, a great many of the Olympic venues will be sited in Newham, close to Stratford, and the Council understand that a memorandum of agreement is being drawn up between Crossrail and the Olympic projects, and what Newham would like to do is to preserve that position on that issue pending publication of the memorandum. There is not much else they can do.

7498. As far as the revised tunnelling strategy is concerned, the reason that Newham are particularly interested is that they do not yet understand the full implications for Newham. On 30 March the Secretary of State made a statement on the revised tunnelling strategy, as you will know, sir, and he indicated that Crossrail would not need to launch tunnel boring machines from Hanbury Street in the London Borough of Tower Hamlets. As a result of that change it is likely that the duration of the works at the Limmo Peninsula in Newham will increase and what the Secretary of State indicated was that an Environmental Assessment to the alternative strategy would be published in due course, and Newham have not yet received details—and that is not a criticism of the Promoter, it takes time to air that—so again we would like to reserve our position until we can see the details, which will be sent to us in due course.

7499. As far as local labour is concerned, Newham's concern here is that the employment and other benefits of the project should be accessible to all and particularly in the context of Newham, where

The Petition of London Borough of Newham

employment rates are lower and the indices of deprivation indicate greater deprivation than in other parts of London. That is why Newham pursued this issue.

7500. Sir, what has happened is that the Promoter has indicated that it is prepared to give an undertaking. There are two agreed clauses to this undertaking, one relating to employment strategy and in particular making provision where reasonably practical for advertisement of jobs in a particular way, which has been agreed, and that particular way is through a local partnership agency for local labour and skills training, which in Newham is the Access to Jobs Partnership—in other boroughs it will be a different agency. Secondly, in local newspapers nominated by the relevant council. Thirdly, at local employment centres. Sir, this is an important means of improving access to these jobs for local residents in boroughs such as Newham but it would apply to other boroughs as well. So the Promoter has agreed to give an undertaking on that. The Promoter has also agreed to give an undertaking on monitoring.

7501. Sir, in the light of those undertakings Newham are content to continue negotiations and the basis of those negotiations is an agreement that Newham entered into with the Docklands Light Railway Company when they were promoting an extension to the Docklands Light Railway. That is the basis of Newham's negotiations and Newham and the Promoter will take the opportunity to continue those negotiations knowing that the two undertakings I have mentioned will definitely be given. So that is why we do not pursue that before you today, sir.

7502. As far as airborne noise is concerned, the Promoter has produced no final Information Paper on airborne noise. Although you have a great series

of Information Papers there is not a final Information Paper on airborne noise. There is a draft paper, which has been made available to us and has been the subject of very detailed and lengthy discussions. Sir, in the Draft Information Paper the Promoter says that the Nominated Undertaker will, amongst other things, design sections of the new, amended or altered surface railway to achieve certain predicted operational noise levels and certain vibration dose values. This morning the Promoter has confirmed that that undertaking would apply to a section of the railway at Custom House in the London Borough of Newham, and having received that assurance Newham do not pursue that point before this House. Having said that, Newham anticipate that further discussions will take place on the final form of that Information Paper.

7503. Sir, that covers the seven issues on which we were going to present evidence to the Committee.

7504. **Chairman:** Thank you very much indeed, Mr Cameron. Mr Elvin, would you like to come back to the Committee on anything that has been said?

7505. **Mr Elvin:** No, thank you.

7506. **Chairman:** That is even better! Can I thank the Promoter's and Petitioner's representatives and their staff for reaching this agreement because it is very important to us that we try and get through this Bill with as much agreement as possible? The Committee will next meet in this room next Tuesday at 10 a.m. but before that, for your information, Mr Cameron, it may be possible that Members of this Committee will be going to participate in a private meeting to discuss and see demonstrations on groundborne noise. So we are well aware of both your concerns and of others who have made their Petitions on that particular issue.

Tuesday 9 May 2006

Before:

Mr Alan Meale, in the Chair

Mr Philip Hollobone
Kelvin Hopkins
Mrs Siân C James

Mr Ian Liddell-Grainger
Mrs Linda Riordan
Sir Peter Soulsby

Ordered that Counsel and Parties be called in.

7507. **Chairman:** Can I remind everybody here present and also the visitors who are here today that I will suspend the Committee for about ten minutes or so at 11.30 so that people can get a tea or coffee along the corridor in the upper waiting hall. Before we start today can I ask Mr Elvin to tell us about the second set of additional provisions to the Bill?

7508. **Mr Elvin:** Yes, sir. Today the Secretary of State will deposit or has deposited the second set of additional provisions, together with the accompanying Environmental Statement. That will also be available on the website and copies will be available of the Environmental Statement in the normal way, as has been the case with the other Environmental Statements accompanying the other parts of the Bill. The second set of additional provisions covers a number of matters: for example, it includes the provisions for the new crossover from Farringdon to Liverpool Street in substitution for those in the Bill. It includes provision for the diversion of the Abbey Mills and Wick Lane sewers, for the provision of the new road and reinstatement of the travellers' site at Eleanor Street in the London Borough of Tower Hamlets and various other provisions.

7509. Sir, the provision as set out in a letter to the Clerk a week or so ago is that the intention, subject of course to the Committee's direction, is that the Petitions should be heard, if possible, before the summer recess; and it is also proposed, with suitable consultation, again, subject to the Committee's direction, that the rule of thumb we have been applying so far, which is that four weeks should elapse from sending out the Department's Petition Response document to the Petitioners setting out our position on their Petitions, currently four weeks from receipt of that document to any hearing date, might be reduced in order to accommodate hearing before the summer recess, again subject to any direction from the Committee.

7510. **Chairman:** Thank you very much. The Committee members have had a conversation on this particular matter and we regret that there might be a slight reduction of time notice given to the Petitioners, but we are more than sure that the Promoters will do their very, very best to ensure that adequate time is given to people to make their representations, so we are happy with what you are proposing.

7511. **Mr Elvin:** I am grateful, sir. The important thing is that we get over to the Petitioners what our case is going to be to the Committee in good time so that they are under no doubt what our position is, because that is the whole purpose of the Petition Response document, and we will do what we can to frontload that information as early as possible to assist in that way, sir.

7512. Sir, on the first item of business this morning, Mr Taylor is handling the Petition from Mr and Mrs King; I shall only be dealing with the Greenwich Petition.

The Petition of Jonathan and Angela King.

The Petitioners appeared in person.

7513. **Mr Taylor:** Sir, Mr and Mrs King live at 86 Fenman Gardens, Goodmayes in Essex. You have a plan that will show the location of their property.¹ We can see that it lies just to the south of Goodmayes station and abuts the location of the proposed replacement freight loop on the Great Eastern Main Line. The proposed new loop will extend for just over two kilometres and connects with the main line to the east of Goodmayes Station and just west of Chadwell Heath Station.² It runs parallel to the existing Great Eastern main line on disused track bed. The loop will enable freight trains to be overtaken by passenger trains between Shenfield and Stratford and it replaces an existing loop at Manor Park, which has to be removed as a result of work at Manor Park Station to extend the platform so as to accommodate the longer Crossrail trains. The Petitioners wish to ensure that the freight loop is not constructed because of the potential impact on their property from noise vibration and other environmental impacts, and they have asked for an alternative location to be considered. In a nutshell those are the points that Mr King is going to present to the Committee today.

7514. **Mr King:** Sir, thank you for allowing me the opportunity to speak to the Committee. The first thing I want to say is that we have no interest in Crossrail at all in the sense that we are for it or we are not against it. We bought a house that backed

¹ Crossrail Ref: P76, Location Plan Petitioner No: 102 Mr Jonathan and Mrs Angela King (REDBLB-10203-001).

² Crossrail Ref: P76, Chadwell Heath Freight Loop—Western Section Oblique Aerial View (REDBLB-10204-002).

 The Petition of Jonathan and Angela King

on to railway property, but there was some considerable distance between our living quarters and the express line and then the local line, and we have become accustomed to that. What we are concerned with is that all of this property that you see there, Fenman Gardens, Expressway, was actually all railway property—it was all goods yards and depots many years ago, and it was recently sold about 12 to 13 years ago for some residential development, the ribbon development along the railway line there. In between the proposed location of the loop and the actual express line is a fence all the way down and then fence again abutting our property. One of the questions we did ask our solicitors was, was there a proposal for any use or reinstatement of that railway line, and we were told no. So I think that there is a degree of slightly unethical behaviour to sell property for development and then claim that you can still build right up to the boundary when we are told that for safety reasons they had left this abutment between us and the express line. The other thing is the reason I wanted to make my statement here this morning—and I know I am the only one from Redbridge—is that there is a degree of inconsistency in statements which have been taken from the first documentation available to documentation that was most recently sent to me this weekend and in fact on Friday.

7515. It also seems that a lot of the statements in terms of the Environmental Statement are very general about the Crossrail line itself and not overly specific to us, although I know that the vibration calculations are specific to us and I would have gladly given the opportunity for someone to come round and measure the current vibration situation, which is actually worse at the front of the house than the back and actually travels through the clay underneath. So it is worse at the front than the back. They could have had some real measurements to model them rather than model the model.

7516. Noise is an issue. Whilst we are used to passing high speed trains, where it is kind of like—it is coming, it has gone, with the goods trains—and we suffer this a lot with the express line anyway—when they sit there—and they are normally diesel electric trains, and we had an instance of this all day Saturday and all day Sunday, including Saturday night—a diesel works train sitting there with its engine idling in itself is not a nuisance, that level of noise if you measured it at a given point in time; but if you then listened to it for nearly 36 hours on a hot, balmy night and you need to close your window it becomes extremely annoying. And the rattling through on the track is definitely going to have an effect on us—most definitely.

7517. It says in the Bill statement that they are going to reinstate the track but it is unclear whether they are going to reinstate one line or two lines—an up and a down. I do have one technical question—and I have not been able to ascertain the answer to it—the freight loop at Manor Park, I am not sure whether it serves the up line or the down line and I

would like an answer to that, if possible, this morning because I am not convinced that we are serving like for like. My understanding is that the freight loop serves what I call the down line, the line going away from London and the freight loop where we live will serve the up line, Southend to London. The Statement says that the letter that we have recently received was that there was to be a training crossover. If there is a proposal for a training crossover—and it is difficult to make out from the picture because it actually goes down the middle of the two lines there—so that that does serve the down line and not the up line, then there is no training crossover at the other end. So how is it going to cross over the up line to get to the down line? Clearly if you are coming from the right hand side of the road to cross over to the left and you need to get back to the right hand side again you have to cross over another line, and that is not shown there. So I have strong suspicion that there will be two lines there—a very strong suspicion that there will be two lines there. There is one currently there, and it is all in bits and pieces, that abuts right up to the railwaymen's club. If you go back to the plan there is a railwaymen's club there and the line actually abuts right up to that and there is space enough for another line between that and our fence. You see 88 and 95, those two figures there, that is the railwaymen's club, and that is a brick building which in fact has afforded us some protection from the noise of the railway, and we were aware of that. So that has afforded us some protection, but of course now there is a proposal to bring that noise the other side of that building much closer to our fence.

7518. Also we address the issue of lighting in the Petition and there was merely a reference to the lighting that exists. Yes, we cannot argue that that exists; you have to light everything up and it is no worse than Tesco's—it is just an awful situation round there, but it is no worse. However, they are proposing that there should be a walkway down this line, so my question is: is the walkway to be between my fence and the line or between the line and that workmen's affair? Is that going to be lit? And it tells me that I suspect it will be lit, but they have avoided that issue. The other thing is, we asked if the electric power cables were going to be brought up to our fence because some of these are electric freight engines, they are not all diesel. That was actually addressed in the Environmental Statement in terms of our concerns over power and its effect on our health, but that was not addressed. They are merely talking about the effects of 25 kilowatts and the distance it is at the moment, not the effect of it being that much closer to our house. Also, whilst they talk about security they do not actually tell us what the security measures are. Just to the left, as you are looking at that screen, Petition 102, number 86, just to the left is a car park there. In actual fact where that dotted line breaks there is actually a break in the fence to some sort of huge gas meter and children regularly go through that and on to the line at the back there, and whilst we try to protect it and stop the children going as far as possible we cannot do it

The Petition of Jonathan and Angela King

all the time. We have phoned the railway people and you get the people saying—it is the track, it is the train operator, it is the track, it is the train operator, and so on. And we have informed the local policeman to keep his eye on them. There is a whole issue of security and access to the back of our properties.

7519. Also drainage. It is clay there and there has already been a major pipe put down the bottom of the gardens to drain that area because of problems with developing it, and they had to have this additional drainpipe in there to drain the area. My concern is that any further drainage could affect—it would be detrimental over the years, I appreciate that—clay sub-foundations that are there.

7520. The final thing that personally upset me—and I am sorry to say it, but it did personally upset me—if I could take you to the diagram that I was emailed on Friday? It is NE6(ii).³ I got that on Saturday, after being told that this Committee had been cancelled for the day that I was due to come here—and not being privy to that—and also asked if I was still going to petition. I am sorry, but I am the only one from Redbridge. I did not get that until Saturday and it is a little bit insulting when I have raised issues about protection, environmental and what have you, that everyone all around me, either side of me, is labelled “May be eligible for noise insulation” and all this sort of nonsense. I must be a quarter of a millimetre out of some line or something. I do not actually want that. If this thing has to go through and it cannot be built at Ilford—because if we are going to have a training crossover where we are why can we not have a training crossover at Ilford, and that is all sidings and sheds there? But one can only presume that they are going to sell that for housing because they are building a Romford depot. But they have bought lots of land down there—upset West Ham—why cannot they build the freight loop there? They have bought the land and I am sure they can put it within the confines of what is there. However, having said that, if we must have it I would ask that the Committee gives serious consideration to the requirements, that there are more substantial means of protecting us and that the fence be raised a metre—the fence that is there be raised a metre—and that there actually be a proper security fence between the fence that is there and perhaps a foot spare and a proper high security fence so that if anyone does manage to get on to the railway property they cannot get back over on to our property.

7521. Just to sum up: is it two lines or one? Which way is it going? Is it serving the up line or the down line? If it is serving the up line is there a crossover? If there is a crossover at the western end why is there not one at the eastern end? I just think that at the end of the day this has not really been fully thought out.

The initial responses have slowly been improved upon over time and hopefully will be as a consequence of today. Thank you, sir.

7522. **Chairman:** Thank you, Mr King. Before we start, Mr Taylor, I want to comment that I really do think it is unsatisfactory that people should be receiving documents so close to the hearing like this, and we have to do better.

7523. **Mr Taylor:** Sir, the plan that you have in front of you is actually a plan from the Environmental Statement, which has been available to the members of the public for a considerable period of time and is available online.

7524. **Chairman:** Bearing in mind that we are coming to this hearing and bearing in mind that you had it in mind to send them this then perhaps it might be better if you sent it just a shade earlier.

7525. **Mr Taylor:** I hear what you say, sir. Sir, I was proposing to call Mr Keith Berryman to explain the operation of the freight route to the Committee to deal with the concerns that Mr King has raised.

Mr Keith Berryman, recalled

Examined by **Mr Taylor**

7526. **Mr Taylor:** Mr Berryman, of course, is well known to the Committee. Mr Berryman, can you explain why Crossrail is constructing a new loop line in this location?

(Mr Berryman) A freight loop is required on this section of line to enable freight trains to be overtaken by passenger trains between Shenfield and Stratford. This is particularly the case where a freight train is running out of course, it is running late—very occasionally it runs early—and it gets out of place on the timetable, so the freight train needs to be put away somewhere. There is an existing loop at Manor Park which we will have to shorten because of the platform extension works that we are doing at Manor Park. Moreover, the loop at Manor Park is not altogether satisfactory because it links the fast lines, which are the lines normally used by freight, with the E lines—those are the lines that Crossrail are going to take over—due to the position of a flyover there. So the fact is that that loop, which is somewhat less than satisfactory already, would be shortened considerably by the Crossrail works and we need to find another location for a loop.

7527. In relation to the loop that is proposed are you proposing one or two lines?

(Mr Berryman) We are proposing one line, which will be connected to the up line, that is the line going towards London, and will be used for trains going in the up direction.

7528. Mr King raised some concerns about a crossover being provided to serve the down lines, as I understand it.

³ Crossrail Ref: P76, Environmental Statement, Goodmayes Station Project Works and Impacts (NE6(ii) (REDBLB-10204-001))

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(*Mr Berryman*) There is certainly no intention to provide that. I have just discussed it with the permanent engineer and he tells me there is no such proposal. In any event it would be little use for loop trains which are going in the down direction because they would have to cross over the up line to get into the loop and that would present severe operational constraints if that were to be done.

7529. Are there any viable alternative sites for construction of the loop?

(*Mr Berryman*) No. We had a reasonably good look up and down the line for alternative sites. There are no sites where there is a loop available for the line and the length at the same time without requiring a significant amount of property. The site at Ilford would require some demolition of industrial property if that was to be considered.

7530. What additional lighting is proposed in association with the new loop?

(*Mr Berryman*) We are currently not proposing any lighting in association with the loop, there would be a walkway, a safe type walkway alongside the loop. We do not have any proposals at the moment for lighting. If lighting were to be provided—this is something we would need to talk Network Rail about—it would be the low-level lighting which is at foot level to shed a light onto the footpaths so people can walk along. There is certainly no intention, I can confidently say, for high level lighting that you might find in a factory situation or a supermarket.

7531. In relation to electrification, do you know what the proposals are for electrification?

(*Mr Berryman*) The route would be electrified at 25,000 volts. Much of the freight that comes down particularly from the container ports at Ipswich and that place Harwich is electrically hauled so we need to provide for electric benefits and the loop as well.

7532. Thank you very much indeed, Mr Berryman.

7533. **Chairman:** Mr King, would you like to ask some questions?

Cross-examined by **Mr King**

7534. **Mr King:** In the route window NE6 the things originally available, it says page 4 of NE6 7.23 “a new track will be installed including a U-turn at the eastern end of the track and a new train will crossover at the west end”, so that is wrong?

(*Mr Berryman*) That certainly appears to not be the intention at the moment, yes.

7535. Then that picture is wrong as well which we have seen today?⁴

(*Mr Berryman*) Which picture is that?

7536. The aerial photograph.

(*Mr Berryman*) The aerial photograph does not show where Crossrail goes, does it?

7537. It is confusing.

(*Mr Berryman*) The yellow line on the right-hand side of the travel area is intended to represent the loop. The short bit of junction with the existing up main line is shown, towards the bottom of the picture there is a straight yellow line.

7538. It is actually in the middle, is not it? It is joining the up main line?

(*Mr Berryman*) It is joining the up main line.

7539. I am not quite sure what your position is, Mr Berryman, but what about in terms of increasing the height of the fence and putting in additional security fencing?

(*Mr Berryman*) I think that is a matter which obviously will be formed as part of the detailed design. It goes without saying there is an obligation on us and on Network Rail to keep the railway secure and the appropriate measures will be taken to do that.

7540. Obviously there is another time for design, and I would ask the Committee to bear that in mind for our interest. Also in relation to that, perhaps we would be considered for whatever colour this is on the coloured diagram in terms of compensation. Our property is and properties are nearer to the railway than those that are there do not seem to be considered for all that.

(*Mr Berryman*) I think others would be better qualified in being asked to give evidence at that point.

7541. **Chairman:** Just one thing, I know it is unusual for a Committee, there was mention about a power source which was there which is open at the moment, and I hope we can pass on that information so that the area where children are getting through near to the lines can be dealt with.

(*Mr Berryman*) That is news to me, as you probably realise, and I will make sure Network Rail are informed of that.

7542. **Mr Taylor:** I do not have any re-examination of Mr Berryman. I was proposing also to call **Mr Thornely-Taylor** to deal very briefly with the noise and vibration aspects.

The witness withdrew

Mr Thornely-Taylor, recalled

Examined by **Mr Taylor**

7543. **Mr Taylor:** Again, Mr Thornely-Taylor is well known to the Committee and has given evidence in

⁴ Crossrail Ref: P76, Chadwell Heath Freight Loop—Western Section Oblique Aerial View (REDBLB-10204-002).

 The Petition of Jonathan and Angela King

relation to noise matters previously. Mr Thornely-Taylor, can you indicate to the Committee what assessment has been carried out of the likely impact of the operation of the freight loop upon Mr and Mrs King's property?

(Mr Thornely-Taylor) Mr and Mrs King's property forms part of the assessment that has been made all along the operating railway. Two kinds of assessment have been made: one relates to airborne noise from the operation of the railway using the statutory method of calculation called "calculation of railway lines". This predicts the existing and future noise levels due to the operation of the railway with and without Crossrail. Some baseline noise measurements were also made in that area. This showed there would not be a change to constitute a significant effect using the methodology of environmental statement. The second calculation related to the change in vibration. Mr King mentioned there is existing vibration from the railway and that calls into play the assessment criterion that there would be a significant effect if the vibration dose value increased by 40 per cent in this area, though there would be a small increase, it would not be above that level and, therefore, does not produce a significant effect using the methodologies in the environmental statement.

7544. If we turn to page five in the Petitioner's response document and look at paragraph six for a moment.⁵ That refers to consideration of whether or not Mr and Mrs King would be likely to be eligible under the noise insulation regulations of 1996. Can you explain what has been done with regard to those regulations?

(Mr Thornely-Taylor) Yes, it is another facet of the same process. The calculation of railway noise procedure is instituted primarily for the purpose of discovering whether or not a house is eligible for statutory noise insulation and that assessment comes out of the same results I have referred to and the conclusion is there would be no eligibility for noise insulation according to those statutory provisions.

7545. **Chairman:** There was an offer for tests to be carried out at the Petitioner's property, would you be able to arrange that?

(Mr Thornely-Taylor) It certainly could be done, sir. It would show a smaller effect from the Crossrail proposals probably than the assumptions done in the environmental statement because I get the impression from Mr King's evidence there was more existing vibration there than one might expect he was indicating, more vibration at the front of the house than at the back. Since the procedure for assessing significance of vibration when there is vibration is to look at the percentage change in the future compared with now, that would produce a smaller percentage change than has been assumed.

7546. Mr King?

Cross-examined by **Mr King**

7547. **Mr King:** Sir, this may not be a question for you, but what if subsequently the vibration value increases by more than 40 per cent in reality? What is outcome of that for me?

(Mr Thornely-Taylor) There is a general approach to the commitments which have been given in this House that are broadly covered by the information papers on operational noise and vibration. If there was an error made, then clearly steps would have to be taken to put that right; if there was no error made, then there is a small possibility of some geotechnical feature in the area which causes unpredictable vibration, but it is unlikely that would be different in the future compared with the present situation. If there is a slightly greater amount of vibration at that address than one might expect, then there will be a slightly greater vibration than one might expect and there is no way that the railway operator can deal with the problem which is outside the railway line.

7548. **Chairman:** Thank you.

The witness withdrew

7549. **Mr Taylor:** Sir, I shall make a brief proposal on Mr and Mrs King's Petition?

7550. **Chairman:** On the matter of compensation between one dwelling and the rest, might you re-examine that and give us a note at some point?

7551. **Mr Taylor:** I was going to touch on compensation in the proposal briefly. In short, the new freight loop has to be provided to allow for the continued operation of the Great Eastern mainline and the connection to it. If it is not provided, timetable delays will be caused. Alternatives have been investigated; there are very few locations between Shenfield and Stratford where a new loop could be provided. The old railway yard was partly investigated was too short to provide the loop, the area around the Ilford depot is very constrained and surrounded by housing industrial units. The new loop cannot be constructed within the existing railway corridor at Ilford, so it requires a position beyond the railway boundary. By contrast the proposed loop would run on disused railway land and the line within the current railway boundary would not require the acquisition of land outside the railway boundary. The impact of the new loop was assessed in the environmental statement produced by the Promoters, and that concludes the changes to the railway infrastructure and operations during the operation of the freight loop will not give rise to significant increases in noise or vibration at the Petitioner's property. The potential impact of electromagnetic field associated with the overhead electrifications is being examined and that is set out in the RD. Again no significant impacts would arise. No additional lighting is proposed in association with the freight loop. So far as compensation is

⁵ Crossrail Ref: P76, Chadwell Heath Freight Loop, Promoter's Response, p5 (REDBLB-10202-005).

The Petition of the London Borough of Greenwich

concerned, if a claim does arise under the national compensation code, then obviously compensation will be payable. Claims for compensation relating to the reduction of the value of land arising from physical factors caused by the use of public works, and that includes noise and vibration, may be made under part 1 of the Land and Compensation Act. If a claim arises under part 1 of the Land and Compensation Act, because of the operation of the freight, then Mr and Mrs King may be able to make a claim under those provisions. That is my proposal in closing.

7552. **Mr King:** Just finally to say, sir, if the Committee does choose to allow this to proceed the scheduled works that applies to this freight loop is detailed and takes into consideration all the points I have raised in terms of reducing the environmental impact and security and lighting et cetera.

7553. **Chairman:** Thank you very much indeed, Mr King. We will now move on to the Petition from the London Borough of Greenwich. Mr Elvin?

The Petition of London Borough of Greenwich.

Mr Tim Jones appeared on behalf of the Petitioner.

7554. **Mr Elvin:** Sir, the Committee has next the Petition from the London Borough of Greenwich which is scheduled for a number of days. Sir, there a number of issues including some smaller issues; the principal issues which arise in Greenwich's case are as follows. The main one is whether or not there should be a Crossrail station at Woolwich. There is no station proposed in the Bill scheme and none proposed by the Secretary of State. I will come back and explain the Secretary of State's position to you in a moment, because there has been an exchange of correspondence with Mr Raynsford over this in the last few days. You ought to see the letter, which I will show you in a moment.

7555. There is also a subsidiary issue about implications for public transport, car parking and the like and highways at Abbey Wood, which is the terminus of Crossrail within the scheme and the Bill. There is no issue with Greenwich over the appropriateness of Crossrail generally; they support it, nor is there an issue raised by Greenwich, although there will be by Bexley next week about whether Crossrail could be extended beyond that point, but that is for a future occasion. It is Woolwich and, to a lesser extent, Abbey Wood which the Petition focuses on.

7556. There are some smaller issues, but I will not trouble you with those at the moment. It would help the Committee by using the environmental statement on what is currently proposed to run through Greenwich. If we can start with the key, this is from volume 4B of the environmental statement. This is the key plan and effectively the area that the Committee are concerned with runs from SE5 where Crossrail comes into the borough and runs to SE8,

the border lines of SE7 and SE8.⁶ Perhaps we can look at those in a little more detail. SE5 (i), please.⁷ You will see here the Crossrail line, the dotted line, showing the tunnels coming under the Thames from the London Borough of Newham and they go just to the north side of Woolwich town centre and through the area shown in yellow, which is conservation area which is the Woolwich Arsenal, partly listed buildings and partly a major site for regeneration and redevelopment. The line then continues to the east. If we could go to SE 5(ii), you will see just below the bottom yellow box which says "visual amenity" a small green box showing the proposed DLR station.⁸ That station is under construction at the moment and proposed to be open in 2009.

7557. Perhaps if I could focus in on the DLR and just to the right of that, you will see the main lines of Woolwich Arsenal station. You can see that at the bottom left-hand corner of the screen. If we could then move further to the southeast, SE 6(i), please.⁹ The line then runs through Plumstead and emerges from the Plumstead Portal in about the centre of the screen and then going further east SE 7(i), you will see at the far right just crossing the borough boundaries between Greenwich and Bexley, which is shown by the dotted pink-purple line at the far right of the screen, the Abbey Wood station.¹⁰ This is currently there as a mainline station. It is proposed to rebuild the station with Crossrail platforms so interchange between passengers at Abbey Wood between main line and Crossrail is simply achieved by walking across the platform at the new station. The rest is shown on the Bexley side in SE 8(i), that is effectively the Bexley side.¹¹ The Abbey Wood station straddles the borough boundary, so there are also issues on Abbey Wood which Greenwich raises and there are also issues raised by Bexley next week.

7558. If I could then show the Committee where it is said that a Crossrail station should be, or rather at the location where the Crossrail station would be if Greenwich's suggestions were met. Perhaps we could look at the Promoter's exhibits at page 106 and 107, please.¹²

⁶ Crossrail Ref: Crossrail Ref: P77, Environmental Statement, South Eastern Route Section—Key Plan (LINEWD-ES17-107).

⁷ Crossrail Ref: Crossrail Ref: P77, Environmental Statement, Arsenal Way Shaft, Key Environmental Features (LINEWD-ES17-117).

⁸ Crossrail Ref: Crossrail Ref: P77, Environmental Statement, Arsenal Way Shaft, Project Works and Impacts (LINEWD-ES17-118).

⁹ Crossrail Ref: Crossrail Ref: P77, Environmental Statement, Plumstead Portal, Key Environmental Features (LINEWD-ES17-119).

¹⁰ Crossrail Ref: Crossrail Ref: P77, Environmental Statement, Church Manorway Bridge, Key Environmental Features (LINEWD-ES17-123).

¹¹ Crossrail Ref: Crossrail Ref: P77, Environmental Statement, Abbey Wood Station, Key Environmental Features (LINEWD-ES17-125).

¹² Crossrail Ref: Crossrail Ref: P77, Proposed Woolwich Station, Crossrail proposals, aerial photograph (GRCHLB-3604-106).

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7559. You see via an aerial photograph the Woolwich Arsenal area in the upper part of the photograph, the Crossrail tunnels coming from Newham and the Thames and the location where a Crossrail station would have to be if there were to be a Crossrail station in Greenwich is shown in yellow with a station entrance on the south side of the A206 which is shown to the bottom of that.

7560. If we could go to 107, it shows slightly better the relationship between the existing stations, the DLR and Crossrail—I will come back to this when asking questions of one of the witnesses.¹³ What it shows is the relationship of the proposed stations and what we will draw attention to in due course is the lack of real interchange between a Crossrail station, given the location of the tunnels, and the other stations both existing, the Woolwich Arsenal station and the DLR station which is proposed and the Committee will see the relationship between the DLR and the main line station is much closer and much better than that with a location for a Crossrail station.

7561. There is no dispute between the London Borough of Greenwich and the Secretary of State that a Crossrail station at Woolwich would have some regeneration benefits. Woolwich is an area targeted in policy terms for regeneration and growth, there is no issue between us on that, and Crossrail would, to an extent at least, facilitate that process. There is also no issue between the Secretary of State and the London Borough of Greenwich that a new station would cost in the order of £260 million to £270 million. It is also not in dispute that in terms of technical assessments of a benefits cost ratio, the benefits cost ratio would be at or in excess of two but, as you will hear from witnesses and our submissions in due course, we say that is not the end of the matter.

7562. Our position is this: firstly, our position on the regeneration benefits is that although we accept there are regeneration benefits if a station were put in Woolwich, Greenwich overstates the case for the effect of Crossrail and under-plays the regeneration which can take place without Woolwich station, particularly bearing in mind the transport infrastructure which is already proposed, that is to say the DLR and the Greenwich waterfront transit. Perhaps the Committee can be shown our exhibit 12 and this is a futuristic public transport map and expanded tube map showing what the situation might be in the future for the various schemes now under construction and proposed came about, it is a map produced by the Mayor.¹⁴ Could we focus in, please, on Woolwich, the bottom right hand corner.

7563. At the moment, of course, Woolwich is only connected by the main line station and 'bus routes. You will see from here that the DLR proposal, which is under construction and which, as I say, will be opening about 2009, will connect Woolwich Arsenal with the DLR system and you see that this will create a crossing of the Thames which is a significant venture and, secondly, that the brown dotted line is the Greenwich waterfront transit which will also provide connections within the area of Greenwich and the peninsula and provide connections throughout the borough and to the Jubilee line in North Greenwich. Crossrail you can see in purple does not propose under the Bill scheme to stop at Greenwich, but goes through from Custom House to Abbey Wood.

7564. The Secretary of State's position, therefore, is that there are important infrastructure improvements already in the pipeline for Woolwich which will provide significant changes in terms of regeneration and that Crossrail should not be overstated in terms of its regenerative effect and, in any event, the approach which has been taken by Greenwich is to overstate the growth both in population and in economic terms well above the projections which are used London-wide by the GLA. Perhaps I can just illustrate that very briefly with one bar chart and could you go to our exhibit 18, please?¹⁵ This just shows you the comparative position as to what has been estimated.

7565. As the Committee will know, forecasting for future growth and employment, population, growth and the like is always a difficult question of judgment. What we have produced in the bar chart gives you a ready comparison between a number of scenarios. This is for the borough as a whole. You will see on the left hand side the current London plan showing population and employment The Crossrail High Growth Scenario you will see next. You will then see the greatest extent in terms of population forecasting is the data that EDAW has prepared for the London Borough of Greenwich. That even outstrips the latest forecasts from the GLA which were published last year in the Housing Capacity Study. Greenwich is starting from a base in the presentation of its case which is well in excess of the Crossrail High Growth Scenario and the GLA's latest forecasts.

7566. Can we then, please, go back to page 17?¹⁶ If one looks at the immediate catchment of the proposed Woolwich station that effectively is more exaggerated because Greenwich see the majority of the growth targeted in the area of the station and you see there it is the same four groups of columns. You see the same disparity between the EDAW Greenwich data and the GLA and Crossrail High

¹³ Crossrail Ref: P77, Proposed Woolwich Station, walk times between stations—plan (GRCHLB-3604-107).

¹⁴ Crossrail Ref: P77, Putting Transport on the Map (GRCHLB-3604-012).

¹⁵ Crossrail Ref: P77, Population and Employment Growth 2001 to 2016: London Borough of Greenwich (GRCHLB-3604-018).

¹⁶ Crossrail Ref: P77, Population and Employment Growth 2001 to 2016: Woolwich Station Catchment (GRCHLB-3604-017).

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Growth Forecasts is exaggerated because the greater proportion of population growth is estimated or forecast by Greenwich for the station catchment. We say there is an imbalance between the forecasting that Greenwich is using and the that which the GLA is using based on its most recent data; that is a matter, no doubt, which witnesses will cover.

7567. Finally, and most importantly, the position so far as the Secretary of State is concerned on all of this is a very simple one. Apart from the issues I have mentioned, the simple position of the Secretary of State is that Crossrail is already a very expensive project. Efforts are being made to drive down the cost of the project to make it more affordable. The project simply cannot afford another station as expensive as Woolwich however well it performs in terms of benefit cost ratio, the extra £260 million to £270 million is simply, I am afraid, going in the wrong direction so far as cost is concerned and that point is made very clear in an exchange of correspondence recently which is in our exhibits.

7568. If we could go, please, first to page 143 of our exhibits.¹⁷ You will see there a letter from Mr Raynsford to Mr Twigg, the Minister, raising the cost benefit issue and drawing attention to the fact. He says that Woolwich demonstrates a better cost ratio than the Crossrail scheme as a whole and he sends some information to the Minister.

7569. If we also look at the previous page, page 142, letter sent on 2 May in which Mr Raynsford sends the EDAW report which is in evidence by Greenwich so we have not included it, it is already before the Committee if the Committee wishes to look at it and again raising the importance of the regeneration issue before the Minister.¹⁸

7570. Then, finally, at pages 144 to 145 the Minister's response and there you will see that Mr Twigg writes to Mr Raynsford last Friday and you will see from the first main paragraph that there have been discussions: "I have to inform you our position remains that a station in Woolwich should not be added to the scope of the Crossrail project. I know this will come as a disappointment to you and other supporters of Woolwich's inclusion, but this would add a significant additional cost".¹⁹ Records the fact there is no real disagreement over the costs. "It is a very substantial amount of money and it is important to ensure that Crossrail is affordable, that is why, under the leadership of Doug Oakervee, CLRL are re-examining all elements of the project in detail to find ways to drive down the cost to more affordable levels".

¹⁷ Crossrail Ref: P77, Correspondence from Mr Nick Raynsford, MP to the Parliamentary Under Secretary of State for Transport, 6 April 2006 (GRCHLB-3604-143).

¹⁸ Crossrail Ref: P77, Correspondence from Mr Nick Raynsford, MP to the Parliamentary Under Secretary of State for Transport, 2 May 2006 (GRCHLB-3604-142).

¹⁹ Crossrail Ref: P77, Correspondence from the Parliamentary Under Secretary of State for Transport to Mr Nick Raynsford, MP, 5 May 2006 (GRCHLB-3604-142).

7571. He deals then with the question of the cost benefit ratio and he notes at the bottom of that page: "While a benefit cost ratio is a building block in any value for money assessment, it is important to stress that the value for money of a scheme is only one part of any appraisal method and does not provide a simple answer as to whether a scheme, in whole or in part, should be built". Then over the page it is for Greenwich to put its case to the Committee, but the Government considers that it is not a good use of limited resources and do not want to add to the costs of the project. The letter was copied to the Mayor and to Mr Hendy.

7572. Sir, the Secretary of State's position is clear, yes, there are benefits for a station at Woolwich, those benefits should not be overstated because there are already improvements in Woolwich, but the base position of the Secretary of State is simply that the cost is too great to add to the project.

7573. Sir, that is our position and I hope it helps to clarify that at the outset, because although there are some questions to be asked during the course of Greenwich's evidence, we have had disclosure of a substantial amount of material from them that we are going to present to the Committee. It is a matter of degree only, the real issue which the Secretary of State puts before the Committee is that this is not a project which can afford to have additional major components added to it.

7574. **Chairman:** Mr Jones, would you like to start your case.

7575. **Mr Jones:** I will, thank you, Sir. There is an opening in fact prepared before that letter that you have just been taken to was delivered to me that is being circulated and an electronic version can be e-mailed to an appropriate address.

7576. **Chairman:** For the record if we could have this down as A83.²⁰

7577. **Mr Jones:** Thank you, Sir. Sir, as you will realise, the London Borough of Greenwich is in south-east London. Its petition is mainly concerned with the south-eastern section of Crossrail. Its area contains areas of social deprivation, particularly in the Woolwich/Thamesmead area which Crossrail would go beneath.

7578. Greenwich's petition raises a number of issues. One matter is, however, of overwhelming concern to the Council, to its members, and to the residents and businesses of the Borough, that is the need for a station in Woolwich.

7579. May I depart from my text there just to refer very briefly to a matter to which Mr Elvin mentioned in opening. The interesting transport map that he took you to at page 12 which has been provided by the Promoters might give an unduly rosy picture of

²⁰ Committee Ref: A83, London Borough of Greenwich Opening Statement.

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the likely position in the vicinity of Woolwich.²¹ You have there a familiar transport map showing underground and overground rail service and also showing two of the various 'bus ways there will be in London, Greenwich waterside transit and east London transit, but not other bus ways. The result is a skewing of the impression that is created. If one removes the 'bus ways of Greenwich Waterway transit which is a brown/orange colour in the south-east and east London transit a light blue, one gains a fair comparison across the whole of London than that particular diagram shows.

7580. If I may return to my text, Sir. Woolwich is the main town centre in the Borough and has been identified in the London Plan as both one of London's main town centres and as an area for intensification, yet it is under-performing across a number of socio-economic indicators. The west, south and east of Woolwich town centre there is a crescent of housing estates that suffer multiple deprivation. To the north, the River Thames constitutes a barrier to movement restricting the area in which local people can seek work and the catchment area for local businesses. Woolwich cries out for regeneration and I am pleased that that has been recognised by the Promoters. The Crossrail Bill could seize the opportunity to assist that regeneration or it could pass by and not provide the assistance that Woolwich needs.

7581. The proposed route of Crossrail goes beneath Woolwich town centre, but the station that would have served Woolwich has been deleted from the scheme. It may have not been apparent from the opening that you have just heard, but Woolwich was originally within the scheme. Faced with a desire to save costs, it has been a deprived community that needs regeneration that has suffered the cut.

7582. Paragraph five of my opening, Sir, was written before the receipt of the letter from the Minister on the fifth of this month and you will therefore need slight alteration. If the disadvantaged were suffering because their case for a Woolwich station was weak, it would be understandable. However, the opposite is the case. While the benefit cost ratio for Crossrail as a whole is 1.88:1, the Promoters have now accepted revised estimates of benefits which give Woolwich station a benefit cost ratio of between 2:1 and 3.9:1. A Woolwich station would raise Crossrail's overall benefit cost ratio. If economies have to be made, it should surely be in respect of an element of the scheme with a below average of benefit cost ratio, not at the expense of a disadvantaged community.

7583. Transport, sir: the current form of the Bill would leave only one major town along the whole Crossrail route without a station and that would be Woolwich. There would be a 7.55 kilometre

stationless gap between Custom House and Abbey Wood leaving a substantial disadvantaged area unserved.

7584. Woolwich is not only a main town centre, it is also a major transport hub served by over 90 'buses per house. By 2031, 100,000 people will live within a 20 minute 'bus journey of the town centre. It is the only major transport hub along the whole of the Crossrail route not to be allocated a station.

7585. The Bill in its current form will give south-east London only one Crossrail station. That would not be in a town centre and it would not be at a major transport hub. Rather, it would be in the overwhelmingly residential area of Abbey Wood at a location that does not and will not have anything like the high level of local feeder public transport connections that Woolwich can offer.

7586. One of the proposals of some Petitioners before the Committee could be implemented at a later stage, the construction of a Woolwich station is likely to be now or never. The cost of constructing a station once Crossrail is operating would be prohibitive and the disruption of services would be great.

7587. Housing: Woolwich lies at the heart of the London Thames gateway area where significant residential and economic growth is anticipated into the future. Such growth will only be achieved with investment in infrastructure.

7588. Your Petitioner will adduce evidence that a Woolwich Crossrail station would be directly responsible for 4,350 more new homes in the London Thames gateway. May I again interpose there. It has been suggested that Greenwich is overstating its case. Greenwich has, on previous occasions, been told it is doing that. When North Greenwich station was allowed it was estimated that 1,000 new homes would be built on the Greenwich peninsula. It is now known that it will be 14,000 new homes on the Greenwich peninsula. I can imagine what would have been said if Greenwich had said 14,000 new homes were anticipated when the position of North Greenwich station was being considered.

7589. Regeneration: you will hear evidence of the very considerable needs of local people. At this point I shall draw attention to just one statistic. 21 per cent of Woolwich residents are within the lowest level of subsistence, more than twice the UK average of 10 per cent. A Woolwich Crossrail station would directly create new employment opportunities, whilst also greatly improving access to the Isle of Dogs, the City and the West End. The Council's evidence will show that a Woolwich Crossrail station could create over 2,000 net additional jobs, excluding substantial extra construction employment. A Woolwich Crossrail station would enhance the image of Woolwich. The town centre would be able to attract major inward retail and

²¹ Crossrail Ref: P77, Putting Transport on the Map (GRCHLB-3604-012).

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other commercial investment and provide a good location for back offices for businesses in high-rent locations further west along the route of Crossrail.

7590. Your Petitioners, sir, strongly believe that selecting Woolwich station to be cut showed the wrong priorities. An element of the original scheme that helped the most needy in society and has a high verified benefit cost ratio should surely have been retained.

7591. Sir, I intend to call five witnesses: Mr David McCollum, the Deputy Chief Executive, to give an overview of the Council's position; Mr Andrew Jones to deal with regeneration; Mr Nicholas Lambert to deal with the property market case; Mrs Helen Bowkett to deal with the benefit cost ratio; and Mr Bob Chard to deal with transport planning and to deal with other outstanding elements of Greenwich's Petition. There is also, sir, a five-minute film which has been made available which summarises the Council's case, and I invite the Committee to look at that at whatever stage is convenient. Perhaps I could move to my first witness.

7592. **Chairman:** We have a difficulty about the film. I will come back to you on that at a later stage, but perhaps you would like to deal with your first witness.

7593. **Mr Jones:** Indeed, yes. The first witness is Mr David McCollum, the Deputy Chief Executive of the Council.

Mr David McCollum, Sworn

Examined by **Mr Jones**

7594. **Mr Jones:** Mr McCollum, I wonder if you could read your proof please, starting at 1.1.

(Mr McCollum): My name is David McCollum and I am Deputy Chief Executive at Greenwich Council. For 11 years until 2005 I was Director of Strategic Planning at the Council and since 1990 I have been responsible for delivering the regeneration agenda in Greenwich on behalf of the Council. I am currently responsible for delivering the Council's £750 million modernisation programme. My task today, sir, is to set out the high-level economic and strategic context in which Woolwich finds itself. To do so, it is necessary to go back a bit. By 1993, Woolwich, as an economic entity, had virtually come to the end of its useful life. This was the result of years of progressive and catastrophic decline.

7595. I think we can move to the second slide and that is a historic photograph, is it not, showing Woolwich?²² You can see in the foreground the vacant land and that is the Royal Arsenal site, is it not?

(Mr McCollum): That is correct. In the foreground is the Royal Arsenal site and you can see the raised beach of the Greenwich waterfront taking you through now to the Dome. This picture was taken around about 2000. We can see in the case of the Royal Arsenal still decontamination work going on and you see there the 8½ miles of Greenwich waterfront.

7596. On the river we can see what appears to be a pier. Are there any developments relevant to transport in respect of piers?

(Mr McCollum): Yes, what you can actually see there going backwards and forwards is the Woolwich ferry, the Woolwich free ferry, the historic ferry, car ferry going between the two piers of Woolwich and North Woolwich. In addition to that, there has been constructed in more or less exactly the centre of that picture, which does not show the pier which has recently been constructed, but it shows that what has been constructed is a new pier which is a passenger ferry pier which is close to the intended site of the Crossrail station and that pier is already operating as a passenger pier, taking passengers to Canary Wharf and to central London.

7597. **Chairman:** Mr Jones, could we list this document as A84.²³

7598. **Mr Jones:** Just while we are on that photograph, we can see the Woolwich Royal Arsenal site and we can see immediately to the left of that a dual-carriageway. What is that?

(Mr McCollum): That is the South Thames Express Route. That is the dual-carriageway which links the Blackwall Tunnel to the M25 and the Dartford Tunnel. It is the A205 in number terms and it links with the South Circular in Woolwich.

7599. Slightly to the left of the dual-carriageway, there is an area containing several tall buildings. It is the town centre, is it not?

(Mr McCollum): That is correct.

7600. Then beyond that we can see typical high-rise blocks of flats.

(Mr McCollum): Yes, those were the first high-rise flats built in Woolwich in the 1960s.

7601. Then at the time of this photograph we can see the Dome and we can also see the Greenwich Peninsula to a substantial extent undeveloped at that time.

(Mr McCollum): That is correct.

7602. Can you return to your proof of evidence and read from 1.3 please.

(Mr McCollum): In the early part of the 20th Century, the Greenwich waterfront, which centred around Woolwich, was one of the great manufacturing workshops of the world, at its peak providing 150,000 industrial and manufacturing

²² Committee Ref: A84, Aerial Photo of Greenwich (GRCHLB-3605-426).

²³ Committee Ref: A84, Lond on Borough of Greenwich, Proofs of Evidence and Supporting Material.

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jobs along the 8½ miles of riverfront. Following the Second World War, this manufacturing base, which underpinned the economy of south-east London, totally collapsed. Greenwich suffered a fall in employment worse than any other London borough. It entered a steep spiral of decline and by the early 1990s the number of industrial jobs had fallen from 150,000 to 6,000, so over 140,000 jobs had been lost, 80,000 of those in a single factory in Woolwich. Woolwich, with the Royal Arsenal at its centre and as a main contributor to its economic and social vibrancy, was particularly affected. On the main social-economic indicators of deprivation of unemployment, income, health and skills, Woolwich compared very unfavourably with the rest of London. Male unemployment in 1992 in Woolwich reached 60 per cent. The Royal Arsenal finally ceased to function in 1993. Woolwich, although a riverside town, had effectively been cut off from the river by the Royal Arsenal site which had now become redundant. By now the area overall had been left with a legacy of 1,100 acres of contaminated land, more at that time than in either Newham or Tower Hamlets. An additional and significant contributory factor for the failure in vitality and success of Woolwich has been the proportion and type of social housing in the area. This housing was largely built in the 1960s and 1970s by the Council and it suffers from the problems of bad planning and bad design indicative of this type of development of the time. Social housing still makes up a disproportionately large part of the housing stock in the residential areas around Woolwich. Woolwich still has three wards among the most deprived wards in the country, that is, three wards in the 10 per cent most deprived wards and two wards in the nation's 5 per cent most deprived wards. Woolwich is the major riverside town centre in the Thames Gateway of London, yet the reasons which underlay its original settlement which flow from the topography and geography of the area still hold true today. Since the 1990s the decline of the town centre has been checked and the regeneration of the Royal Arsenal is slowly progressing. The town is now at a significant stage in its history in terms of its own development and regional contribution as it pursues a post-industrial identity as the premier town of the Thames Gateway London south. For over ten years the Council has orchestrated one of the largest regeneration programmes in the land across north Greenwich as a whole. Vast areas of derelict land have been remediated and are now the focus for new investment and development. The economic decline of past decades has been halted and the foundations for a new economic base are in place. The Greenwich Waterfront Partnership, which was created in the 1990s, and other local partnerships were created to bring together the Council, local community and businesses to develop a joint approach to bringing investment through government funding streams and to attract private investors to the borough. Greenwich has secured government funding, including Single Regeneration Budget, Neighbourhood Renewal, and significant European funds to take forward both social and

physical regeneration. The borough is now attracting a significant level of private sector inward investment and is seeing record housing development. In 2004 Greenwich has more new residential planning approvals than Lewisham, Southwark, Lambeth and Wandsworth put together. The potential for development is vast. It has major sites close to central London. This potential is wholly dependent on continuing improvements to the infrastructure.

7603. We can move to slide 3 and I think there are matters you particularly wish to draw attention to on this slide, Mr McCollum.²⁴

(Mr McCollum): That is a plan really of Woolwich which we have already seen several times this morning. That plan of Woolwich, the areas set out in pink colouring, shows all those areas of Woolwich that are subject to redevelopment, but have become redundant, which are about to be, are in the process of, or will be in the future, subject to redevelopment. This is merely to emphasise what I have been saying about the complete decline of the town centre, its reason for being and the whole redevelopment that needs to take place, some of which in the northern part of the Royal Arsenal is taking place, but very little of which has taken place in the bottom two thirds of that plan.

7604. Just to relate the plan to what we have seen already, the Royal Arsenal is the largest single block of pink, is it not, in the top right-hand corner?

(Mr McCollum): Yes, that is right, along the river.

7605. We can see what is obviously the pier of the ferry in the top left-hand corner and the A206, the main road from the Blackwall Tunnel eastwards immediately to the south of the Woolwich Arsenal.

(Mr McCollum): Yes, the highway there and at the top left-hand corner of the picture there is a big roundabout. That is the roundabout at which the South Circular meets the North Thames Express Route which carries on there in a slightly circuitous route, travelling east towards the M25.

7606. Return to your proof please, paragraph 1.11.

(Mr McCollum): Much of the borough's development is on brownfield sites along the riverfront. The Greenwich Peninsula, with up to 14,000 homes planned and a state-of-the-art entertainment centre, is the largest of these developments. It was brought forward by the Jubilee Line extension to North Greenwich in 1999. In Woolwich the development of the Royal Arsenal will provide over 4,000 dwellings as part of a mixed-use development. This will include entertainment, leisure and community facilities. It is close to Woolwich town centre, but separated by a major highway and very little development has taken place in the town itself, yet much of Woolwich is available for development, as we can see. Key to the success of development is the integration of the physical and social infrastructure. The most critical of these is

²⁴ Committee Ref: A84, Plan of Woolwich (GRCHLB-3605-427).

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transport and the largest single factor will be a Crossrail station in Woolwich. So as to further the regeneration of Woolwich, building on the Royal Arsenal development, the Council has, with support from the Office of the Deputy Prime Minister and the London Development Agency, established the Woolwich Regeneration Agency as the local delivery vehicle for this part of the Thames Gateway. Berkeley Homes, Tilfen Land and Powis Street Estates represent the private sector on the Board of the Agency. The Docklands Light Railway is also a Board member. The Woolwich Regeneration Agency will oversee and co-ordinate the continued regeneration of Woolwich. Its range of partners will provide the required mix of public and private sector skills to address the regeneration challenges faced by Woolwich. Woolwich, as an historic town centre, has begun to undergo major change and significant development. Whilst some of this development is confirmed and under way, the impact of Crossrail will add hugely to this development potential. Key development opportunities are provided by: firstly, plans for a major new town centre development in Woolwich, involving the provision of a new civic office and 10,000 square metres of retail, a Tesco store, up to 1,000 new homes and a new public library; secondly, the development of a key part of the high street with the provision of 25,000 square metres of commercial, retail and residential development; thirdly, the potential for significant mixed-use development around the new DLR station at Woolwich; and, fourthly, addressing the impact of poor and over-concentrated social housing through the demolition and redevelopment of a large part of the town's housing estates.

7607. We can move to figure 4.²⁵

(Mr McCollum): None of those developments is yet committed or secured. The combined total of planned developments will provide significant impact on the Thames Gateway agenda over the next 20 years. The scale of development outlined above is not certain and much of it remains fragile and sensitive to local, regional and national markets. The developments already taking place and the overall ambition for the area require, and deserve, a regional transport infrastructure which adds economic viability and vibrancy. The DLR at Woolwich is welcome and will provide an important transport link on a local basis, as will the Greenwich Waterfront Transit.

7608. If we can just pause there, first of all, as far as DLR is concerned, obviously Mr Chard will deal with it in detail, but will it provide anything like the service that a Crossrail station at Woolwich will provide?²⁶

(Mr McCollum): It is quite a different service. Perhaps I can describe some of the residential development which is taking place at Woolwich which is the primary town centre in this part of

south-east London. There are major employment opportunities being created, not so much now south of the river, although some, but particularly at the Isle of Dogs and Canary Wharf. The DLR from Woolwich to Canary Wharf will take about 35 minutes, whereas Crossrail from Woolwich to Canary Wharf would take about eight minutes, so we believe that illustrates a substantial difference of nature between a highly valued, local transport system, which is the DLR. It will hugely improve and change our links with Newham, with the Royal Docks, with London City Airport and with the DLR system as a whole, but the DLR is a light-rail system and it is a slow system. Here what we are talking about is the ability to carry large numbers of people quickly into the London travel-to-work area which has historically been Woolwich's problem, that it has been a local industrial area, which was not a problem as long as that was viable, but as soon as that stopped being viable, the fact that it was not in the London travel-to-work area became a complete issue for us.

7609. As I say, Mr Chard will deal with the details about the Greenwich Waterfront Transit, but, from your perspective, how does the Greenwich Waterfront Transit compare with Crossrail?

(Mr McCollum): As I have described, the Greenwich Waterfront Transit will be a highly valued, local service. It largely has a different route, but the Waterfront Transit system, which is an intermediate mode, known as a bus, it is a bus route that will link Woolwich with North Greenwich Station. It is called an 'intermediate mode' rather than a bus, although I think people in Woolwich would tend to think of it as a bus because in certain places it has got a dedicated route, but it is a bus service. It will carry people to North Greenwich Station. The people at the North Greenwich Station can then get on to the Jubilee Line and go to Canary Wharf which again will take about 35 minutes, so again it is a very valued local transport system. Greenwich has negotiated funding into it, has very much supported it and continues to do so, but it is not a strategic London-wide system which will put this major town of south-east London on to that London map.

7610. If you could return to your proof, we are at the very last line of page 4.

(Mr McCollum): The Crossrail Station at the heart of Woolwich would reinforce the town as the regional hub for this part of south-east London. Failure so to provide will create ambiguity and potentially market uncertainty. The Council and its partners are committed to transforming Woolwich into a place that meets the aspirations of the Sustainable Communities Plan, integrating the existing communities with the new and addressing the deprivation and social inequality that currently characterise large parts of the town. Our track record at Greenwich Peninsula, the Royal Arsenal and the estate renewal of the 1,900-home Ferrier Estate at Kidbrooke, which is being demolished and rebuilt with 4,500 dwellings, demonstrate that we

²⁵ Committee Ref: A84, Greenwich town centre development (GRCHLB-3605-428).

²⁶ Committee Ref: A84, Aerial Photo of DLR Station & Cross Rail Station Sites—Proposal (GRCHLB-3605-429).

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have the skills and resources to further these aspirations. The Council is fully supportive of the Crossrail project. It recognises that it will provide a huge step change necessary for the regeneration of the Thames Gateway. We believe that a Crossrail link south of the river is an essential element of the scheme. It would be perverse, in our view, if the only town centre on the Crossrail route south of the river did not have a station if, as is proposed, trains went through the town without stopping. When the Council was advised that the Woolwich station had been removed from the scheme, there was unanimous all-party support to lobby for this decision to be reviewed and reversed. You will see from our evidence that there is large public and business support for our Petition.

7611. We move to figure 5 please.²⁷

(Mr McCollum): I have described how, before the Crossrail Bill was deposited, the Council took steps to address serious economic and social decline in Woolwich and the surrounding area. The evidence we will put to you builds on that aspiration. A Crossrail station at Woolwich will cement the nascent, but fragile regeneration of this part of south-east London. Woolwich is the natural central place for the sub-region. It is the centre of commerce and of the whole sub-regional transport network. It has the potential to make a huge contribution to the Gateway and to the prosperity of London and the nation.

7612. Mr McCollum, I wonder if you could now deal with some of the documents we received yesterday afternoon from the Promoter, and we move to the Promoter's exhibit H3 please, which is three slides relating to the Greenwich Peninsula.²⁸ We can see in the first one the Greenwich Peninsula before redevelopment on it took place. Then, if we could move to page 2, we can see the Dome and some new roads and then, finally, perhaps we could move to page 21, which is the future proposals for the Greenwich Peninsula.²⁹ Firstly, Mr McCollum, have you been involved with the development of the Greenwich Peninsula since 1990?

(Mr McCollum): I have, yes. I have been very closely involved with the development since 1990.

7613. Can we deal with the change in terms of numbers of dwellings that have been intended for the Greenwich Peninsula as that scheme has progressed?

(Mr McCollum): When we were campaigning for the station at North Greenwich, which was finally agreed in 1994, but which had been prior to that time dropped from the proposals for the extension of the Jubilee Line, it would go through North Greenwich and a station box would be developed underground, but the station would not be fitted out. Now, it was

clear to us that this was the key to developing the Greenwich Peninsula, so we campaigned very hard for it. When that development was agreed, there were plans at that time, and I spent the next two years discussing with British Gas plans for the development of, as it was earlier, 1,000 dwellings and in fact it is 3,000 dwellings on the Greenwich Peninsula.

7614. Yes, I must correct my opening in respect of that. That is the problem with taking instructions on materials that have just been received. My instructions are that it is 3,000, not 1,000.

(Mr McCollum): At that time a planning application was submitted by British Gas for 3,000 dwellings and indeed we were certainly minded to approve of that proposal and, as the development proceeded, as the station has proceeded, in fact those early expectations and aspirations, although we realised it was the key to success, were greatly understated and today there is approved planning permission for about 14,000 dwellings on the Greenwich Peninsula which is a huge rise and it is a lot of people, but that is what happened. The aspiration at that time was that there would be a business district and there would be an entertainment centre of some sort and there would be residential development of 3,000. Now, there is an entertainment centre of some sort, which is the Arena which will open next year—

7615. The Arena is of course the Dome?

(Mr McCollum): Yes, it is now the O2, but the Dome to all of us in Greenwich, with the 26,000-capacity Arena which will open early next year, so there is an entertainment centre, and there is a central business district, but the 3,000 dwellings have moved to 14,000.

7616. In terms of how much money has been received from the public purse for these dwellings, what was the original estimate of valued planning obligations when North Greenwich was being discussed?

(Mr McCollum): The original estimate of planning obligations at that time when we were first discussing the British Gas planning application, which was made immediately following the decision on North Greenwich Station, was that there would be 20 per cent affordable housing rising to 25 per cent in terms of floor area with financial contributions, which were never finalised, but were expected to be of the order of £5 million overall. Now, the planning permission for just part of the site, because, if I can just address the picture for a moment, if you were to slice Greenwich Peninsula, moving from left to right, about a third of the way along, which would more or less take you through the gasometer which is right in the middle of the Peninsula there, that is the remaining vestige of what was once the biggest gas works in Europe. If you take all of that to the left of that so that the site is divided into two parts, the bit to the left of that is what is called the 'Millennium Village' and the bit to the right of that is what is called the 'MDL development', the Meridian Delta

²⁷ Committee Ref: A84, Greenwich town centre development (GRCHLB-3605-430).

²⁸ Crossrail Ref: P77, Aerial image of Greenwich Peninsula before 1996 (GRCHLB-3604-003).

²⁹ Crossrail Ref: P77, Aerial image of Greenwich Peninsula in 2000 (GRCHLB-3604-002) and Proposed Layout of Greenwich Peninsula (GRCHLB-3604-021).

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Limited development or sometimes more simply known as the 'Lendlease development' because Lendlease is the biggest developer partner in that. Although we were talking about 25 per cent housing and about £5 million of financial contribution, there are two or three planning agreements which have been agreed for the Millennium Village part, which is to the left, and the planning obligations are attached to that, and I do not have those in front of me, but the right-hand part of it, the planning obligation planning agreement which was signed allowing the issue of planning permission last year between the Council and MDL provided for 38 per cent affordable housing and a financial contribution in addition to that of £104 million. Therefore, again we knew it was the right thing to do and we put levels on what we thought would be achieved back in 1994, but practice has shown that in actual fact the levels have become far higher. Of that £104 million of financial contribution, £40 million has been contributed to public transport arising from the MDL development of the Greenwich Peninsula.

7617. So this Council overstates its case, according to the Promoter. At the North Greenwich Station it was anticipating 3,000 and it is now 14,000 and it was anticipating £3 million contribution to the public sector and it is now £104 million and two thirds of the site only. In terms of the Greenwich Peninsula, how important has the presence of the North Greenwich Station been here?

(Mr McCollum): The development of the North Greenwich Station, we knew it was the key. Well, there were two keys. I say it was the key, but there was a second key, there were two keys. First, the land had to be remediated because it was a contaminated site and it is now a remediated site. In 1994 when it was still a contaminated site, what is more, it had no transport. There were two big outcomes which the Council sought. The first was remediation of the site and the second was to secure a station at North Greenwich. Working with its partners, British Gas and others were subsequently successful in that. That was what allowed the development of the Greenwich Peninsula to proceed. It has to be the case that, if that had not happened, the station development around this part of east London would have meant that eventually it would have got developed. That has to be so. It is inconceivable though to me, having been closely involved through all that time, that it would have been remediated in anything like that timescale and it is inconceivable to me, because as, Director of Strategic Planning, we would not have permitted it, for the development to have proceeded at that intensity. The North Greenwich Station is the biggest single event. In the last 20-year history of the regeneration of Greenwich, the North Greenwich Station was the biggest single event, not the Docklands Light Railway to the Greenwich town centre, although that was important, but it was the North Greenwich Station that facilitated this development. Without that, there is no way there would be 14,000 dwellings going on to this site because there simply would not have been the capacity to move people on and off it.

Of course the other factor is that, with the station there, it immediately stimulated the interest of the developers. When I took people around the Greenwich Peninsula in the early 1990s, when it was a contaminated, empty site, I took developers around there and they sort of looked sadly at us and said, "You will go nowhere until you have got remediation and a fast and capable transport system", and that is exactly what happened.

7618. I am going to move to your conclusions, Mr McCollum, and I think, in conclusion, you wanted to briefly point out what you consider to be the five key messages of your case.

(Mr McCollum): Yes, I have summarised my particular contribution to this down to five key points that I hope will be helpful. The first of these is the pivotal position of Woolwich. It is the natural place of the Thames Gateway London South, it is the only town centre in the Thames Gateway London South on the river and it is the major riverside town of the Thames Gateway. There are very few town centres anywhere in the Thames Gateway that are on the river. Actually it is a river which tended to flood, but Woolwich did not because it is on high ground, so it is a pivotal position which is the natural central place. Secondly, there has been a catastrophic decline of industry in Woolwich. That case is clear and there is no dispute about that. There is an overwhelming case for the town's regeneration, but regeneration on a major scale. I repeat that there has been 60 per cent male unemployment in 1992/93 in Woolwich with a large population, and major measures are needed. Thirdly, some progress has been made, but really no progress in the main town centre south of that main dual-carriageway we have looked at. It has been largely confined to the Royal Arsenal, which is a nice new riverside site, separated from the town centre by a six-lane highway. The major development in Woolwich town centre itself is still very uncertain. Fourthly, there is a need for major renewal of the large areas of social housing which surround Woolwich. This is dependent on the land values that Crossrail will bring. The fifth is that the railway goes through the town, under the town without stopping at the moment and the view in Woolwich is that that is a perverse thing to do for the main town centre when there is so much potential benefit to be secured.

7619. Thank you, Mr McCollum. Sir, I do not know if this is a convenient time, given your earlier indication.

7620. **Chairman:** Yes, we will break until ten to 12.

After a short break

7621. **Chairman:** Mr Elvin?

7622. **Mr Elvin:** I only have a few questions for Mr McCollum.

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Cross-examined by **Mr Elvin**

7623. **Mr Elvin:** Mr McCollum, can I just get the timescales clear. It has been mentioned both by Mr Jones and by yourself the point about Woolwich being removed from the Crossrail scheme. Can I just clarify two things: firstly, that Woolwich was never part of the original Crossrail scheme in the early 1990s, was it?

(Mr McCollum): Sir, I am going to have to defer to people better qualified to talk about the exact history of when Woolwich was out, when Woolwich was in and when Woolwich was out of that, so I am sorry, I will try to help if you would like me to, but I do think there are people better able to answer that than I am.

7624. The point being that the original Crossrail in the early 1990s did not go south of the river, did it?

(Mr McCollum): All I would say to that is I am not quite sure what the original Crossrail was. Crossrail has been talked about for a very long time in different forms and there have been different routes attached to it, but, as I say, there are people more specialist in this area than me.

7625. Mr McCollum, you raised the point, so forgive me if I just pursue it a little bit further. The scheme that was assessed in the Crossrail business case and which went for review by Adrian Montague, who reported in 2004, the benchmark scheme, which formed the core of the Crossrail business case which Mr Montague accepted, did not include Woolwich either, did it?

(Mr McCollum): Again I cannot answer that. What I can say is that at times Woolwich has been included, or at least that has been our understanding, but the exact moments of inclusion and exclusion, I am sorry, I will have to leave it to others.

7626. You will forgive me, but I just wanted to correct any misapprehension that Woolwich was somehow removed at the time the Bill came out. The Bill, following the benchmark scheme, did not include Woolwich and the scheme, as assessed by Adrian Montague, did not include Woolwich and we can see that if we go to Promoter Exhibit 029.³⁰ This is the benchmark scheme in the Montague Report. Could we zoom in on the benchmark diagram please. You will see there, if we look at the south-eastern limb of Crossrail as it is in the Bill scheme, there is the Custom House Station and following that the Abbey Wood Station, and clearly the benchmark scheme went much further into Kent than the Bill scheme, but Woolwich was not part of that benchmark.

(Mr McCollum): It is not there, sir, that is clear.

7627. As I say, Mr McCollum, I just want to get it clear that Woolwich was not removed at a late stage; it was never part of the benchmark scheme assessed.

(Mr McCollum): No, but I think it was at times part of the scheme, but, as I say, I can say no more on that, I am sorry.

7628. You mentioned it, so I thought I had better clarify it. Secondly, I want to ask you about the comparison with the north Greenwich Peninsula. Before the Jubilee Line extension to the north Greenwich Peninsula, there was no station at all in, or close to, the heart of the Peninsula, was there?

(Mr McCollum): That is absolutely so.

7629. The Greenwich DLR Station is some distance away to the west on the Peninsula. It is in the historic part of Greenwich, is it not?

(Mr McCollum): It is, yes.

7630. In Woolwich, on the contrary, the DLR station which, as I understand it, opens in 2009; is that right?

(Mr McCollum): Yes.

7631. That is in the heart of the Woolwich town centre, as is the Woolwich mainline station which exists already?

(Mr McCollum): Yes.

7632. So in terms of that as a parallel, the north Greenwich Peninsula is quite different?

(Mr McCollum): The circumstances of the two developments are different, and I make no other contention to that. The mainline station, the overground railway, North Kent line in Woolwich has been there for a very long time and there was, in that sense, therefore, a major transport infrastructure, if that is what it is, at a time of one of the most dramatic declines of any urban area of London, so that was there then and it is still there now. The Docklands Light Railway, as I referred to in my evidence earlier, is very, very important to us and we have worked very, very hard to support it, and the Docklands Light Railway forms part of our Woolwich Regeneration Agency Board and so on, but it is a different sort of transportation. It is quite different and my contention again is that there will be more specialist transport planners and regeneration people to whom these questions can be put, but taking the overview of this from where I stand, having been involved in the regeneration of this town for many, many years, is that the kind of step change that would be achieved would be comparable, but the circumstances of regeneration of north Greenwich and Woolwich are certainly different, and I would not claim otherwise.

7633. I just want to explore two other differences with you. Riverside frontage is important, is it not, in terms of attracting residential development? You get premium prices for development along the river?

(Mr McCollum): Yes, I would certainly agree with that.

³⁰ Crossrail Ref: P77, Crossrail Review, Evaluation of the CLRL benchmark scheme, Montague Report, p8 (GRCHLB-3604-029).

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7634. And the north Greenwich Peninsula has, by virtue of its nature, there being a loop in the river with the Peninsula there, a significantly greater amount of riverside frontage than is available in Woolwich town centre?

(Mr McCollum): Well, it is a peninsula. I have not measured the two, but it is a peninsula and, therefore, I suppose it has a higher ratio of river frontage. I would not claim that the same land values would be secured in Woolwich as would be secured on the Greenwich Peninsula and they certainly have not been in the past. There is, however, a very substantial river frontage at Woolwich. It is on the river, it is a town on the river and it is, therefore, unique in the Thames Gateway, being a town on the river. River frontage creates value, but being part of a town also creates value and the circumstances, I think we are all agreed, are different, but it is possible to draw some parallels. I am sure the ratio of river frontage to land would be less in Woolwich, but there is substantial land in Woolwich, particularly just to the west of Woolwich town centre which is still largely undeveloped.

7635. Mr McCollum, all I am picking up is that you were seeking, in trying to rebut something I said in my initial remarks, to draw parallels with the significant growth of north Greenwich and I am just exploring it briefly with you because it may have implications later with parallels. The next one I want to draw your attention to is that, as you have made clear, the north Greenwich Peninsula is in relatively few ownerships, is it not? It has been organised so that there are significant areas under the control of one or a group of developers?

(Mr McCollum): That is so. One of the advantages it had of course was that it was almost all owned by British Gas, so it was almost in its entirety passed to English Partnerships.

7636. That is in contrast with the centre of Woolwich which is in a diversity of fragmented ownerships which is an issue which has to be overcome in carrying out development?

(Mr McCollum): Not entirely, no. Woolwich is a very interesting town centre. There are some small ownerships, so to that extent I have to agree that there is a diversity of ownerships there, but in practice almost the entire town centre is in the ownership of two institutions. One is called Powis Street Estates, which virtually owns the whole of the high street, and the other is the London Borough of Greenwich, which are the two main landowners in Greenwich. I do not have a percentage. It is unusual; it is not fragmented ownership. There is a simplicity of ownership in Woolwich, almost certainly the Powis Street Estates and the simplicity of the commercial ownership going back to the strength of the Royal Arsenal Cooperative movement from which much of the retail is driven.

7637. One of the key drivers, if not the key driver really in Woolwich, is residential regeneration, is it not?

(Mr McCollum) Yes.

7638. And one of the problems that you face in Woolwich is regenerating the large estates of social housing which are not up to standard and which require renewal.

(Mr McCollum) That is so.

7639. One of the issues that you face with those is decanting tenants, getting tenants to vote on new schemes and getting agreement before those schemes can go ahead? You require the tenants to participate and to agree to the Council's proposals because they have to be moved?

(Mr McCollum) I take issue with the last part of that, sir. This is a complicated area because we are not talking about transferring tenancy to a different landlord necessarily in this. What we are doing is paralleling what the council is doing in a place called the Ferrier Estate in Kidbrooke. The Ferrier Estate in Kidbrooke, which I mentioned in my evidence, is a council estate of 1900 dwellings, to which the council is working towards demolition and complete renewal, with all those wishing to be rehoused being rehoused. So it is not a transfer of landlord/tenancy arrangements, such as are prescribed through processes of tenant consultation, though of course there will be extensive tenant consultation. All the tenant consultation to date, I have to say, have been that, "We want better houses."

7640. Mr McCollum, I am not seeking to disagree with that at all; all I am trying to put to you is that the picture in Woolwich is far more complicated and is a much more difficult jigsaw to assemble than the North Greenwich Peninsula because of those various issues; it is simply more complicated.

(Mr McCollum) It is now but it was not in 1994 would be my answer to that.

7641. Finally, in terms of significant change it is recognised by Greenwich, is it not, that one of the significant changes which the DLR brings to Woolwich is it breaches the barrier of the Thames; it brings that infrastructure across the Thames to Woolwich, and that is a significant step change, if you like—although I am not quite sure what they are—it is a significant change in the position of Woolwich?

(Mr McCollum) A huge change.

Re-examined by **Mr Jones**

7642. **Mr Jones:** Just one matter. Some councils, Mr McCollum, are wholly unwilling to use CPO powers, some councils will use CPO powers where they think it appropriate. Where in that spectrum would you place the London Borough of Greenwich?

(Mr McCollum) The London Borough of Greenwich has not hesitated to use Compulsory Purchase Order powers when it has been necessary to do so in furthering the regeneration of the borough. I would cite samples again to refer to the Greenwich Peninsula. The Compulsory Purchase

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Orders that were carried out, we have already established, was one main land owner, but there were other land owners and in 1996 the Compulsory Purchase Orders that were placed then were placed not by English Partnerships—English Partnerships used the London Borough of Greenwich’s skills and experience in compulsory purchase at that time to buy them out. The council has also extensively used compulsory purchase to assemble sites in Woolwich and indeed continues to do so, and as recently as about three months ago the council’s cabinet then agreed to exercise compulsory powers on a site in Woolwich town centre close to the town hall.

7643. Have land ownership problems in practice prevented the council’s attempt to begin regeneration in this area?

(Mr McCollum) No, sir, land ownership and land assembly have not been the limiting factors.

7644. **Mr Jones:** Thank you, Mr McCollum, I have no further questions.

7645. **Chairman:** Thank you very much.

The witness withdrew

7646. **Mr Jones:** My next witness is Mr Andrew Jones of EDAW.

Mr Andrew Jones, Sworn

Examined by **Mr Jones**

7647. **Mr Jones:** Sir, there is a proof from Mr Jones. I do not intend to take him through the whole proof, particularly the earlier stages that set the scene. Could we turn to your proof, Mr Jones, and can you confirm, first of all, that that is your proof?

(Mr Jones) It is.

7648. And that you are Andrew Jones and your qualifications and experience are set out as in section 1 of your proof?

(Mr Jones) They are.

7649. In 1.6 we see that since 2003 you have been leader of the work to assess the regeneration case for providing a Crossrail Station in Woolwich town centre?

(Mr Jones) Yes.

7650. You set out your scope of your evidence in section 2. You explain what you understand regeneration to mean, given the definition in section 3, particularly section 3.2. If you could read from section 4 onwards?

(Mr Jones) Policy at all levels of government, from national to local government, has sought to bring forward the sustainable regeneration of Woolwich town centre for several years. The policy imperative for regeneration arises from the real environmental, social and economic problems that the area faces today. At a strategic level Woolwich is located within the centre of the Thames Gateway, which has

been identified under the Sustainable Communities Plan as a “huge opportunity”, containing key gateways to London from Europe (through City Airport and forthcoming Channel Tunnel Rail Link), and substantial capacity to accommodate London’s ongoing economic and population growth.

7651. We have reached figure 4.2 of your proof and if figure 1 could come up on the screen?³¹

(Mr Jones) The location of Woolwich as part of the Thames Gateway and the specified “Zones of Change” is illustrated in figure 1. Expectations for growth are high with the original Sustainable Communities Plan envisaging 50,000 new homes across the London Thames Gateway area. That was raised to 60,000 homes to be achieved between 2003 and 2016. A more ambitious target of 91,000 was set by the London Development Agency and the latest housing targets based upon the London Housing Capacity Study have increased the number to over 140,000 over the period 2007–08 to 2016–17.

7652. In relation to figure 2, figure 2 makes comparisons with the scale of new homes that have been envisaged.³² Can you explain what you have done in that figure?

(Mr Jones) Indeed. This is an illustrative plan that indicates that change in expectation, the delivery of homes in the London Thames Gateway. The Sustainable Communities Plan from February 2003 envisaged 50,000 dwellings and that would be equivalent to the scale of building in the town of Ayr. The Interregional Planning Statement for the Thames Gateway for August 2004 increased that potential to 59,000 dwellings and that would be equivalent to the scale of the town of Middlesbrough. We then move forward and the LDA’s work that I referred to of April 2004, pilot 91,000 dwellings, the equivalent to the whole of Northampton—or broadly to the whole of Northampton. Then the London Housing Capacity Study, looking at the London Thames Gateway, up to 141,000 dwellings and that is equivalent in scale to the town of Reading.

7653. We can see from your footnotes the period of time in which this change of scale has taken place, the earliest being 2003 and the latest July 2005.

(Mr Jones) Indeed.

7654. Can you read on, please?

(Mr Jones) Woolwich has also been specifically identified in a number of the Sustainable Communities Plan follow-on documents, with 25,000 units identified for the Greenwich Peninsula to Woolwich corridor, 7000 units identified for Woolwich to Thamesmead, and 8800 units identified for the Woolwich, Thamesmead and Erith Zone of

³¹ Committee Ref: A84, East London and the Thames Gateway in focus (GRCHLB-3605-042).

³² Committee Ref: A84, The scale of forecast growth across the Thames Gateway (GRCHLB-3605-043).

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Change. Woolwich town centre has also been specifically identified as both a major town centre and an area of intensification in the London Plan.

7655. Could we move to figure 3?³³

(Mr Jones) This reinforces the importance of East London and the Thames Gateway in terms of driving forward the ongoing prosperity and growth of London.

7656. We can see there the areas of intensification, and while we are on that plan we can also see, can we not, the one kilometre and two kilometre catchment zones of the various Crossrail stations and the position in the vicinity of Woolwich.

(Mr Jones) That is what it shows.

7657. Can you move on, please?

(Mr Jones) At a more local level the Greenwich UDP Second Deposit Draft has specific objectives to revitalise Woolwich as the borough's primary shopping centre; support a mix of uses, including leisure, culture and tourism; and improve and enhance accessibility to the town centre and its physical environment. Other council documents promote a broad range of aims and objectives in particular to make the borough a better place to live, work, learn and visit. It is focusing upon helping to ensure that the disadvantaged communities can have an equitable stake and benefit from future regeneration activity. The Economic Development Strategy in particular focuses upon taking forward Greenwich to become a first class business location with key objectives to deliver transport improvements and also enhance the role and importance of Woolwich town centre as a retail, cultural and entertainment destination. A number of studies have also been taken forward focusing on the role and importance of Woolwich town centre itself, with key recommendations reinforcing the importance of creating a vibrant and successful town centre by addressing physical barriers and diversifying the existing socio-economic profile of the area.

7658. If we can move to section 5 of your proof, the socio-economic and physical context of the town centre.

(Mr Jones) In identifying these regeneration objectives it is important to establish the specific character and context of Woolwich town centre together with its hinterland. In order to set out why it is critical to achieve comprehensive, sustainable and successful regeneration. Our baseline analysis reveals the following key messages for Greenwich and particularly the catchment areas located directly around the station (across the defined one kilometre and two kilometre impact zones). In terms of population the local area reflects a very young population with higher than average ethnic

diversity; a predominance of the less well-off social classes with a particularly high proportion in social grades C2, D and E. In terms of key local occupations there are lower proportions of managers and professionals than the London averages. In the one kilometre zone it has a significantly higher proportion of workers in elementary occupations, reflecting the lower educational qualifications among the resident workforce. In the wider two kilometre impact zone most employees work in administrative and secretarial occupations. In terms of economic activity both of these impact zones have a lower economically active population, and that is particularly in the one kilometre zone, a lower proportion of self-employed, a much higher proportion of full-time students compared to London and England and above average unemployment rates. In terms of learning and employment, while London as a whole has the lowest rate of employed with no qualifications, the one kilometre impact zone has the highest proportion compared to the capital and to England. Both impact zones have lower proportions with a higher qualification degree and below average levels of qualifications achievements. In terms of well-being the study site suffers from problems related to deprivation and particularly high health inequalities. Ten of the wards across the borough rank amongst the 10 per cent most deprived urban areas across all of the UK, including Woolwich Riverside and Woolwich Common.

7659. If you could move to slide 4.³⁴ That was to illustrate the town centre and the vicinity of the town centre, the housing estates in the vicinity?

(Mr Jones) Indeed. It also highlights the location of the Royal Arsenal in comparison to the town centre and indeed the relationship with the Waterfront.

7660. We can see the location of the potential Crossrail Station by the yellow cross.

(Mr Jones) Indeed, and it is in many of the estates marked in brown and it is where the areas I have just described come from, Woolwich Riverside and Woolwich Common.

7661. Read on, please.

(Mr Jones) Although Greenwich is one of the safest boroughs in London the fear of crime is higher than the recorded crime figures suggest. Many crimes remain unreported, especially in Neighbourhood Renewal areas, including Greater Woolwich. In terms of economic structure the service sector is more prevalent than manufacturing, although there is a lower representation of financial and business services compared to Greenwich and London rates and higher representations of retail and public administration.

³³ Committee Ref: A84, Crossrail and the Thames Gateway in focus (GRCHLB-3605-044).

³⁴ Committee Ref: A84, Woolwich—Town Centre Context (GRCHLB-3605-045).

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7662. Slide 5, please.³⁵

(Mr Jones) Slide 5 illustrates the nature of the occupiers across the town centre today. Another key issue influencing the socio-economic character of the area is the high representation of social housing around the town centre.

7663. Slide 6, please.³⁶

(Mr Jones) And the currently rather limited prevalence of private sector housing. This issue—the lack of a truly mixed and balanced local population profile—is a serious challenge for creating sustainable communities into the future.

7664. Pause at slide 6. We can see typical high-rise 1960s public sector accommodation. Are those normal for the area or are they in any way exceptional?

(Mr Jones) These are typical of the former public housing sector estates in that area that we have shown on slide 4.

7665. Read on, please.

(Mr Jones) Overall, Woolwich is characterised by socio-economic disadvantage, deprivation and inequality of opportunity, as illustrated by its ranking on the 2004 Index of Deprivation.

7666. Slide 7, please.³⁷

(Mr Jones) Unemployment rates are high, economic activity low and there are specified problems with a low skills base and poor health.

7667. If you would like to pause on slide 7 because that has some particular importance. In broad terms as one moves from darker colours to lighter colours, what does that mean?

(Mr Jones) The darker colours represent those areas that are more deprived, the darkest brown representing those areas that are within the top 10 per cent of most deprived areas in England and Wales. The lighter colours represent the areas of less deprivation.

7668. So, for example, the predominant colour within the one kilometre circle of the station is what?

(Mr Jones) The predominant colour in the one kilometre zone would be the darkest brown, which are the wards with ten per cent of the most deprived in England and Wales.

7669. If you would return to paragraph 5.5 of your proof, please.

(Mr Jones) The holistic and comprehensive regeneration of the town centre has been difficult to achieve in the past and remains so due to the combination of physical, social and economic barriers that are prevalent throughout the area. This is reflected by the local property market analysis that

has fed into our research as illustrated by my colleague, Mr Lambert. In Woolwich regeneration work has been underway for many years and, whilst certain site-specific proposals are beginning to come forward, such as the development of the Royal Arsenal, this and others are important projects in isolation. In my view, continuation of this approach would see the creation of an environment characterised by disparate and unconnected inward-focused residential developments, that would not provide the range of services and facilities, nor lead to the improvement of the physical environment at the heart of the town required to create that very platform for private sector investment, nor build the momentum to deliver evolved and comprehensive future regeneration for Woolwich town centre as a whole. Indeed, it is the town centre which should act as the focus of the Woolwich community providing essential facilities as well as the cultural and civic centre of the community. Without catalytic investment providing impetus and co-ordination regeneration into the town centre, the transformation of Woolwich into an area made up of vibrant, mixed and sustainable communities would be severely hindered. There is a rapidly growing body of empirical evidence in the UK, in Europe and the US relating to the various impacts that transport schemes can have on property, development, the environment and regeneration. Transport infrastructure not only facilitates the movement of people and goods but, through the added accessibility the roads and stations offer, also has a wide ranging impact on land use, economic growth and the quality of life influencing wider city competitiveness. Such impacts not only include various environmental components, for instance through lower car dependency and lower emissions, but also a variety of indirect impacts, such as place-making and enhancing the character of an area that can help to attract new residents, visitors, investment and jobs, thus contributing to regeneration. Thus investment in transport infrastructure is often an essential component in successful regeneration. Furthermore, it is often a prerequisite to change, with early transport investment providing a catalyst to investment by others. As I have already demonstrated, the ongoing renaissance of Woolwich town centre is a key objective in the Thames Gateway for London and for the London Borough of Greenwich. The town centre has struggled to maintain its vitality and viability in the face of increasing threats and lower levels of private sector investment in comparable centres across the sub-region. These difficulties should be seen in the context of the potential of the town centre which is considerable, especially considering the focus that has been placed on economic and population growth throughout the Thames Gateway and the significant changes that are anticipated across sub-region into the future. Furthermore, with an appropriate series of initiatives and actions initiated locally together with the support of catalytic investment, including the Crossrail station, this potential is very capable of delivery. The London Borough of Greenwich has

³⁵ Committee Ref: A84, Woolwich—The Town Centre Today (GRCHLB-3605-046).

³⁶ Committee Ref: A84, Woolwich— Surrounding Communities (GRCHLB-3605-047).

³⁷ Committee Ref: A84, Index of Multiple Deprivation (GRCHLB-3605-048).

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already made a number of decisions and they are committed to bring forward regeneration, of particular note to the preparation of the Woolwich town centre development framework in 2004. A Crossrail station in Woolwich town centre would also play a key role in maximising the contribution that Woolwich could play in addressing local socio-economic inequality and disadvantage, which I have already described. As a major town centre, the town is also well placed to be a sustainable focus for the step change that is envisaged in economic and population growth across the Thames Gateway not only by stimulating activity within the town centre itself but also enhancing accessibility to new opportunities, in particular employment, health and education. In short, Woolwich would become a better connected place able to contribute fully to the economy and wider London community. The location of Crossrail station at Woolwich would also play a vital wider role in transforming portions of the area to create a high quality vibrant new gateway to southeast London. It is clearly recognised that town centres are vital in achieving the wider objectives to deliver economic and social regeneration. This is recognised in planning and wider government policy, and should Crossrail proceed without a station at Woolwich, which is a prominent location in London, the quality and quantity of employment of mixed use development envisaged is unlikely to be maximised and the opportunity to provide new and existing communities by the strategic location may be lost. A Crossrail station would provide the commercial basis for the ongoing renaissance of the town centre. Without vital infrastructure works, it is extremely doubtful that the step change that is needed could be achieved. Though regeneration would still be expected, Woolwich would remain an outer location with lower intensity private sector investment and development activity. In this scenario, it would not maximise the socio-economic benefits that could be achieved for the benefit of the surrounding residential communities and the wider economic prospects of southeast London and the region. Our detailed analysis work has considered the development capacity and property market activity that would be anticipated to occur around Woolwich either with or without a Crossrail station. This work has been supported by focus master planning in the areas, directly around the location of the potential Crossrail station, to illustrate and to quantify the potential scope and scale of activity that would be anticipated under both scenarios. Two alternative masterplans were prepared to consider the scope and scale of the development activity both with Crossrail and without Crossrail.

7670. Just pause there for a minute. First of all you have a master plan with Crossrail, if I can give you a chance to have a breather for a minute.³⁸

³⁸ Committee Ref: A84, Woolwich—With Crossrail: Masterplan (GRCHLB-3605-049).

7671. **Chairman:** And us all!

7672. **Mr Jones:** We can see the dual carriageway, mentioned previously, running across the top of the plan and the Royal Arsenal development, a little bit of it, immediately above it and we can see to the east, that is the right of the Arsenal development, the end of the station box. Then at the bottom left-hand side of the plan we can see the Woolwich Arsenal station, the mainline station for Woolwich, and the DLR station immediately above it?

(Mr Jones) Indeed.

7673. Right very helpful. There, for example, are the DLR station, the Woolwich Arsenal station, Plumstead Road dual carriageway, the Royal Arsenal development and the station box proposed Woolwich station would be something like that, would it not? That is the 'with Crossrail'; what essentially do you wish to illustrate on that? Maybe more useful if you have got the torch so I am now handing it back to you; a laser, apparently it is not a torch. If you could illustrate what you would anticipate in this illustrative drawing would occur with Crossrail in the vicinity of the Crossrail station. **(Mr Jones)** Indeed, as has been pointed out already, this is the area of the Crossrail station box, the area pointing here is the northern entrance to the station and the area here is the southern entrance to the station (indicating). These provide an essential link underground from the station to the town centre, but, as part of the initiative to connect the town centre more properly with its waterfront through the Royal Arsenal, the proposals would also incorporate a major new crossing of the A205 and reduce the severance impact of this major highway effectively with a super-crossing which would prioritise pedestrians and cyclists in the area I am showing now. This would have the effect of connecting the Woolwich Arsenal development, which is to the north, with the town centre, the national rail station here and the bus interchange services further to the south. They are effectively the connection elements of the development proposals, but the stimulus of Crossrail station arriving would enable the comprehensive regeneration of a large proportion of this area. The areas that are coloured, that I am broadly showing now, would be the subject of a major redevelopment project including replacements of the covered market, which you can see in a mottled blue, be it at the lower levels of the development with predominantly residential development community uses around that and also office uses for new employment in the town centre.

7674. Can you just explain the colouring? You have got some light brown, darker brown in the shade and some blue colouring, what does that mean?

(Mr Jones) This plan is for more a development plan rather than particularly a land use plan. However, the areas that are in blue and orange would illustrate both here and here would illustrate new development (indicating) and the areas in

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yellow are the re-use and regeneration of existing buildings, all those that would be related to the masterplan associated with Crossrail.

7675. Moving to the next thing, I think it is important to deal with the shadows; what do they illustrate?

(Mr Jones) They illustrate the heightened development where we are looking at a block development with streets at the ground level but then also particular points where the density development would rise some stories into the sky. That would be up to 16 stories in some cases, a slightly higher development at particular landmark points.

7676. Can we now move to the next slide; what has happened to the shadows in that?³⁹

(Mr Jones) The shadows have reduced because the density development in some of the landmark towers and development would reduce.

7677. And the extent of the light yellow colouring on that is obviously much greater than the previous slide. What does that illustrate?

(Mr Jones) Indeed, the light yellow colouring, both where I am showing now and also the south part of the site, illustrates buildings that would not be redeveloped as part of the 'without Crossrail' master plan. There are also a number of isolated buildings that would be unlikely to be developed under this scenario as well which predominantly, because of the lower anticipated development densities and indeed the market interest in developing this area together with the physical limitations that retain the buildings would have in building new blocks around them would reduce the potential for higher density development and maximising develop densities in this area.

7678. Unless there is anything you want to deal with on those two diagrams, can we return to paragraph 6.11 to your proof, please?

(Mr Jones) If I could just draw one additional point out of that. I talked earlier about the railway station entrances which were broadly at the north of the diagram and where I am showing now just at the south of the main road, they clearly are not there in the without Crossrail scenario, without the level of interaction and scale of development in this area we anticipate that the scale of change and breaking down the barriers of the main road together with connecting to the riverside, those opportunities would be limited in this scenario, so we have a far reduced scale of crossing of public rail intervention in this area.

7679. 6.11, please?

(Mr Jones) The outcome of our design and passage analysis has revealed the following facts in terms of population. The impacts of a Crossrail station in the town centre would create the conditions to deliver an estimated 4,350 new residential units over and above

what would be expected to come forward in the absence of a station, a substantial proportion of which would be affordable.

7680. Could we move to figure 13, that is jumping a little bit ahead, before we move to your 6.11. 2. What does figure 13 illustrate?⁴⁰

(Mr Jones) Figure 13 illustrates the residential impacts of the scheme with the 4,350 additional units shown in the total bar along the top. The blue bar represents the scenario with Crossrail, the grey bar represents the scenario without Crossrail and this shows both the total outputs and the various outputs from different components of the residential supply, both the residential estates around Woolwich, sites across the town centre and the station zone which you saw illustrated in the masterplans beforehand.

7681. The figure 4,350 mentioned in opening is there in that top bar and is the total of the three lower pairs of bars, three lower blue bars, and the blue bars are what happens with Crossrail so you can see the difference by subtracting the grey bar from each blue bar; is that right?

(Mr Jones) Indeed.

7682. Can you read on, please?

(Mr Jones) As the illustration shows that these residential unit numbers were being anticipated across sites not just in the vicinity of the station but across the town centre and the housing estates that currently surround the town centre. The station would provide greater accessibility to and from the town attracting new types of occupiers to the area that otherwise may not choose Woolwich as a residential location. The final point here is these new residential units would result in approximately a total of 10,000 additional people living within and adjacent to the town centre that is enhancing its vitality and viability. The development impetus created by the catalyst of the station would also bring new and improved homes, facilities and opportunities for the existing population, which I have already demonstrated as some of the most disadvantaged in London. These impacts are further described in our background report and visual impressions for the revitalised town centre are illustrated in figures 10 and 11.

7683. Just go to those, please, 10 first of all.⁴¹ This is illustrative drawing, the revitalised town centre and I think 11 is the same, is it not, the future character of Beresford Square?⁴²

(Mr Jones) The first illustration shows the potential view from the one of the residential units in the masterplanning area. This plan on the screen at the moment, number 12, shows Beresford Square, the

³⁹ Committee Ref: A84, Woolwich—Without Crossrail: Masterplan (GRCHLB-3605-050).

⁴⁰ Committee Ref: A84, Residential Impacts (GRCHLB-3605-054).

⁴¹ Committee Ref: A84, A New High Quality environment Woolwich Town Centre (GRCHLB-3605-051).

⁴² Committee Ref: A84, A New gateway to Woolwich Town Centre (GRCHLB-3605-052).

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public railway work, the crossing of Beresford Street and where I am showing now the station portal, north of the road.

7684. Can you please read on, 6.13?

(Mr Jones) With specific reference to the enhancing the economic performance of Woolwich, it is anticipated that a Crossrail station with upwards of the scale and scope of job-generating development across the town centre and would bring forth considerable economic benefits as illustrated in figure 12.

7685. Go to figure 12, the blue and the grey bars as before with and without Crossrail, but an additional red bar which is the difference, that is the Crossrail effect.⁴³ This is dealing with activities other than residential development and separated them into retail, office and leisure?

(Mr Jones) Indeed.

7686. Is there anything you want to say in particular about that diagram?

(Mr Jones) That is as you described. This diagram excludes the potential of jobs created through construction processes.

7687. Then 6.13.1 and 6.13.2, you deal with employment impact and you conclude that the construction impact would be the equivalent to 14,000 full-time jobs and 14,060 temporary jobs, and the direct impact would be 2,300 gross jobs and 2,100 net jobs?

(Mr Jones) I do. It is probably worth taking the equivalent full-time job for construction employment which would be 1,400 jobs and indeed, as you suggested, for direct employment.

7688. We move to 6.14 and read that, please.⁴⁴

(Mr Jones) It should also be anticipated that additional employment would also be created across a wider geographic area as a result of the significance of development and the potential extent of wider impacts of sub-regional, regional and even national scale, but we have not attempted to quantify this as part of our analysis.

7689. 6.15, please.⁴⁵

(Mr Jones) The foregoing paragraphs describe the direct residential, economic and employment impacts which are themselves considerable, but the station would also give a range of wider economic, social and community benefits, whilst difficult to quantify precisely, are nevertheless crucial to the wider regeneration of the area and maximisation of the potential benefit of the site. Such wider benefits include the following key elements.

7690. Perhaps, if I could state them fairly quickly: enhanced access for local excluded groups, hospitals, colleges, universities, key hubs of activity and economic opportunity and diversification, new quality jobs, promotion of enterprise and innovation, inward investment, supporting wider regeneration policies including diversifying the economic base connecting residents to the new emerging economic opportunities, increasing accessibility to disadvantaged groups and creating a new enterprise to culture, including physical environment and the overall quality of life, providing new facilities connected with communities. Read 3.16, please.

(Mr Jones) Fundamentally, a Crossrail station would act as a catalyst to achieve the dramatic transformation of Woolwich town centre and its surrounding neighbourhoods. Its role is not only to assist in delivery of the regeneration of a town centre but also to deliver a wide-reaching and sustainable social community, health and economic benefits in the area of particular need. However, the station will not deliver the step change in isolation, but rather as part of wider regeneration initiatives, and the council has already committed to such activity, as I have already described. Without the station, the successful delivery of these outputs would not be possible. These discussions of delivery are illustrated by the recent history of property market activity across the Woolwich town centre as described by my colleague Mr Lambert. It is clear that whilst some form of development would be likely to occur without the implementation of a Crossrail station at Woolwich, the nature and scale of this activity would not achieve the over-arching vision for social, economic and physical transformation of the town centre and its surrounding communities which is embraced in the Government's regeneration ambitions. As I have outlined above, it is my view that to achieve sustainable policy-led mixed use development across Woolwich town centre, a significant private sector investment and development will be required, but in order for this to provide the appropriate mix of uses, typologies and tenure, supported by the appropriate infrastructure and amenities, there will need to be a significant change in the way that investors view the area as a prospective development opportunity. Incremental change will not, in my opinion, achieve this change in investor's attitudes. Co-ordinated activity and investment is required of such a substantial scale that it will act as a catalyst to promote change through a wider area. This scale of change will be delivered through a commitment to Crossrail which will demonstrate to residents, investors and visitors the potential that can be achieved. The accessibility improvements that would be realised would transform investor, developer and occupier perceptions and provide an unrivalled fillip to the market and long-term prospects for the town.

7691. We are now down to section 7. Can we move to slide 14, please?⁴⁶ This is the section dealing with comparison with other Crossrail stations. Slide 14

⁴³ Committee Ref: A84, Employment Impacts (GRCHLB-3605-053).

⁴⁴ Committee Ref: A84, Socio Economic Data Comparison—Percentage Unemployed and Economically Active (GRCHLB-3605-055).

⁴⁵ Committee Ref: A84, Socio Economic Data Comparison—No Qualifications and Social Classes C2, D and E (GRCHLB-3605-056).

⁴⁶ Committee Ref: A84, Socio Economic Data Comparison—Percentage Unemployed and Economically Active (GRCHLB-3605-055).

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deals with percentage unemployed, percentage economically active, and I think those are all the stations apart from Heathrow Airport which might be slightly misleading. First of all, slide 14, you can see the position of Woolwich there and that is dealt with at your paragraph 7.2.1 and 7.2.2. Then can we move to your slide 15, please?⁴⁷ Percentage no qualifications and we can see there, can we not, Woolwich the red bar. The third highest percentage with no qualifications looks like it is about 34 per cent, something of that order on the slide, and in social group C2, D and E, Woolwich coming up second highest proportion within those social groups?

(Mr Jones): Indeed.

7692. Can you read 7.3 please?

(Mr Jones): This assessment demonstrates that Woolwich is in greater need of investment and change of its socio-economic structure than most station locations along the route and has the potential to benefit most from the inclusion of a station. As part of our analysis we have also considered the relative scope and scale of potential impacts against those that have already been forecast for other stations along the current Crossrail route as shown in my next figure 16.

7693. Figure 16, please?⁴⁸ Again we can see little houses and little people on that to demonstrate in the case of houses one symbol 250 units, in the case of people, a person one symbol 500 jobs. We can see a large number of jobs in the Isle of Dogs and Royal Docks and indeed in Stratford and then we can see what is provided for Woolwich. In terms of new housing, what would the impact of the station be?

(Mr Jones): As we set out before, that is 4,350 homes, residential units, that would be provided.

7694. And in comparison with other stations?

(Mr Jones): As we can see here that would provide a higher output of new homes than any of the stations that are compared with here.

7695. Your 7.5.1 you deal with economic impact. Can we move to slide 17, please?⁴⁹ This is the additional job slide. You can see the Isle of Dogs has a very large number of additional jobs and so the bar does not reach its top. We can see where Woolwich stands in terms of additional jobs compared with other stations in Crossrail, coming after Isle of Dogs, Royal Docks and Stratford. 7.5.1 you deal with residential outputs. If we can go to slide 18, please?⁵⁰ We can see there the largest residential, a number of additional residential units would be for Woolwich station Can you read 7.7, please?

(Mr Jones): The comparative analysis summarises the need and the considerable potential benefits of a Crossrail station at Woolwich in the context of the route more widely and this is a measure of the lost opportunity to meet Government regeneration and growth policies, the ongoing need to stimulate the regeneration of Woolwich and the potential for the town to deliver key sustainable growth outputs if a station were not to be delivered. Optimisation of this potential would be lost if this Crossrail station continues to be excluded to the town.

7696. I would like you to just deal with one other matter and that is a pair of slides put in yesterday afternoon which we were taken to earlier today starting with page 17, please, of the Promoter's documents?⁵¹ This is the chart which is population and employment growth and you will recall Mr Elvin's opening saying that Greenwich had overstated its case. You can see there are various bars for population and employment growth for Greenwich and yours is clearly the third pair of bars, EDAW data. Can you comment on the differences between the figures?

(Mr Jones): I can. I think the first thing to pick up on is the difference in projections from the London plan which is the bars on the far left and the current GLA forecasts which we understand are going to inform the provisions in the London plan and the substantial change in the assumptions for this area over the last few years.

7697. It is not many years, is it?

(Mr Jones): It is not, no. Now turning to the London Borough of Greenwich EDAW data that the populations assumptions are higher than the CLRL High Growth Scenario and indeed the GLA Latest Forecasts. I would put this down to the point that we have had the opportunity of looking at Woolwich town centre probably in more detail than others and have identified the potential under that. I understand also that other assumptions do not include many of the housing estates in the wider impact zone and the proposals to bring forward their regeneration and change that Mr McCollum introduced and also just to point out, I think, that our assumptions here were based upon London plan assumptions of density and so we have not overlaid the sites that we have identified in coming to these conclusions.

7698. Two main factors in the difference, one is looking at matters in more detail and the other is including housing estates, regeneration of housing estates?

(Mr Jones): The wider area, yes.

7699. In terms of employment, any comments about the employment powers?

(Mr Jones): Indeed, our assumptions on employment are notably lower than the CLRL Scenario and not that the GLA Latest Forecast do not include an employment figure, so it is difficult to

⁴⁷ Committee Ref: A84, Socio Economic Data Comparison—No Qualifications and Social Classes C2, D and E (GRCHLB-3605-056).

⁴⁸ Committee Ref: A84, Scale of Impacts: Comparison to other Crossrail Stations (GRCHLB-3605-057).

⁴⁹ Committee Ref: A84, Potential Employment Impact (GRCHLB-3605-058).

⁵⁰ Committee Ref: A84, Potential Housing Impact (GRCHLB-3605-059).

⁵¹ Committee Ref: A84, Potential Employment Impact (GRCHLB-3605-058).

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compare those. I think many of our assumptions have been that Greenwich is going to provide a major housing location in the London Thames Gateway south and that with the major employment locations, the Isle of Dogs and in the City and the West End, that that is the most likely scenario for regeneration in Woolwich and its role in the London Thames Gateway and in London as a whole and I think Mr Lambert will come on to the difficulties potentially about diversification of the employment basin bringing in a new office market in his evidence.

7700. So you see more employment elsewhere, but more housing in the Woolwich area. That, of course, was the station catchment at page 17. Can we move to page 18, which is the London Borough of Greenwich as a whole.⁵²

(Mr Jones): Indeed. The only points I would draw on this one is that most of the impacts that Greenwich are anticipating would be in the Woolwich area and so much of the change here would be explained by the comments I made to slide 17.

7701. We can see in residential terms, comprising the GLA Latest Forecast, if my estimate is right, it is something of the order of 52,000, perhaps 53,000, whereas your figure for residents would be just under 60,000?

(Mr Jones): The figures for residents would be extrapolated from the figures. We focussed on dwelling numbers and unit number rather than the population that they would yield

7702. These are in fact not actually your figures because they are population numbers not dwelling numbers, but they are based on that?

(Mr Jones): Indeed.

7703. I think that is all the matters you intended to deal with. I do not intend to ask you to read your summary since that summarises what you have already read. Thank you, Mr Jones.

7704. **Mr Elvin:** Are the Committee sitting until one o'clock today?

7705. **Chairman:** Yes.

7706. **Mr Elvin:** I am not going to be long, but I will be longer than one o'clock. Sir, can I just ask for guidance from you in this respect: as you know from what I said at the beginning, there is a difference of degree but not of essence between us as to what Woolwich's needs are. I suspect the Committee would not be assisted if I spent a lot of time on a lot of the details that this witness has produced.

7707. **Chairman:** You were very clear on that point right at the beginning but, having said that, we have the Petitioner's view that they may wish to present

that argument, but I think we heard theirs and we have heard your view which I think we would agree with.

7708. **Mr Elvin:** And I will be calling Mr Colley from Drivers Jonas who will just explain to you a few items. Sir, what I am proposing to do is not to go through all of this material, but to touch on a few points just to give you a flavour. No doubt if I spend too long you will tell me, because I do not want to labour a point when we are dealing with a question of degree rather than a difference of principle and no doubt you will let me know if I am going on too long, I would appreciate, because of the nature of the dispute here

Cross-examined by **Mr Elvin**

7709. **Mr Elvin:** Mr Jones, good afternoon. Can I just come down to what I think is the nub of the difference between us to start with? Can we look at the last page of your evidence which you did not read out, it is the Petitioner's exhibit page 40, page 22 of the proof.⁵³ The point you make in your conclusion is that Crossrail will stimulate various elements in regeneration that you set out?

(Mr Jones): Yes.

7710. Your view is not that they will not occur without Crossrail, but that Crossrail will provide an additional stimulus, that is to say it is not an all or nothing scenario, it is a question of degree?

(Mr Jones): Indeed.

7711. What you say, if you look at paragraph 8.38, you say it was stimulated and then in the last couple of sentences: "The station would build on the work already under way". Crossrail is an additional stimulus, it is part of a whole series of other initiatives and other improvements which will, in any event, generate a certain degree of regeneration within Woolwich?

(Mr Jones): Other initiatives without Crossrail would bring forward regeneration in Woolwich and many of those have been described by Mr McCollum and indeed I have talked about them in terms of the impacts that could come without Crossrail, master plan and illustration that we have shown.

7712. I do not want to go back to them, but you have put up a with and without Crossrail indicative master plan with the orange and blue buildings and the shadows for the height of the buildings and the like.

(Mr Jones): Indeed.

7713. Cutting through all of this, what it comes down to is a judgment as to how much regeneration will come forward in any event and how much will only come forward by 2016 if stimulated by Crossrail, that is what it really comes down to, a judgment as to what extra Crossrail will bring?

⁵² Committee Ref: A84, Potential Housing Impact (GRCHLB-3605-059).

⁵³ Committee Ref: A84, Conclusions to the Regeneration Case (GRCHLB-3605-040).

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(Mr Jones): It is a judgment, but it is a judgment based upon experience from elsewhere and the various studies of how transport improvements drive regeneration and also based upon the accessibility that Crossrail would bring that DLR does not and the perceptions to the market that other schemes would not.

7714. There is no magic, no one can say that this will happen with Crossrail, this will happen without Crossrail, it is a judgment as to what the difference is going to be between the two?

(Mr Jones): It is a judgment, yes.

7715. And it depends on a number of factors, many of which are beyond the control of anyone to predict the economy and matters such as the influence of infrastructure?

(Mr Jones): The influence of infrastructure has been shown by a number of studies to have a positive impact on regeneration potential and so it is an informed judgment that this is driven from.

7716. In terms of what is already happening, we do not need to look at your report to see this, there are infrastructure improvements which will take place in any event, particularly the DLR, the Transit and further away there is the Thames Gateway bridge which has just concluded its inquiry, which is of course for car borne traffic and the like rather than the trains, but the key point of bridging the Thames as a barrier is made by the DLR, as Mr McCollum indicated earlier this morning?

(Mr Jones): Bridging the Thames is addressed by the DLR to serve the local market to the north of the river, but the fundamental point that Mr McCollum also drew out and I would reiterate is the direct access to the Isle of Dogs, to the City and to the West End and ultimately to Heathrow Airport which is substantially improved by delivering Crossrail.

7717. Again, trying to deal with this briefly, could we go back to the two bar charts that I showed the Committee firstly and you have just commented on which, I think, are 17 and 18 of our exhibits?⁵⁴ Mr Jones, back to these bar charts. I understand that you say about EDAW's intensive work on Woolwich, and the point you make about regeneration of the estate, but the GLA Latest Forecasts are based on the latest housing capacity study carried out by the GLA, are they not?

(Mr Jones): They are.

7718. And that is a report that was published only last year?

(Mr Jones): I understand so.

7719. The GLA are well aware of the estates' issue and the residential nature of regeneration which will take place in Woolwich, this is not a factor which they will have ignored?

(Mr Jones): My understanding is that the GLA Latest Forecasts do not include the potential of the estates that are coming forward now for change and are illustrated in the work that you have in front of you

7720. That is a matter we will comment on ourselves in due course The fact is that in terms of taking a London-wide level playing field and trying to understand population forecasts and the sort of comparison that you have urged the Committee to do with other stations and their likely contributions to jobs and residential, you have actually done a piece of intensive work of Woolwich, but of course the factors that have been applied to the rest of the scheme are actually different from those which you are applying to Woolwich, it is not actually a like-for-like comparison?

(Mr Jones): The potential that is shown for other stations is drawn from Crossrail's own work

7721. Which is based on the GLA forecast?

(Mr Jones): Indeed and, as I have said, the work here is looking at the potential for Woolwich and what we are trying to illustrate is the real potential that is there. It may well be that there is additional potential in other stations that has not been assessed.

7722. You have my point exactly, Mr Jones, that you have done a focussed piece of work on Woolwich, but you are not applying the same level playing field of trying to understand the forecast in order to compare it with the other stations. Can I also put this to you: it is obvious from this and the other bar chart which we do not need to go to because we have seen it, that the approach that Greenwich is relying upon takes the very highest forecast that is available, yours is the highest forecast that is applied, it is higher than the latest GLA, it is higher than the CLRL High Growth Scenario which is slightly higher than the GLA latest, you have taken the most optimistic end of the spectrum?

(Mr Jones): We have looked at the development capacity within London plan limits that those sites would provide.

7723. It is the most optimistic scenario?

(Mr Jones): It is the capacity with the London plan limits and indicative densities that we have used, at the top end of that, yes.

7724. **Mr Elvin:** Sir, is it convenient to break at that point and come back after lunch?

7725. **Chairman:** We will resume at 2.35.

After a short adjournment

7726. **Mr Elvin:** Assuming that the IT has speeded up a little, I showed the Committee just before lunch the comparative position with regard to the population estimates in broad terms. Can I just look at Mr Jones' figures 17 and 18, that is Petitioner's exhibits

⁵⁴ Committee Ref: A84, Potential Employment Impact (GRCHLB-3605-058); and Potential Housing Impact (GRCHLB-3605-059).

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58 and 59? Can we look at 58 first?⁵⁵ You made the point and you produced bar charts making a comparative point about potential employment impact of Woolwich versus other stations within Crossrail, and there is another one we can look at in a moment about residential contribution. You said in your proof that this was a like for like comparison. *(Mr Jones)* Indeed.

7727. It is not a like for like comparison is it because, again as I said to you before lunch, what you have done is you have taken your upper end estimates that you compiled for Woolwich and you are comparing them with the Crossrail figures which are based on the London Plan Estimates rather than on any revised forecasts.

(Mr Jones) Where the London Plan Estimates have not taken into account all of the opportunities that we have taken into account.

7728. So it is not a like for like comparison because it is not a level playing field for the comparison. You have taken your up to the minute highly optimistic assumptions about Woolwich and set them against other figures which are all the lower level across London estimates from the GLA, are they not?

(Mr Jones) Our position is the ones based on our best information.

7729. So this exaggerates the effect of Woolwich as set against the other stations, does it not, inevitably?

(Mr Jones) That depends on the material that has been provided for the other stations.

7730. If I am right that they are based on the GLA estimates in the London Plan you will be exaggerating Woolwich in comparison to the other stations?

(Mr Jones) Yes.

7731. The right comparison in any event is Woolwich B because the Crossrail figures do not include the construction employment figures, which is your Woolwich A.

(Mr Jones) Indeed they do not show that.

7732. Can we look at figure 59?⁵⁶ The same therefore must also be true of the residential assessments. That is to say, inevitably Woolwich must be exaggerated in its comparison with the other stations?

(Mr Jones) Indeed.

7733. The regeneration of Woolwich is guided by a development framework which you include in your evidence.

(Mr Jones) Yes.

7734. It is in your evidence starting at Petitioner's exhibits page 146.⁵⁷ This says "Final Draft November 2004"; is this the latest version?

(Mr Jones) This is the latest version.

7735. Is this the one that Greenwich is working to as the regeneration framework for the town centre?

(Mr Jones) This is the version that was considered by the Greenwich cabinet.

7736. This is the version which is guiding the Woolwich Regeneration Initiative?

(Mr Jones) Indeed.

7737. This is a document that was produced in the light of the knowledge that Woolwich was not within the Crossrail scheme because it was not as at November 2004. We have seen that benchmark Crossrail scheme put to Montague in the scheme for southeast London that we see today: that is to say, Custom House, under the Thames, next station Abbey Wood.

(Mr Jones) This development framework is not predicated by Crossrail coming to Woolwich, although Woolwich would clearly benefit from Crossrail and I think we refer to that in a number of places.

7738. Understood and, as you know, there is a certain degree of common ground between us and it is a matter of degree. But the whole of the development of Woolwich in this framework acknowledges the possibility of Crossrail but is predicated on the infrastructure improvements which are likely, and indeed committed, particularly DLR.

(Mr Jones) It includes DLR, yes.

7739. Can we just see what it says about regeneration very briefly, just to give the Committee a flavour, absent Crossrail? If we look at the same exhibit, page 149.⁵⁸ We can see the last two paragraphs just to the left of the photographs. The reference is to Woolwich is a pivotal point, regeneration gathering pace; it can be seen in the redevelopment of the Arsenal site, the Greenwich Peninsula and Thamesmead. "Coupled with this are a range of soon to be implemented and possible transport improvements which will add to Woolwich's good train services and extensive bus services. These include an extension to the DLR, the Greenwich Waterfront Transit, the Thames Gateway Bridge and, possibly, a Crossrail Station." Without spending a lot of time on this, if we can then go forward to page 156 in the same exhibit, we can see there that it is dealing with the impacts of new transport infrastructure, and we can see from the first paragraph under that, the second sentence:

⁵⁵ Committee Ref: A84, Potential Employment Impact (GRCHLB-3605-058).

⁵⁶ Committee Ref: A84, Potential Housing Impact (GRCHLB-3605-059).

⁵⁷ Committee Ref: A84, Woolwich Town Centre Development Framework, EDAW Report November 2004 (GRCHLB-3605-146).

⁵⁸ Committee Ref: A84, Introduction, EDAW Report November 2004 (GRCHLB-3605-149).

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“The arrival of the DLR and the Greenwich Waterfront Transit will immeasurably strengthen Woolwich’s transport hub functions.”⁵⁹ So all of this is predicated on Crossrail only as a possibility, but looking at these other commitments as to what they will contribute to Woolwich. If we skim over to the summary: “This Development Framework considers how the above elements can be coordinated to provide a diverse, thriving and viable town centre with a wide range of facilities.” Again, that is on the basis primarily of the committed infrastructure improvements with Crossrail only a possibility. That is right, is it not?

(Mr Jones) This is with Crossrail as a potential station in Woolwich, and as I think we have noted a number of times—

7740. **Chairman:** We will suspend for five minutes.

The Committee suspended for five minutes for a fire alarm

7741. **Chairman:** Mr Elvin.

7742. **Mr Elvin:** Mr Jones, you were in the course of telling me in response to the question on page 156 that that took account of Crossrail and of course Crossrail is not specifically taken into account as part of the impact of the transport infrastructure in this part of the framework, is it?

(Mr Jones) It is not, and as we note in here the possibility of a Crossrail Station is something that would add to that. This was the position in November 2004 as you so rightly pointed out. I think we have moved on since then and, as you know, our work on the Crossrail Station impacts is dated April 2006 and that work has been underway following the regeneration framework’s progress, and consideration by the council. The later work has had the opportunity of looking more closely at the opportunities of in and around the town centre and specifically the issue with the Crossrail Station.

7743. Can I ask you to go to page 170 and investigate that briefly?⁶⁰ The position that is set out here relates to Beresford Square. Beresford Square is the area where the old gates are and it is the area facing the A206 and the Arsenal, is it not?

(Mr Jones) Broadly on that plan it is marked as number 2.

7744. One of the key parts of regeneration of the historic centre is to reinforce and shift the retail focus back to Beresford Square, assisted by a crossing on the A206, and the refocusing of development.

(Mr Jones) That is a small part of the framework for the centre; it is about refocusing the town centre, yes, but it is about extending the reach of the town centre into this area.

7745. The crossing of the barrier of the A206 we saw from your earlier master plans is to take place regardless of Crossrail. The pedestrian improvements to make the interchange of pedestrians between the south side of the A206 and the Royal Arsenal side of the A206 is part of the proposals in any event.

(Mr Jones) The proposals that are put forward in the Regeneration Framework 2004 set that out at a strategic level. The work that is underway, that has been completed in terms of looking at Crossrail demonstrates that a more comprehensive and satisfactory solution to that could be brought forward with a Crossrail Station and the work to understand that is now progressing forward in a separate piece of work. This establishes the strategic position and the aspiration. It is helped by a Crossrail Station. Again, this is a question of degree. The point is that the key elements can be established without Crossrail. Crossrail may assist it and may allow it to be done in a more pronounced fashion and indeed that is precisely what the Development Framework says. If we look at the main paragraph on this page: “Beresford Square, further reinforced by introduction of two new transport modes of the DLR and Waterfront Transit,” and it says further down: “Should a Crossrail Station be built at Woolwich on the proposed site within the Arsenal the effect would be more pronounced.” And that is precisely what we have just been discussing, is it not?

(Mr Jones) It is and I think that we have illustrated that in our two master plan scenarios. The other aspects to that are about the timing that this could come forward, the quality that it would bring and the scale of change in terms of new communities and bringing investor influence into the town.

7746. As I say, they are issues of judgment and the Committee knows where matters lie. Can I finally on this document take you to page 177?⁶¹ This part is dealing with the Arsenal as a social and economic driver for Woolwich and a key aim of the framework is to fully integrate the new Woolwich at a physical, social and economic level. That is still the principle objective, is it not, to integrate the various elements of Woolwich at various levels?

(Mr Jones) Indeed.

7747. Physical connection unlikely to be possible but a crossing is being looked at, which we have just discussed. Implementation of the DLR proposals and the refocusing of the town centre on Beresford Square will also revitalise adjoining frontages, and they are connecting the towns to the commons, and all of these matters again, just to make the same point—and I am going to leave it shortly—are all matters which are being addressed in the absence of Crossrail. Crossrail might facilitate or make the effects more pronounced but Crossrail is not bringing something which is not going to be brought about in any event to some degree?

⁵⁹ Committee Ref: A84, The Impacts of the new Transport Infrastructure (GRCHLB-3605-156).

⁶⁰ Committee Ref: A84, Proposed Town Centre Axes of Development (GRCHLB-3605-170).

⁶¹ Committee Ref: A84, EDAW Report November 2004, p30 (GRCHLB-3605-177).

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(Mr Jones) To some degree I would agree, but whether that degree was sufficient to actually bring about the transformation and proper regeneration of Woolwich I would disagree or I would doubt whether that would be the case.

7748. We will express that view through Mr Colley in due course. I want to deal briefly with a couple of other points. In terms of housing the number that you have put forward as additional housing figures can be compared now with the GLA housing capacity 2005, which went into our bar chart, and they have given a target for the whole of the borough as just over 20,000 new dwellings from the period 2007 to 2017; that is right, is it not?

(Mr Jones) That is your illustration, not mine.

7749. But does that sound right? You are familiar with the GLA housing?

(Mr Jones) I am familiar but I do not have that material in front of me in terms of addressing it further.

7750. Take it from me at the moment and if it needs to be corrected I am sure it can be. That is a very wide figure. 90 per cent of that figure would be taken up by your town centre residential estimations in growth to 2016. So 90 per cent of the growth in the borough, on your figures, would be assumed to have occurred before the end of the period within just the town centre catchment.

(Mr Jones) If we were comparing like with like but I do not believe we are. I think that there are a number of estates and areas in Woolwich that were not included in the material that was considered by the GLA at the time. So we are looking at additional sites, additional sources of delivery over and above that considered in the GLA housing capacity work.

7751. In any event, let us assume that GLA has the capacity, did the job properly, you accept that you are taking up about 90 per cent of the target figure for the next ten years?

(Mr Jones) No, I do not accept that. There are sites that were not considered in the GLA's work that additional sites and additional estates have now come through this analysis and additional work that the council has been undertaking. So I do not accept that point.

7752. What you mean is that you think the exercise ought to be redone in the light of the current figures. On the figures as they currently appear in the GLA housing study it is 90 per cent, is it not? I can understand that you want to qualify that and say, "We have done all the work" and the GLA may not have taken into account, you say, all of these factors, but assuming that that figure is an accurate figure it is 90 per cent.

(Mr Jones) But we are not dealing with the same position; we are dealing with a GLA assessment that was undertaken and looked at the capacity that was appropriate at the time that the information was

collected, but there are additional estates that presumably would add to the capacity that they found.

7753. I have asked the question three times, I think we will move on. Can we look at a diagram as to how this impacts in physical terms over the centre of Woolwich? This is the same exhibit at page 130.⁶² This is your figure 6.1 These are the development opportunity sites that contribute to your growth forecasts, are they not?

(Mr Jones) They are.

7754. The pink is residential. It is noticeable that in the one kilometre area, that is the town centre very centre, centred on the Arsenal and the location of the proposed Crossrail Station, a significant proportion, if not the vast majority, of that one kilometre radius are opportunity sites?

(Mr Jones) I think the plan speaks for itself. There is a large amount of the one kilometre zone that would come forward as opportunity sites.

7755. We can see from the primarily residential sites that lie just outside, within the two kilometre line and close to the town centre; again it is a significant area for redevelopment, is it not? We have two main areas: we have the north western bit by the river and we have the southern section. What this means that if your figures are to be achieved by 2016 it means quite a significant amount of development which will dominate the centre of Woolwich and the majority of the one kilometre radius of the station, because all of this as well this and this will have to be realised to get to the sort of levels that you are anticipating in your tables. That is right, is it not?

(Mr Jones) We have established this as the capacity for Woolwich for regeneration of these estates.

7756. But this is what feeds into your figures.

(Mr Jones) Indeed.

7757. So to get over that leap of imagination, to try and see how we get to those very high estimates you have for 2016, we have to assume, in the next ten years, because we are talking about 2006 to 2016, practically the whole of the centre of Woolwich being dug up for redevelopment all at the same time, or phased over that ten-year period. That is a lot to bite off in a short period of time, is it not?

(Mr Jones) If I could finish what I was saying before, these are the capacities of the sites we are looking for. We have not set out that these would all be developed out by 2016; these are the sites that have the potential and should be brought forward for regeneration. The process of estate regeneration is already under way with Greenwich; we are aware that the Ferrier Estate has already come forward and is being brought forward now; the council has already put in train the regeneration development of three of the areas outlined here, which are coming forth early in the process and as they bring forward others in the next wave.

⁶² Committee Ref: A84, Fig 6.1, Scope and location of Development Opportunity Sites (GRCHLB-3605-130).

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7758. I am glad for confirmation that regeneration is gathering pace regardless of Crossrail, Mr Jones. The point is this: you have taken figures at the very high end of the forecast. We have seen that and the Committee knows that. It involves a big leap of faith because it involves the assumption that a huge amount of development will come forward with or without Crossrail. All I am putting to you is that this is a capacity plan which is really more appropriate for the next 30 years or thereabouts, not just for the next ten, and that, really, you are being far too optimistic about the rate of development, whether with or without Crossrail.

(Mr Jones) I think that matters on the rate and pace of development should be better answered by Mr Lambert.

7759. **Mr Elvin:** Thank you very much, Mr Jones. Thank you, sir.

Re-examined by **Mr Jones**

7760. **Mr Jones:** I wonder if we could go to the bar charts in your evidence which you have been asked questions about on several occasions, pages 17 and 18 of the Promoter's documents. I wonder if we can start with 17.⁶³ I would like to look at the various aspects of this. Do you happen to know whether these are in date order? In particular, do you happen to know whether the GLA forecasts were before or after your assessment?

(Mr Jones) They would be before our assessment.

7761. So, in fact, it might appear to be in date order but you would have to swap the last two round to get the correct date order.

(Mr Jones) Indeed.

7762. Do you know whether the GLA forecasts assume Crossrail will be built?

(Mr Jones) I would assume not.

7763. So, again, is yours assuming Crossrail will be built?

(Mr Jones) It would.

7764. So the Promoters are comparing the GLA forecast which assumes Crossrail will not be built with you assuming it will be built. Do you know what the trend in densities in terms of construction in London is over recent years?

(Mr Jones) The trend in densities has been increasing, and I think that is one of the factors that contribute to the increase in assumptions for the delivery of homes in the Thames Gateway that I have illustrated in my evidence, moving from the 2003 Sustainable Communities Plan up to the more recent estimates for delivery in the Thames Gateway, London.

7765. Moving on in things I would like to compare with the last two columns, do you know whether the GLA forecasts and the Greenwich forecasts (EDAW forecasts) relate to the same area?

(Mr Jones) I do not know that they relate to the same area, but I do know that they do not include some of the estates that are included. I am sorry, the GLA figures do not include some of the estates that we have assessed.

7766. So it does not relate to the same area.

(Mr Jones) Indeed.

7767. You can see the word "forecast" there and you may have recalled, more perhaps in the context of the next slide 18 (the word "forecast" is there as well), Mr Elvin referring to a target.⁶⁴ Do you know if the GLA figures are forecast targets or minima?

(Mr Jones) They are forecasts.

7768. Do you know whether they anticipate that it will be more? In other words, that what they anticipate will actually occur?

(Mr Jones) I would need to go back to the detail of that.

7769. You can perhaps pass a note on that as to whether they are forecasts or minima.

(Mr Jones) We shall.

7770. At the very start of this afternoon's session it was put to you in the context of your figure 17. I wonder if we can have your figure 17 put up, please.⁶⁵ This is the objector's figure 17. This is, of course, the potential employment impact. You were taken to this and it was put to you that you had taken up the figures to achieve this—you were not comparing like with like and you were taking a highly optimistic view. Do you remember those matters being put to you? I wonder if we can go to page 18 of the Promoter's document of today to see if you were doing what was put to you.⁶⁶ Do you remember it being put that in the context of employment you had taken up the figures and were being highly optimistic? Had you taken up the figures for employment for Woolwich?

(Mr Jones) No—probably directly the opposite, actually. We had been cautious about that given the state of, particularly, the office market in the town at the moment.

7771. Just looking at the Promoter's own document in respect of employment, which is the highest figure there?

(Mr Jones) The Promoter's figure.

7772. Yours is lower. It was also put to you that you were exaggerating, in the context of that cross-

⁶⁴ Committee Ref: A84, Potential Housing Impact (GRCHLB-3605-059).

⁶⁵ Committee Ref: A84, Potential Employment Impact (GRCHLB-3605-058).

⁶⁶ Committee Ref: A84, Potential Housing Impact (GRCHLB-3605-059).

⁶³ Committee Ref: A84, Potential Employment Impact (GRCHLB-3605-058).

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examination. In terms of like with like, I am afraid I do not have the reference to this (I will let the Committee have it), but this is from an initial document from Crossrail, February 2005 “Crossrail: Socio-economic Technical Report”. I will make sure the reference is obtained, sir; we were not able to obtain it in the short while after the cross-examination on like with like. This is what Crossrail says in its socio-economic report on the approach to assessment and assumptions. I am just going to read it to you for the time being to see how it compares with EDAW’s approach. Crossrail’s approach to assessment and assumptions, it appears, was: “The methodology for establishing the amount of floor space or homes is varied according to the level of information available for each area. Outside central London property information is patchy with no single source of information. Information has been pieced together on the property market and future development data from a number of sources.” That is paragraph 6.3.7. You were criticised for not comparing like with like. Do you have any comments on your approach as compared with Crossrail’s approach?

(Mr Jones) Our approach would have used many of the same sources there. I think we were able to look more closely at the particular situation in Woolwich. The number of sources that are looked at there would be expected to capture a wide spectrum of opportunities, presumably drawn from local authorities across the route and information they had available.

7773. You will recall you gave an answer towards the end of your cross-examination that the Ferrier Estate was coming on and being dealt with now. Do you recall Mr Elvin said he was glad to have confirmation of regeneration without Crossrail? I think it would actually be useful to see where the Ferrier Estate is. If we can move to your slide which shows the areas of deprivation, we can see the Ferrier Estate on that. It is the “Index of Multiple Deprivation”. It is on page 28, figure 7.⁶⁷ First of all, you can see there is a map which centres on the Woolwich Station, which occupies most of the figure. Is the Ferrier Estate anywhere on that principal map?

(Mr Jones) The one towards the left?

7774. The principal map, which is mainly on the left; the larger of the two.

(Mr Jones) It is not.

7775. If you look on the map of the whole of the borough of Greenwich, which is the inset map, are you able to locate the Ferrier Estate on that map?

(Mr Jones) I am afraid I would need some help in terms of having another plan with names on it.

7776. Do not worry.

(Mr Jones) It is certainly on that plan.

7777. Is it an area of multiple deprivation?

(Mr Jones) The Ferrier Estate is an area that has exhibited levels of multiple deprivation as well but it is outside the area of Woolwich and outside the area that you would expect to benefit from a Crossrail station.

7778. Do you know if that has over-ground rail access?

(Mr Jones) It does.

7779. **Mr Jones:** Sir, I will get back to you with formal instructions on that, but I believe you will find it is the dark patch in the southwest of the borough, approximately halfway down the western boundary of the borough—the patch that looks vaguely like the old shape of West Germany, if you can recall the shape, on that map. Thank you very much, Mr Jones.

7780. **Chairman:** Thank you, Mr Jones.

The witness withdrew

7781. **Mr Jones:** Sir, my next witness is Nicholas Lambert. He is at the third tab of the bundle from the objector. In the case of Mr Lambert I do not intend to adopt the previous practice of going through the bulk of the proof but, simply, to take you to the summary.

Mr Nicholas Lambert, Sworn

Examined by **Mr Jones**

7782. **Mr Jones:** Could you turn to the executive summary and would you read that until I indicate otherwise?

(Mr Lambert) I am Nicholas Lambert, MRSCS. I am a Director of DTZ development team with 15 years of property consultancy experience. I have been asked to give my professional opinion of the impact Crossrail with the station at Woolwich is likely to have on the property market and to assess the deliverability of the EDAW proposals. Woolwich is one of the cheapest locations to live in London. The current retail provision is poor but is due to improve significantly in the near future, and there is no established office market in the town. Evidence from our literature review of other studies into the impact of transport improvements suggests, first, that it would take a major step-change in accessibility to see significant effects on the property market in Woolwich. As illustrated on this diagram, with figures provided by other colleagues, the journey time savings would be significant with Crossrail with a station in Woolwich.

7783. Again, if you just look at that figure, you can see the pattern of that. We have the existing journey times with a blue bar; with Docklands Light Railway shown with a red bar (in one case if you use

⁶⁷ Committee Ref: A84, Index of Multiple Deprivation (GRCHLB-3605-048).

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Docklands Light Railway it actually takes longer); with Crossrail but without a Woolwich station—I should think that is a buff coloured bar—and then an orange bar with the Crossrail station.

(Mr Lambert) Correct.

7784. One can see in each case that Crossrail does significantly better than the other options.

(Mr Lambert) Correct.

7785. Can you return to your proof, please?

(Mr Lambert) Another conclusion from our studies is that there is likely to be an impact area around the station of about 1,000 metres for residential property and between 400 and 800 metres for commercial property. There is also likely to be a greater impact on the residential markets than the commercial market. Another key conclusion is a Crossrail station would give an increase in confidence and an improvement in investment perceptions from the development and investment market. A positive impact on value is also likely, although we do make the point, of course, it is difficult to extend the property value upwards. By interviewing developers and agents active in the Woolwich property market and drawing on in-house knowledge within my practice and my own knowledge of Woolwich, the major barriers to growth that have been identified are, critically, the town's poor image, poor transport infrastructure and accessibility but also local spending power, the limited retail offer in the town and the lack of an established office market.

7786. I am going to pause there, while your text has a series of comments you did put “but also”, is there any difference in importance between those factors in paragraph 5?

(Mr Lambert) Yes, very briefly there are. The two key barriers are the image and this is both from occupiers but also investors and accessibility. I would go on to say that the local spending power, the limited retail offer and the lack of an established office market are probably more of an effect of that rather than a cause.

7787. Perhaps we could now go to figure 2.⁶⁸ If you could explain that figure, please?

(Mr Lambert) Yes, what I am trying to do here is to summarise the position of these barriers with the three stars being a significant barrier, two stars being a medium barrier and a single star being a barrier but less limited impact. You can see that the residential market is particularly impacted and affected by the current barriers of Woolwich, the key barrier to the retail market is currently low spending power within the borough and the office market suffers from perception images, accessibility and also the lack of a natural office market per se.

7788. And then paragraph 1.6 of your summary, we move on to the next slide which is slide 3, please.⁶⁹ This is ‘with Crossrail’. What difference does Crossrail make?

(Mr Lambert) What I am trying to draw out here is identifying whether there has been a significant change, really a move to two stars or more. Post-Crossrail I would highlight the key changes are the residential markets where accessibility has been radically improved, there will be a limited barrier in the Woolwich market on account of its image and its retail offer would have improved significantly, but I think realistically there would be issues with the retail market compared with destinations such as Bluewater which is an inevitability. There would also be improvements in the office market.

7789. For example in looking at the retail, we move from three stars, a significant barrier below spending power to no barrier on the ‘with Crossrail’?

(Mr Lambert) Correct, yes.

7790. In offices, poor transport infrastructure has moved from three stars to no barrier at all?

(Mr Lambert) Correct.

7791. Would you return to your summary, please?

(Mr Lambert) Where would you like me to continue from?

7792. 1.7, I think; there is no need to do 1.6.

(Mr Lambert) I am confident the majority of the floor space illustrated in the analysis introduced by Andrew Jones under the ‘without Crossrail’ scenario could be delivered to the market in a five to ten-year timetable. Much of this floor space has been extended or has an imminent planning application pending.

7793. Again your slide which illustrates that, slide 4, please.⁷⁰

(Mr Lambert) I think the key messages in this slide are that in terms of the residential markets of the 5,073 units, approximately half of those will be delivered on the Royal Arsenal site and another 1,000 on the re-development and Peggy Middleton House. The retail market forecasts will be predominantly along Powis Street and Hare Street.

7794. Peggy Middleton House is the current council headquarters.

(Mr Lambert) Also in terms of the development pipeline for offices, 20,000 square metres of offices, of which a substantial amount will be redeveloped in the redevelopment of the council offices at Peggy Middleton House. The final message I draw from this is that the Royal Arsenal has been delivered by Berkley Homes, Powis Street has got a developer, Wilson Balladine, and Peggy Middleton House will be a substantial redevelopment. These developments in the pipeline are really in the hands of three

⁶⁸ Committee Ref: A84, Barriers to growth without Crossrail (GRCHLB-3605-212).

⁶⁹ Committee Ref: A84, Barriers to growth with Crossrail (GRCHLB-3605-213).

⁷⁰ Committee Ref: A84, Development Pipeline (GRCHLB-3605-214).

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organisations and the scale of development and the fact there are three organisations behind this gives me confidence they will be delivered.

7795. Could you move on, please, paragraph 1.8 of your summary.

(Mr Lambert) The increases in floor space within Woolwich town centre attributed to the Crossrail effect also seem, in my professional opinion, to be reasonable. A key potential impact of Crossrail will be the likely increase in speed density of development at Woolwich.

7796. Again if we could see figure 5, please.⁷¹

(Mr Lambert) Again that really reiterates the first slide demonstrating the step change in passenger time with the yellow bars.

7797. Could you describe each of those stations as employment destinations?

(Mr Lambert) Indeed, yes.

7798. Could you read on, please?

(Mr Lambert) That figure demonstrates the importance of journey time savings.

7799. Figure 6, please. Again take us through figure 6.⁷²

(Mr Lambert) Of course. With Crossrail, there is an increase in residential development of about 41 per cent. The retail offer or development would be increased by 22 per cent and the office development would be doubled. This is over and above the existing situation relative to the pipeline development without Crossrail. There will be, in relative terms, a significant uplift in leisure amenity and other development, which includes hotels and civic development, will also have a relatively significant uplift.

7800. Just stating the obvious, what will be the big change that brought about with offices 'with Crossrail'? What is the big advantage that a company might see in Woolwich once Crossrail is there?

(Mr Lambert) The main effect will be accessibility to other established office destinations within London and it is my belief that this would enable Woolwich, the position itself, not to compete with the prime office areas of Canary Wharf, the West End or the City, but rather to offer what we describe as "back office" space, which can be low value-added but nevertheless important functions, so this could be administration and also emergency office accommodation as well.

7801. Thank you, Mr Lambert.

7802. **Mr Elvin:** Sir, I will adopt the same approach, if that is acceptable to the Committee, just to make a few highlights to illustrate the position.

Cross-examined by **Mr Elvin**

7803. **Mr Elvin:** Mr Lambert, good afternoon. In terms of barriers to growth which is a point you make in your summary, barriers to growth are seen by the Woolwich town centre redevelopment document that I was looking at with Mr Jones half an hour ago in a particular way, can we just have a look at the last conclusions of that development framework It is Petitioner's exhibit page 189 and you will recall the framework is in the context of no Crossrail, Crossrail as only being a possibility.⁷³ Were you here when I asked those questions of Mr Jones?

(Mr Lambert): I was here, I have not read this document in detail because actually I am giving my judgment on EDAW's opinions which have been updated from here, so I am not familiar with this document.

7804. You will forgive me if I just draw your attention to the first paragraph which says that Woolwich has seen a strong revival in its fortunes, revitalisation of Arsenal, shift in the overall geography of London which has now based Woolwich as a fulcrum between central London and the wider Thames Gateway. New transport infrastructure will add to existing good transport to make Woolwich one of the best connected places in London. On the back of these and other investments under consideration the town centre itself will undergo comprehensive restructuring and will change the public perception of Woolwich and that is effectively without any commitment as to Crossrail?

(Mr Lambert): Those are not my words and without Crossrail I would not describe Woolwich as being one of the best connected places in London

7805. That is the EDAW report. The position in terms of benefits in terms of accessibility which I understand to be one of the key issues, can we have a look, please, at the bar charts that you have produced and the table. Can we look first, please, at your table, this is Petitioner's exhibits page 199 and if we can focus on the table, please, figure one it is, "Estimated journey savings to key employment destinations".⁷⁴ These are the figures that feed into the bar chart you showed the Committee a few minutes ago?

⁷¹ Committee Ref: A84, Journey Times Savings from Woolwich to key Employment Destinations (GRCHLB-3605-215).

⁷² Committee Ref: A84, Crossrail Effect: Increase in Property Development (sq.m.) (GRCHLB-3605-216).

⁷³ Committee Ref: A84, Conclusion, EDAW Report November 2004 (GRCHLB-3605-189).

⁷⁴ Committee Ref: A84, Impact of Other New Transport Links, Estimated journey savings from Woolwich to key employment destinations, DTZ Report (GRCHLB-3605-199).

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(Mr Lambert): Correct.

7806. And what it allows us to see is the position now, the position with the DLR, the position with the DLR and Woolwich station and the position with the DLR and Crossrail, but no Woolwich station?

(Mr Lambert): Correct

7807. And what you have done is you have done the various time savings. What you have not done is an indication of the time savings between the current situation and the DLR with Crossrail but without a station which would be the situation so far as the Bill scheme is concerned?

(Mr Lambert): Can I make one qualification? These are not my figures. Would you mind just repeating the question?

7808. This gives us a number of journey times and savings, but the one comparison that has not been done explicitly from this table, although the base figures are still there, is what improvement Crossrail, without a Woolwich station and the DLR, would create over the current situation?

(Mr Lambert): I believe that is column four, if I understand your question correctly?

7809. Exactly, you can actually do the exercise for yourself and I am going to deal with you in a moment. Can we just look at your bar chart though to see it represented in graphic terms? If we look at page 211 of your exhibits, the figures, most figures are translated into a bar chart here, are they not?⁷⁵

(Mr Lambert): Yes

7810. And we can see the journey times, the current ones are in blue, the DLR are in red, then we have DLR but Crossrail with no station at Woolwich and then we have DLR and Crossrail with the Woolwich station. It is effectively a story of increasing benefit, is it not, with a small blip for Paddington where, I think, the DLR for some reason increases journey times by a minute or two?

(Mr Lambert): It is a story of increasing benefit, yes.

7811. So in fact we can see here graphically illustrated that even without a Woolwich station and presumably because of the interchange possibilities that are opened elsewhere within the network, the light yellow bar, the Crossrail but no Woolwich station, still delivers benefits over and above the DLR in Woolwich in terms of journey savings?

(Mr Lambert): It does indeed, yes.

7812. So that Crossrail will still bring benefits of regeneration to Woolwich because it will still, on your evidence, shorten journey times over the benefits produced by the DLR?

(Mr Lambert): It will certainly reduce journey time. I think it may be helpful for the Committee to know though the property market does not follow these

sort of logical steps and these sort of gradients that I think we are looking at here. The perception of Woolwich with the Crossrail station would be to significantly enhance investor and development confidence and effectively it would put Woolwich on the institutional map, it is not at the moment, and I believe, my judgment is that the third column which is Crossrail with no route station, whilst it will reduce journey times, would not have a significant impact on the property market perception.

7813. That is your judgment, it is not necessarily one with which everyone agrees, Mr Lambert.

(Mr Lambert): Indeed, but I think it helps to give my opinion.

7814. And it is also here to be tested as well. Let me just put this to you: if it is the case as the master plan framework that the Committee have just seen that it is thought that significant benefits will be delivered to Woolwich without Crossrail, with only the possibility of Crossrail, that is to say that the DLR and the other committed benefits absent Crossrail, it must follow from these additional accessibility benefits that the situation with Crossrail must be better than as predicted for the framework without Crossrail?

(Mr Lambert): I follow your logic and I would agree with that logic, but again I do not have a detailed understanding of the previous framework, but I would agree with that logic, yes.

7815. And that is borne out by your own report, your property market report, and can we just look at a few highlights. Can we please look at it is the Petitioner's exhibits, page 221.⁷⁶ Here you start your property market review and I appreciate throughout that you will say that Crossrail will make an additional difference on top of everything that is happening already and that is understood. So far as the property market review is concerned for residential, second paragraph from the bottom starting, "Despite the slightly downbeat summary", you say, "There is still a fair amount of residential development already happening in Woolwich, and that is as at last month?"

(Mr Lambert): Correct.

7816. And that is even without the DLR, the DLR is a commitment, but it has got three years to go before it opens?

(Mr Lambert): The market is expecting DLR to be delivered, there is commitment to DLR. It may also be helpful to know that Royal Arsenal is good for Woolwich, I think there is no doubt about that. Having been involved in that at the outset for English Partnerships and the London Development Agency in that instance, it needed significant and, from memory, I think it is about £80 million of pump priming by the public sector, without doubt and we made this advice very clear at the outset, without that pump priming investment by the public sector

⁷⁵ Committee Ref: A84, Journey Times Savings from Woolwich to Key Employment Destinations (GRCHLB-3605-211).

⁷⁶ Committee Ref: A84, Property Market Review—Residential, DTZ Report (GRCHLB-3605-221).

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the Royal Arsenal would look like the photograph we saw earlier in the day, i.e. a wasteland, but it is now happening and will happen without Crossrail.

7817. Can we look at retail and leisure on the next page, 222, please and can we zoom in at the bottom half of the page?⁷⁷ We can see the last three paragraphs. The situation is changing in terms of food retail in particular, there are a few major retail developments planned in Woolwich that would have a significant impact if delivered on the retail provision on the town as well as on the town's image as a retail destination. Both Sainsbury's and Tesco's have plans in the pipeline to build stores in the town centre and there have been rental increases of about 65 per cent over 2001 levels and then it says the DLR extension is likely to have a considerable impact on the retail market, it will make Woolwich have a more accessible shopping destination. So, again, we have got benefits and changes for the good that are coming about which will be enhanced by the DLR without necessarily having Crossrail there?

(Mr Lambert): Undoubtedly. The three major schemes that I referred to before I am confident will happen without Crossrail. It is my judgment that that will be just about the capacity for development in Woolwich without Crossrail.

7818. What you say later on is that it is unlikely that three major food retailers would be bringing forward proposals if they did not think there was the capacity within Woolwich to support it?

(Mr Lambert): Absolutely.

7819. Can we then go, please, to that page, 240 in your exhibit?⁷⁸ We can see that that point is made in the first paragraph on that page. If we look at the third paragraph, if we can zoom in on that, please? "In the lead up to the opening of the DLR extension, demand for residential floor space will increase, particularly on sites near the DLR station and market opinion is in robust terms of the residential deliverability of EDAA proposals". So, again, you expect the opening of DLR to generate or to be preceded by a surge in interest?

(Mr Lambert): Yes, which will help deliver the pipeline development that I previously referred to. As I said, I am confident that that pipeline will be developed because of what has happened to Woolwich to date and because of DLR.

7820. And then if we could go to the bottom of the page with Crossrail?⁷⁹ What you start out by saying is a very honest view that the scenario is much harder to predict.

(Mr Lambert): The future always is, yes.

7821. In particular a future where Crossrail, assuming it is to come forward, will have some beneficial effects in terms of accessibility whether or not there is a station, so you are having to predict a situation where there are benefits and it is a question then of quantifying additional benefits as a result of actually having a station there?

(Mr Lambert): Yes, and I believe that a station at Crossrail will take Woolwich to the next step.

7822. So far as the office market is concerned, and I do not think we need to look at pages for this, as I understand your thesis in your report, Woolwich will never compete as a major office location, but it has potential for what is called the back office market, is that right?

(Mr Lambert): That is right, yes.

7823. At the moment it is not an office, it is fair to say it is not really an office location at all, there are offices there, but no one would recognise it as an office location?

(Mr Lambert): Agreed, yes.

7824. And even as a back office, i.e. offices which are providing a supporting service for the main office locations in the City, Canary Wharf, somewhere more central?

(Mr Lambert): Correct

7825. As that sort of location, it is competing, is it not, with major regeneration schemes that are coming forward, for example at King's Cross and Stratford, which will provide a significant quantum of office floor space?

(Mr Lambert): Yes.

7826. Woolwich is never going to compete significantly, is it, Mr Lambert, with the likes of King's Cross and Stratford which are much more closely related to the central office core of the West End, mid-town, City and Canary Wharf, it is going to be very much, in office terms, a poor location, a poor relative, compared with those other regeneration areas?

(Mr Lambert): It will always be a poor relative compared to those areas, however, I think there is a place in the market for poor relations and particularly at the end of the market that I am talking about where it is much more price driven, I do believe that it could be a vital location for back office accommodation.

7827. Finally, and I have not been entirely sure who the person was to put this question to, and that is to say in terms of perceptions, the distance from the Crossrail station to the mainline station, can I try it on you and if it is not a question you feel comfortable with dealing with, do let me know and I will try and find somebody else?

⁷⁷ Committee Ref: A84, Retail/Leisure; and Offices, DTZ Report (GRCHLB-3605-222).

⁷⁸ Committee Ref: A84, Realistic Growth Potential of Woolwich without Crossrail, DTZ Report (GRCHLB-3605-240).

⁷⁹ Committee Ref: A84, Realistic Growth Potential of Woolwich with Crossrail, DTZ Report (GRCHLB-3605-240).

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(Mr Lambert): I will try my best.

7828. Could we look, please, at the Promoter's exhibits, it is a plan I showed the Committee briefly this morning, it is page 107 of our exhibits and what it shows, we have broken down the journey, that if anyone wanted to look at the question of whether Crossrail provided a benefit in terms of the ability to interchange, that is to cross from mainline to Crossrail, or Crossrail to mainline, it actually performs very poorly and no one is going to invest in Woolwich because of the interchange facilities, because it is an eight minute, or thereabouts, walk from Crossrail to Woolwich Arsenal or the other way around, is it not?⁸⁰

(Mr Lambert): I think your initial judgment was right in that I do not think I can give a qualified judgment on the interchange. If it helps what I can say is that notwithstanding the interchange aspect, the fact that there is a Crossrail station there will have an impact, rather than from a property market perspective rather than the interchange itself.

7829. The DLR is very well related to the existing Woolwich Arsenal station, it is just round the corner, whereas the Crossrail station would be a significant distance away, would it not?

(Mr Lambert): That is correct, but my area of expertise is property market and the property market in itself is not that interested in transport interchanges, what it is interested in is highly accessible locations, so from my area of expertise I do not think that walk is highly significant.

7830. That may be a point we take up with Mr Chard later on. Can I then finish with this: the perceptions table that you produce with the stars or asterisks in your proof, I will look at them in the original version, if you do not mind, because I have marked them up, if we could go, please, to page 201 of your exhibits?⁸¹ Can you focus in on the tables, please? This shows in one place the two figures you have produced separately?

(Mr Lambert): Yes.

7831. These perception diagrams that have been produced were the result of interviews, were they not?

(Mr Lambert): They were.

7832. We do not know how the interviews were carried out or what the questions were and I do not want to spend a lot of time on that, but what was the sort of question people were asked in order to generate information about barriers to growth with and without Crossrail?

(Mr Lambert): We asked the interviewees what they perceived to be the major barriers. I think we had a fairly open discussion with them, I do not think we were trying to lead anyone anywhere. This information really came through the discussions.

7833. Were you asking people to compare the situation at the time of the interview with the situation with the Crossrail station?

(Mr Lambert): I am sorry, can you repeat the question?

7834. Yes. Were you asking people to compare their perception of what Woolwich was like at the time they were asked the question, i.e. today, "What is Woolwich like today?" as compared with what it would be like with the Crossrail station?

(Mr Lambert): Yes, with the Crossrail station, without a Crossrail station.

7835. Did you ask them what it would be like with the DLR station?

(Mr Lambert): I do not believe we specifically asked, because I think it was implied that a DLR station would happen in 2009.

7836. It was implied. Well if they were asked what it was like today compared with Crossrail, they would not be doing that, would they, because today the DLR is not built?

(Mr Lambert): But there is a commitment to build it.

7837. They were not asked you say.

(Mr Lambert): I would have to check my notes, but I do not believe it specifically drew their attention to DLR, because I think the people we were talking to know Woolwich extremely well and I think we would have taken the view that they would take all of the circumstances and commitment that existed today.

7838. As we all know from interviews, it all depends on the question, does it not?

(Mr Lambert): I accept that, yes.

7839. On the 'with Crossrail' scenario, was it just with Crossrail with the station at Woolwich or were they told there might be some benefits with Crossrail, even if there was not a station at Woolwich?

(Mr Lambert): I believe we were just focusing on with the station.

7840. **Mr Elvin:** Thank you very much.

Re-examined by **Mr Jones**

7841. **Mr Jones:** May we return to your figure 1 please.⁸² It is a bar chart. You were asked various questions about the situation, the benefit without a Crossrail station. Would it be possible to make any of those journeys from Woolwich without changing trains without a Crossrail station at Woolwich?

(Mr Lambert): No.

7842. In terms of perception as a business location, how important are interchanges?

⁸⁰ Crossrail Ref: P77, Woolwich Station walk times plan (GRCHLB-3604-107).

⁸¹ Committee Ref: A84, Barriers to Growth, Figs. LBG/NL/I/02-03 (GRCHLB-3605-201)

⁸² Committee Ref: A84, Journey Times Savings from Woolwich to key Employment Destinations (GRCHLB-3605-215).

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(Mr Lambert): The fact that you have to change mode of transport is significant.

7843. Are you the witness to ask about reliability on the North Kent Line or would it be best to ask Mr Chard?

(Mr Lambert): I think Mr Chard would be better.

7844. Do you know if those figures are based on the assumption that trains run on time?

(Mr Lambert): I do not know, I am afraid.

7845. You were asked about major regeneration of King's Cross comparing that with this site and you were also asked about major regeneration of King's Cross in terms of King's Cross serving Canary Wharf. Do you know if it is possible or will be possible to get from King's Cross to Canary Wharf without changing trains?

(Mr Lambert): No. You could get there by Underground, but you would have to change lines. Perhaps I could just make another observation in terms of King's Cross because if I agreed with the impression that King's Cross would be back-office accommodation, then that would be incorrect. The offices that are proposed at King's Cross are at rents that would be more comparable to prime office locations.

7846. So is King's Cross really going to take away business from Woolwich in terms of offices?

(Mr Lambert): No. If anything, it would probably add to it because of the back-office support in King's Cross.

7847. You were then asked about the figure showing the walk distance from the suggested Woolwich Crossrail station to the Woolwich Arsenal Station. Is your evidence based on Woolwich being a destination or is it based on Woolwich being the place where people change from one mode of transport to another?

(Mr Lambert): I think it depends on which sector I am looking at really. Again it is also an interpretation of 'destination', so, if I am understanding the question correctly—

7848. It is the destination of an origin station or an interchange.

(Mr Lambert): I think people would go from Woolwich to other places.

7849. Does any part of your evidence depend on the suitability or otherwise of Woolwich as a station where people would change trains from one line to another?

(Mr Lambert): I do not believe so, no.

7850. I have no further questions, thank you.

The witness withdrew

7851. **Chairman:** Would you like to call your next witness.

7852. **Mr Jones:** Certainly, sir. It is Mrs Bowkett.

Mrs Helen Bowkett, Sworn

Examined by **Mr Jones**

7853. **Mr Jones:** Sir, particularly in view of my learned friend's opening, I do not intend to take a lot of time over this. You are Helen Bowkett?

(Mrs Bowkett): That is correct.

7854. You deal with your qualifications and experience, then the economic appraisal of a Crossrail station at Woolwich in your section 2, value for money in section 3, sensitivity tests in section 4, comparison with the Jubilee Line extension in section 5 and your summary in section 6. Would you read your summary please.

(Mrs Bowkett): The benefit cost ratio for a Crossrail station at Woolwich is at least 2:1 and is higher when more realistic population and employment projections for the area in 2016 are used.

7855. In fact I think you heard Mr Elvin in opening saying that the Minister now accepted it was between 2:1 and 3.9:1. Perhaps we could shortcut things to some extent. In essence, is there any disagreement on that band of figures?

(Mrs Bowkett): No. In fact these benefit cost ratio figures have been supplied to us by Crossrail.

7856. So basically you are happy with the range of 2:1 to 3.9:1?

(Mrs Bowkett): Yes, I am.

7857. Could you read on from 6.2 and we will bear that in mind when we get to 6.3 which is marginally different, but probably not of great importance.

(Mrs Bowkett): These benefit cost ratios in all cases are higher than the 1.8:1 benefit cost ratio for the scheme as a whole. Crossrail conducted a series of sensitivity tests. Their base case benefit cost ratio for a station at Woolwich is 2. They carried out a high growth sensitivity test and this gives a benefit cost ratio of 3. They also did some work using the EDAW population and employment forecasts and in that case the benefit cost ratio of the station at Woolwich on the Crossrail scheme rises to 4:1.

7858. Do you see a significant difference between the figure of 4:1 and 3.9:1?

(Mrs Bowkett): Well, 4:1 is higher than 3:1—

7859. No, 3.9:1.

(Mrs Bowkett): The figure I was provided with by Crossrail was 3:1.

7860. Sorry, I was thinking of the latter part of 6.3. Do you see a significant difference between 4:1 and 3.9:1?

(Mrs Bowkett): The Crossrail high growth scenario figure is 3:1.

7861. Would you read the second sentence of 6.3 please.

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(Mrs Bowkett): Using EDAW's more specific work on the Woolwich area gave a benefit cost ratio of 4:1.

7862. Do you see a significant difference between the 3.9:1 which was read out in the letter from the Minister earlier today and 4:1?

(Mrs Bowkett): No, they are basically the same numbers. Usually the difference is due to rounding.

7863. Could you read 6.4 please.

(Mrs Bowkett): The latest population forecasts for 2016 produced by the Greater London Authority, version 8.0.7, are substantially higher than the London Plan figures for 2016 that the Crossrail team have used in their modelling work. This recent upward assessment of population numbers suggests that higher benefit cost ratios calculated for the station are the more likely figures to be achieved. There are also likely to be other substantial regeneration benefits for Woolwich which are not included in the benefit cost ratio calculations.

7864. Then your final paragraph.

(Mrs Bowkett): According to the Department for Transport's guidance, the Crossrail station at Woolwich would represent high value for money.

7865. High value for money is anything above 2:1?

(Mrs Bowkett): That is it. That is their highest banding in their value for money categorisation, 2:1 and above, which they call high value for money.

7866. Thank you.

Cross-examined by Ms Lieven

7867. **Ms Lieven**: Mrs Bowkett, I have not got very many questions, but perhaps I could just make it clear to the Committee that, so far as the benefit cost ratio itself is concerned, the costs, I think, are agreed between ourselves and Greenwich, so there is no issue on that, and on the benefits, the actual figure for benefits is a matter which Mr Elvin has been investigating with the previous two witnesses. You just give evidence on the figure and how the figure should be treated? Is that right?

(Mrs Bowkett): The benefit cost ratios which have been given have been provided to us by Crossrail.

7868. Therefore, all I am going to ask you about is what approach one should take to the benefit cost ratio within the Department for Transport's guidance. In your evidence, you refer to the guidance on value for money produced by the Department for Transport. Is that right?

(Mrs Bowkett): Yes, that is right.

7869. In your Exhibit 4, which I think is our remuneration page 283 and the page I want is page 285, perhaps, Mrs Bowkett, you could turn to that please.⁸³

(Mrs Bowkett): Unfortunately I do not have the same numbering system.

7870. It is page 2, the summary page. Just to make it clear what this guidance on value for money document is, if we go to the fifth bullet point of the summary, the one that starts, "Advice to ministers . . ."—do you have that?

(Mrs Bowkett): Sorry, which paragraph are you referring to?

7871. It does not have paragraph numbers. It is the fifth bullet point and starts, "Advice to ministers should reflect the presumption that purely on grounds of value for money we should generally fund", and then there are sub-bullet points, "most, if not all, projects with high VFM". Do you see that?

(Mrs Bowkett): Yes, I do.

7872. There is no dispute that Woolwich falls within the higher value for money if the BCR is over 2?

(Mrs Bowkett): Yes.

7873. The point I just want to emphasise here is that the view that most, if not all, projects with high VFM should be funded is purely on the grounds of value for money. It does not take into account the other considerations at that stage, does it?

(Mrs Bowkett): That is true, but I thought it would be helpful though, as BCRs are just numbers, to be able to put them into some form of context and I thought the value for money categorisation helped to provide some context to these BCR ratios.

7874. If we move on to see how you take the value for money figure, the BCR, in the decision-making process, further down that page we can see the heading "Purpose", and then if we go over the page to paragraph 2 under that heading, and this is focusing on the top paragraph, it says, "Value for money is only one of a number of key factors which will influence whether a proposal should be recommended for acceptance by ministers. However, in a world of tight financial constraints, it becomes increasingly important", so it is clear from that that it is only one of a number of considerations, is it not?⁸⁴

(Mrs Bowkett): It is only one of a number, but it is a significant and important consideration.

7875. In order to find out what the other considerations are, we need to go to the Department for Transport's explanatory note, and I am sure you are familiar with that. It is in our exhibits rather than yours at page 19.⁸⁵ Do you have a copy of our exhibits?

(Mrs Bowkett): I am afraid I do not, no.

7876. This is a document headed, "Guidance on value for money: explanatory notes", and I assume you are familiar with this document, are you?

⁸³ Committee Ref: A84, Guidance on Value for Money, Summary, PBA Report (GRCHLB-3605-285).

⁸⁴ Committee Ref: A84, Guidance on Value for Money, Purpose, PBA Report (GRCHLB-3605-286).

⁸⁵ Crossrail Ref: P77, DfT Guidance on Value for Money Explanatory Note, www.dft.gov.uk (GRCHLB-3604-019).

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(Mrs Bowkett): Yes, I am.

7877. If we look, and yet again, I am afraid, it is not paragraph numbered, but if we look at the third paragraph of that document, the one with all the bullets, it says, “Ministers make decisions on the basis of a series of considerations, including value for money”, which is obviously what the value for money guidance goes to, “practicability; deliverability; public acceptability; distributional and equity impacts; affordability and financial sustainability; contribution to central government, local and regional objectives; and the amelioration of identified problems”. Do you see that?

(Mrs Bowkett): I see that, yes.

7878. You, I am sure, were here for Mr Elvin’s opening and you have read the letter from the Minister to Mr Raynsford?

(Mrs Bowkett): I have, yes.

7879. So you understand that the core reason for not supporting the station at Woolwich is the fifth of those bullet points, affordability and financial sustainability?

(Mrs Bowkett): I understand that is to be their argument. The station does do well on these other aspects, but their chief concern is the affordability of the station.

7880. And there is no doubt at all that is the material consideration as set out in the Department for Transport’s appraisal process?

(Mrs Bowkett): Yes, that is the case.

7881. It makes sense, does it not, Mrs Bowkett, because, although it is right to say that the guidance note says that most high-value-for-money projects will receive funding, it is obviously the case that there will be transport schemes with high value for money, high BCRs, which do not get funded by the Department.

(Mrs Bowkett): Mind you, a benefit cost ratio of 3 and above really does make people wake up to the value for money of a scheme.

7882. But the bottom line will always have to be: is it affordable?

(Mrs Bowkett): Yes, it has to be considered as well, whether it is affordable in the context of the whole costs of the Crossrail scheme.

7883. The other document I want you to look at is what is called, “The Appraisal Process” produced by the TAG Unit, transport analysis guidance, and that is at our exhibits, page 108.⁸⁶ It is the transport analysis guidance produced by the Department for Transport, again a document I assume you are familiar with. Is that right?

⁸⁶ Crossrail Ref: P77, DfT Transport Analysis Guidance, The Appraisal Process (GRCHLB-3604-108).

(Mrs Bowkett): Yes, indeed.

7884. Perhaps we could turn to, first of all, the appraisal summary table at page 115.⁸⁷ This sets out all the objectives that are considered in the appraisal process and if we focus in on “Economy”, which is half-way down the page, one can see there “public accounts”, and that is the affordability criteria, is it not?

(Mrs Bowkett): Yes, it is under “Economy” that you would deal with the cost of the scheme.

7885. Then two pages further on in that document, at page 117, there is a paragraph 1.2.14.⁸⁸ It says, “In order to make an assessment of value for money, the assessors will need to compare their assessment of overall net value with the cost of the project”. The overall net value there is the BCR, is it not, the benefit cost ratio?

(Mrs Bowkett): I believe so.

7886. And that has to be compared with the cost of the project and then it says, “Because affordability to government will often be a critical factor in deciding whether options are realistic and practical, it is recommended that the cost to public accounts, shown in the first sub-objective under the ‘economy’ objective (as well as being repeated at the top right of the AST) be used for this comparison”, so we can see there that affordability to government is acknowledged in this document as often being a critical factor.

(Mrs Bowkett): It is a consideration, yes.

7887. Thank you very much.

7888. **Chairman:** Mr Jones?

7889. **Mr Jones:** Sir, it is not really a matter for re-examination, but I would just point out my understanding of what has been said so far, and that is that the questions which have been put by Mr Elvin only went to the assumptions that underlay the benefit cost ratio of 4:1. My understanding is that the benefit cost ratios of 2:1, as mentioned in paragraph 6.1 of the summary, and 3:1, as mentioned in 6.3 of the summary, are based upon figures that are undisputed. I will be corrected if that is wrong, sir.

7890. **Ms Lieven:** You will be corrected. No, sir, that is not right.

7891. **Chairman:** Perhaps that probably is a matter that should be dealt with in summing up or do you briefly want to elaborate?

7892. **Ms Lieven:** I do not want to elaborate, save to say it is not accepted, but it will be dealt with by Mr Anderson giving evidence in chief and in the summing up as to what level of BCR it is. As Mr

⁸⁷ Crossrail Ref: P77, DfT Transport Analysis Guidance, Appraisal Summary Table (GRCHLB-3604-115).

⁸⁸ Crossrail Ref: P77, DfT Transport Analysis Guidance, Assessing the Overall Value for Money of the Option, para 1.2.14 (GRCHLB-3604-117).

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Elvin said in opening, a positive BCR clearly is accepted and the only issue on the BCR is the spectrum of where it falls within the figures that are being put forward, but 3:1 is certainly not accepted.

7893. **Chairman:** I think that is your view and it was very interesting to see, Ms Lieven, how much more quickly you rose to your feet than Mr Elvin who is more than competent!

7894. **Ms Lieven:** No, sir, I am not defending Mr Elvin! I certainly would not do that!

7895. **Chairman:** I take your point that it is probably more appropriate to be dealt with in the summing up.

7896. **Ms Lieven:** It is merely the convention that, because this is my witness in cross-examination, it was appropriate for me to rise. Please do not feel that Mr Elvin either needs defence or should receive it!

7897. **Mr Jones:** Sir, perhaps we could just deal with what I thought was a non-controversial matter.

Re-examined by **Mr Jones**

7898. **Mr Jones:** Mrs Bowkett, 6.1, what is the source of the assumptions which underlie the 2:1 figure?

(Mrs Bowkett): The 2:1 figure comes from Crossrail's work using their standard base model for 2016 where they value it with and without the station at Woolwich to evaluate the benefits of providing the station at Woolwich and this is the benefit cost ratio that they have provided.

7899. The source of your 3:1 benefit cost ratio?

(Mrs Bowkett): The 3:1 ratio comes from a sensitivity test that they run. It is a standard sensitivity test.

7900. By "they", you mean Crossrail?

(Mrs Bowkett): Crossrail, yes. It does not mean to say that they think that there will be 50 per cent growth, but it is their standard sensitivity test that they run. What is interesting is that the level of

growth that is in the GLA's 8.0.7 projections are roughly in the order of the growth that is represented in their 50 per cent high growth sensitivity test.

7901. Thank you. I have no further questions, sir. The witness withdrew

7902. **Chairman:** Mr Jones, would you like to call your next witness?

7903. **Mr Jones:** Although my last two witnesses have been short, my next witness is a very substantial witness.

7904. **Chairman:** Is this your final witness?

7905. **Mr Jones:** Yes, sir.

7906. **Chairman:** Perhaps if you could just do the introduction, that might help a little bit.

Mr Robert Ian Chard, Sworn
Examined by Mr Jones

7907. **Mr Jones:** We are at tab 5, sir, of the Council's bundle. I do not have the page numbering that the Promoter's side are using, but it is the fifth page through that I will be starting at. Mr Chard, on page 5 of your proof, you give your full name, Robert Ian Chard, also known as Bob Chard, and details of your employment, your qualifications, your professional status and your experience, including relevant experience to rail projects. Then at page 6 of your evidence, section 2, you deal with the scope of your evidence. At section 3, you deal with accessibility changes. Perhaps you could start reading from paragraph 3.1.

7908. **Chairman:** I just meant for you to introduce the qualifications of your witness.

7909. **Mr Jones:** In which case, that is all I would wish to say. The qualifications are in the proof and unless you wish to hear them—

7910. **Chairman:** In that case, we will halt the Committee for today and then continue tomorrow at 10 am. Can I ask all the various teams to stay and for the public to leave for a second or two and for the communication systems to be switched off because we need to discuss another matter.

The witness withdrew

Wednesday 10 May 2006

Before:

Mr Alan Meale, in the Chair

Mr Brian Binley
Ms Katy Clark
Mr Philip Hollobone
Kelvin Hopkins

Mrs Siân C James
Mr Ian Liddell-Grainger
Sir Peter Soulsby

Ordered: That Counsel and Parties be called in.

7912. **Chairman:** Today we will continue hearing the Petition of the London Borough of Greenwich, but, before we start, can I just remind people who work here regularly and those members of the public who are visiting that this morning the Committee will adjourn at 11.45 so that members can leave the Committee and go down to Prime Minister's Question Time. Mr Jones?

Mr Robert Ian Chard, Recalled

Examination by **Mr Jones**, continued

7913. **Mr Jones:** We had reached section 3 in Mr Chard's proof. Mr Chard, could you turn to your section 3 please and could you read, starting at paragraph 3.1 please.

(Mr Chard) The scale and speed of possible regeneration around any Crossrail station will be greatly influenced by the accessibility changes which that station will deliver. Accessibility can be defined as the ability of residents and businesses using the station to get to jobs, customers, services or other destinations within an acceptable journey time. Access to jobs by commuters is probably the most important aspect of accessibility, but the ability of local businesses and retailers to access customers is also significant. In this evidence, I only consider accessibility by public transport. Changes to accessibility occur when it becomes possible to reach more jobs or more people within the same travel time, or to reach the same numbers more quickly or cheaply. Usually, all such changes occur when a new station is introduced in a new location. Usually also, the consequential effect is a boost to the local economy. The size of any accessibility change related to a new station can vary considerably and so can the impact of a new station as a consequence. Therefore, when a potential new station is being considered, it is important to measure, and to understand, the size of accessibility change because, in that way, the potential economic and regeneration impacts of the station can be better appreciated. Because accessibility change is multi-dimensional, it is usually measured using computer modelling. For this evidence, the Council appointed Capita Symonds to undertake accessibility change modelling using their ACCESSION model. It was also decided to use definitions and measures of accessibility which are compatible with accessibility modelling undertaken by the Greater London Authority and the Promoters so that comparisons

can be made. The key measures used were access to jobs within a 30-minute travel time from a station and access to resident population within a 45-minute travel time, and in both cases by all or any public transport. Comparisons were made between the current 2006 accessibility and modelled 2016 accessibility, which include assumptions about the availability of various new transport projects in London, including Crossrail.

7914. I wonder if Mr Chard's slide 3 could now be put up please.¹

(Mr Chard) Initially two situations were considered: Crossrail with Abbey Wood station, but not Woolwich station; and Crossrail with both Abbey Wood and Woolwich stations.

7915. That is your figure 3 and you can see that it says, "Woolwich without a Crossrail station", and I wonder if you could just talk us through that figure please.

(Mr Chard) Yes, you can see the Woolwich station with the symbol and this shows the journey times that the model calculates for 2016 when various new infrastructure and services will be in place in London. It shows that you cannot reach central London in 15 minutes and it shows also that you cannot reach all of London even travelling for 60 minutes, which is the blue colour, so the areas are related to the population numbers and the job numbers which you can reach within various time bands. This is a two-dimensional measure of accessibility, whereas yesterday the accessibility was quoted in linear terms along the Crossrail route.

7916. So obviously this includes a lot of places which are not on the Crossrail route and indeed places which do not even have a station?

(Mr Chard) Yes, it takes account of the other rail services and bus services which are assumed to be available in 2016 and would allow you to make the journeys within these times shown.

7917. Of course one can see within it small dots which are slightly larger pink within the red and small dots and slightly larger red within the green and so on. Are those stations?

¹ Committee Ref: A84, Woolwich without Crossrail Station 2016 Journey Times (GRCHLB-3605-327).

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(Mr Chard) Yes.

7918. Can we now move to the next slide please, slide 4, which is, I think, Woolwich with a Crossrail station and obviously what matters is the difference?² Can you just deal with that please, Mr Chard?

(Mr Chard) This shows that all the areas in pink increase because Crossrail can take you faster to many destinations and Crossrail, in combination with other public transport through the Crossrail interchanges, can take passengers to a very much larger area of London within various time bands. In particular, you will see that the red, which is less than 30 minutes, now covers the centre of London, the central area of the City and parts of the West End which it did not previously, and it does not just cover the Crossrail stations, but it covers the area you see there in red. We have also got tables which tell us the number of people and the number of jobs which are currently within these areas which have different colours.

7919. You mentioned a difference to the City and the West End, but what about the difference made to the Isle of Dogs?

(Mr Chard) You can also see that that changes to less than 15 minutes and that is particularly important, I think, for the regeneration of Woolwich.

7920. Mr Chard, would you return to your proof now. I think we had got to the word “Subsequently” about a third of the way down page 8.

(Mr Chard) Subsequently a limited number of modelling runs were undertaken to give comparisons to other major town centres to be served by Crossrail stations. Some more detailed information is provided in Appendix 1 to this proof. Compared to many parts of London, and using the GLA measures, the current 2006 accessibility of the borough is not good, partly, but not entirely, due to the lack of London Underground services. Last summer, in evidence to the Thames Gateway Bridge Public Inquiry, the TfL witness, Professor Rosewell, gave evidence to show that, compared to all other London boroughs, Greenwich has below average accessibility. With both the Docklands Light Railway in Woolwich and the Thames Gateway Bridge open, the accessibility of the borough would be close to the London average. The conclusions for Capita Symonds’ analysis are that significant additional changes to accessibility can be achieved by Crossrail stations at Abbey Wood and Woolwich. The accessibility changes indicated are very large, especially for Woolwich, and, on this scale, are a rare event in urban development anywhere. In this case, the very large changes occur because Crossrail removes the barrier effect of the River Thames. There are three main components to the accessibility changes: firstly, direct access to central and west London with no interchange time—

7921. Could you just pause there? How important do you think the absence or presence of interchange is to journeys?

(Mr Chard) I think it is quite important. In my work, I come from Woolwich to central London very often and I do not like ever to arrive late and I find I have to allow more than a theoretical time because the time for interchange is unpredictable to a degree and also the reliability of the rail lines you use at present is also a factor to be considered.

7922. Can you read on? I think you had reached the top of page 9.

(Mr Chard) The second thing is faster line speeds than other lines to central London and, thirdly, a new route and new stations which reduce the travel distances for many trips. The likely effects of the accessibility changes would be: firstly, a rapid increase in commuting, especially from Woolwich; secondly, a boost to regeneration and development; thirdly, increasing wealth and reduced deprivation; and, fourthly, significant local private investment and a reduced need for public money. Not building a Woolwich station would be a major lost opportunity. There would be no gain from all the benefits which would arise from the very large changes to accessibility that the station could deliver.

7923. I wonder if you could now move to your Appendix 1. There is one matter which is not actually in your proof, but I think it is worth pointing out. It is Appendix 1 which is at tab 5, the first document there and it is the third page of this Appendix. I do not have the Promoters’ numbering, but it is paragraph 4.3.³ Appendix 1, “Changes to Accessibility” and actually I can see that it is numbered ‘340’. Could you please read the first three sentences of paragraph 4.3 please?

(Mr Chard) “The model scenarios indicate that if Woolwich station is not built, Abbey Wood would have better accessibility than Woolwich. The implications of that are that, for some types of development, investment near Abbey Wood would be more attractive. It would undermine the town centre function of Woolwich.”

7924. Then I need not get you to read the whole of the rest of that paragraph, but, in essence, you say that would be contrary to government advice in Planning Policy Guidance Note 13, PPG13. Could you return to your proof please? You had just reached the end of that section, so could you deal with the bus catchment areas for Woolwich and Abbey Wood, your section 4.

(Mr Chard) A Crossrail station at Woolwich would attract more passengers than many other stations in outer London because it can be very well served by feeder bus services. The Council has employed Capita Symonds to consider issues of bus accessibility using their ACCESSION model which contains all current 2006 bus timetables in London. With advice from Capita Symonds and local

² Committee Ref: A84, Woolwich with Crossrail Station 2016 Journey Times (GRCHLB-3605-328).

³ Committee Ref: A84, Findings of the Study: Changes to Accessibility, Para 4.3 (GRCHLB-3605-340).

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knowledge, it is assumed that rail commuters from a Woolwich station would not be prepared to accept the bus journey of more than 20 minutes or an average walk time of more than about ten minutes. Then, for example, a journey to work at Canary Wharf might take up to 20 minutes on the bus, ten minutes for interchange, ten minutes for train ride and a further ten minutes walking at either end, or about one hour maximum in total. Longer journeys to the station seem unlikely, unless they can be undertaken by car at speeds in excess of the buses. The output from the ACCESSION model is shown in a plan for Woolwich and a plan for Abbey Wood.

7925. Petitioner's slide 1 please.⁴

(Mr Chard) For Woolwich, the green area is the area within which it is possible to get to the centre of Woolwich in 20 minutes or less. The station access in the green area would mostly be by bus, but in the red area a walk of ten minutes or less is an alternative.

7926. Just dealing with the housing estates surrounding Woolwich which we mentioned yesterday, are they within the green and the red areas or not?

(Mr Chard) Yes, they are.

7927. Could you read paragraph 4.5 please.

(Mr Chard) At the time of the 2001 Census, the resident population within the Woolwich 20-minute isochron area was about 60,000. There is obviously a relationship between this population and the potential numbers of passengers using a Woolwich station. In general, the higher the population, the higher the number of passengers. Higher passenger numbers can be anticipated where residential densities are high and where there is a high density of bus routes. Compared to some other Crossrail stations, a station at Woolwich is attractive and would, other things being equal, attract many passengers.

7928. Petitioner's slide 2 please.⁵

(Mr Chard) For the Abbey Wood plan, the green area within the 20-minute isochron is smaller. It had a resident population of about 44,000 in 2001 or about 27 per cent less than Woolwich. Also, for many parts of the Abbey Wood catchment area, the bus services are less frequent than in the Woolwich area. More than four times as many buses per hour arrive in Woolwich town centre compared to Abbey Wood. Therefore, other things being equal, we would expect more than 27 per cent more passengers at a Woolwich Crossrail station than an Abbey Wood Crossrail station. It has not been possible within the time and budget constraints to undertake comparison studies at other Crossrail stations, but it is obvious, even from a limited examination, that some will not get a lot of passengers because they contain significant areas of non-residential land or residential land with low population densities. Some

are also poorly served by existing bus services. It is important to consider how the catchment areas of the two stations might change after station opening. In terms of the bus network, our analysis of the development of bus services to serve North Greenwich station suggests that the number of buses serving the Woolwich catchment area might treble or quadruple within 15 years of station opening. It is anticipated that it will generally be possible to maintain average bus operating speeds, even in the peak period, by the introduction of additional bus priority measures. With more frequent bus services and more bus priority measures, bus access to central Woolwich and bus access to the stations will improve even if no new routes are introduced. However, in addition to the intensification of existing routes, there is some scope to introduce new routes and that would increase the area which is accessible to the station within 20 minutes by bus. The population living within the Woolwich 20-minute catchment area will also increase very significantly by 2031. Based on the GLA forecasts of population growth for local areas, that increase is estimated to be between 30 and 40 per cent for the Woolwich catchment area south of the river. Taken together with the extension of the catchment area achieved by new or faster bus routes, the 2031 population is likely to be about 100,000 compared to 60,000 in 2001, which is an increase of 66 per cent. For Abbey Wood, the equivalent changes are less certain. Even if the bus services at Abbey Wood were quadrupled, the numbers of buses serving the station would be much less than at Woolwich and, in the absence of significant new highway works for bus priority, the reliability would be likely to deteriorate. Unlike Woolwich, the demand for bus services would not be throughout the day, but very much concentrated in the peak commuter travel times. That has raised doubts about London Transport's future commitment to provide those services because they might well not be judged to be value for money if the buses have low occupancy for much of the day. There is scope, at least in theory, to expand the catchment area at Abbey Wood by introducing new bus routes, but again frequency, reliability and viability are all issues which create uncertainties for any estimate of future bus access to Abbey Wood. As at Woolwich, there will be an increase in population in the catchment area between 2001 and 2031. In fact, the increase between 2001 and 2006 has already been considerable. The estimated 2031 population is likely to be between 60,000 and 80,000 or 20 to 40 per cent less than Woolwich. A Woolwich Crossrail station is likely to have higher passenger numbers than Abbey Wood because it would be at a hub of the bus network. It would have more frequent and more reliable bus services to serve the station and would have a higher resident population within a short, convenient bus journey to the station.

7929. I would like you now to move to certain documents, apart from your proof, supplied by the Promoters and, first of all, Promoters' page 12

⁴ Committee Ref: A84, Woolwich: 10 and 20 minutes bus journey times (GRCHLB-3605-325).

⁵ Committee Ref: A84, Abbey Wood: 10 and 20 minutes bus journey times (GRCHLB-3605-326).

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please.⁶ Perhaps we could take the map as a whole first of all. There we see something which, at first glance, is a very familiar shape, a London public transport map. When we look at it in a bit more detail, we have the Greenwich Waterfront Transit. First of all, on the whole of that map, how many bus-based routes are there?

(Mr Chard) I believe there are two.

7930. And they are?

(Mr Chard) The Greenwich Waterfront Transit and the East London Transit.

7931. We can see the Greenwich Waterfront Transit going through Woolwich— North Greenwich and possibly Greenwich to east London, starting at Galleon's Reach and going northwards. Is that the total number of bus-ways one would have by that time?

(Mr Chard) Those are the two bus-way projects which are being promoted in London by Transport for London. They are intended to be partly segregated and partly on the highway in mixed traffic. There are obviously a lot of bus lanes and there are the equivalents of bus-ways to reach Heathrow Airport on the M4 and also on the Heathrow access road.

7932. In terms of capacity, how would the capacity of the Greenwich Waterfront Transit compare with the capacity of Crossrail?

(Mr Chard) It would be very small and the line speed would be slower.

7933. Let us take it one at a time, first of all, capacity and speed. What are we talking about in the Greenwich Waterfront Transit?

(Mr Chard) We are talking about starting at ten buses an hour, I believe.

7934. So in terms of capacity we are talking about buses, ten an hour, and in terms of Crossrail of course we are talking about trains.

(Mr Chard) Yes. A Crossrail train has, I believe, something between an 800- and 1,000-person capacity compared to something between 50 and just over 100 for a bus, depending on the type of bus.

7935. And in terms of speed?

(Mr Chard) The line speed of Crossrail is faster.

7936. And in terms of access to central London?

(Mr Chard) The bus-ways are designed as local transport services within the Thames Gateway and Crossrail is a strategic cross-London route.

7937. Unless there is anything else you want to deal with on that particular slide, can we move to the next Petitioner's slide, page 13, which is an extract from the UDP?⁷ Perhaps we could go to the top half of

that please, the policy and the first bit of supporting text. How does the Petitioner's objection relate to Policy SM1 and the objectives of government guidance referred to in paragraph 7.6?

(Mr Chard) Greenwich Council's policy, Policy SM1, in our draft UDP is very much in line with government policy and guidance in PPG13. We are a borough which very much favours the development of public transport.

7938. I wonder if you would move now please to page 14 and that is the draft Local Implementation Plan and perhaps begin with the top half of the page please.⁸ This is obviously a draft. We can see mention of SELTRANS, the South-East London Transport Strategy, in paragraph 3.2.5. Could you move down to the second indent of that please, Mr Chard, "Improved accessibility for all to town centres and employment centres, bus and tram stops and railway stations". How does Abbey Wood compare with Woolwich in terms of being a town centre and an employment centre?

(Mr Chard) Abbey Wood is not a town centre, as defined in our Unitary Development Plan, so this policy does not apply to Abbey Wood. It does apply of course to Woolwich which is the largest town centre in the borough.

7939. Can we move a little bit down that page please so that we get the whole of 3.2.6? There we see on the second indent at 3.2.6 a reference to a reduction in the use of the private car. How does providing a station at Woolwich compared with only providing a station at Abbey Wood relate to the policy of reducing the use of the private car?

(Mr Chard) We have had a number of new stations open in our borough in recent years and new railway lines, but, in looking at the data since those railway lines and stations have opened, our assessment is that we do get a road traffic reduction in parallel to very large increases in the number of people who travel by public transport on the new Docklands Light Railway and the JLE. The proportion of people who travel on the new railway lines is obviously related to the number of stations which they have available to them within a convenient distance, so it is my view that adding a Woolwich station will attract more passengers to Crossrail and that will have an effect in terms of a reduction in the use of private cars. That appears to happen whenever you introduce railways and public transport of a large capacity in this area of London.

7940. How important is it, when it comes to reducing the use of the motorcar, that one can get from one's home to the station by bus or other public transport?

(Mr Chard) Well, it is very important in Woolwich because car ownership is very low in Woolwich compared to the national average and compared to most of London, so many people in Woolwich at the present time do not have the car option.

⁶ Crossrail Ref: P77, Putting Transport on the Map (GRCHLB-3604-012).

⁷ Crossrail Ref: P77, London Borough of Greenwich Unitary Development Plans 2004: Second Draft—Policy SM1 (GRCHLB-3604-013).

⁸ Crossrail Ref: P77, London Borough of Greenwich Draft Consultation Local Implementation Plan, July 2005 (GRCHLB-3604-014).

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7941. So we have the social importance for people who do not have a car. What about environmental matters?

(Mr Chard) Well, the second issue, I think, is that anecdotal evidence suggests that, if people cannot get to a station conveniently or cannot use it, they may try and do that whole journey or a long part of their journey by car. We get people, we believe, who abandon part of their journey or more of their journey by car if there are convenient railway stations and linked bus services. The other aspect of this is that we are a borough which is particularly concerned about air quality and, from an environmental point of view, we want to reduce car use as far as possible as one of the ways to improve air quality in the borough.

7942. While we are on air quality, I think today Greenwich is the only part of the United Kingdom to have a low emissions zone. That is right, is it not?

(Mr Chard) I am not sure if I am 100 per cent up to date on that, but I believe we might have been the first.

7943. So someone else might have by now.

7944. **Chairman:** Mr Jones, just before you move on, Mr Hopkins has a question.

7945. **Kelvin Hopkins:** It seems to me very simple that, if there is only an Abbey Wood station and not a Woolwich station, people who live in the densely populated centre of Woolwich might drive to Abbey Wood to make use of Crossrail if there is no Woolwich station, whereas, if there is a Woolwich station, they could walk to it.

(Mr Chard) I am not sure that many people in Woolwich would drive to an Abbey Wood station because, in the peak am travel period, they would of course be driving against the flow to get to Abbey Wood, but they would still have to go through junctions and roundabouts, so their journey would not be uncongested necessarily. In London there seems to be a great reluctance for people to drive out of London to go into central London, even when it is quicker to do so. There is perhaps a psychological barrier to doing that. I am not sure that they would do that. They have other options. They could drive to the DLR station at Greenwich instead and try to go to central London from that station. It is perhaps something that could be looked at, but I am not convinced that many people would actually do that.

7946. **Kelvin Hopkins:** The simple point I was making is that local car usage will be greater if there is no Woolwich station than if there is a Woolwich station. I am just supporting your point really.

(Mr Chard) Yes, I think so.

7947. **Mr Jones:** Promoters' page 107 please.⁹ As far as that is concerned, is it any part at all of Greenwich's case that there should be a Woolwich

station so that people can change from a Woolwich Crossrail station to the Woolwich Arsenal Network Rail station?

(Mr Chard) No, it is not part of our case. Looking at this diagram, I have not seen the Promoters' estimate of how many people would need to make this journey. In my judgment, it is not very many.

7948. Just dealing with the walk time, since they have put evidence in about it, do you have any comments on an 8-minute walk time between station platforms?

(Mr Chard) It is longer than desirable. There may well be so-called interchanges in central London, such as around the Bank, which have similar times. What I would also say is that it is not beyond the bounds of possibility to redesign the redevelopment of Woolwich so that that route and that time could be reduced. The distance between the closest points of the station is less than that route.

7949. We now move in your proof to section 5, "Transport Assessments" and could you read from 5.1 please.

(Mr Chard) The Council normally requires developers to produce transport impact assessments for proposed major developments which are likely to generate significant volumes of traffic, in accordance with Policy M1(a) of the emerging, and soon-to-be-adopted, Unitary Development Plan. Planning Policy Guidance 13 recommends that, where appropriate, local planning authorities may require an applicant for planning permission to submit a transport assessment where, in their opinion, there are likely to be significant impacts as a consequence of the proposed development. The London Borough of Greenwich has agreed to act as the lead borough for all boroughs or a number of boroughs concerned about transport assessments at outer stations. It is the boroughs' position that the lack of full transport assessments was a deficiency in the documentation submitted in support of the Bill. In response to the Council's Petition, the Promoters agreed to submit a transport assessment for Abbey Wood station and, in due course, for some other proposed Crossrail stations. The Council provided a scoping document for the work, based on the widely adopted guidelines, which is attached as an appendix. The Promoters have submitted a transport assessment report for Abbey Wood station, but there are still unresolved issues between the Promoters and the Council. It is good practice, recommended by the guidelines, for the transport assessment to cover a period of 15 years from the date of bringing into use the proposed development. Accordingly, the Council has asked the Promoters to assess the period from 2016, when Abbey Wood station is proposed to open, to 2031. Perhaps I can just say that the guidance is the Institution of Highways and Transportation's guidance, and there is an error in the proof.

⁹ Crossrail Ref: P77, Proposed Woolwich Station walk times between stations Plan (GRCHLB-3604-107).

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7950. So cross out “ICE” and put in “IHT”.

(Mr Chard) So far the Promoters have been unable to do that because they did not have forecasts of the numbers of passengers likely to use the station during the 15 years after opening in 2016. The Council does not have access to use the forecasting models used by the Promoters. Therefore, the Council have been obliged to adopt a different methodology to assess passenger numbers at Abbey Wood, and also at a possible Woolwich station, during the period of 2016 to 2031. The Council had to undertake some form of forecasting simply to explain to the Promoters that there is an important issue to be considered and because the Promoters failed to produce any appropriate forecasts themselves to clarify the issue. In the absence of any other passenger forecasts for Abbey Wood station in the 15 years after opening, the Council is suggesting that their own estimates have to be used in the transport assessment because passenger forecasts are an essential part of any transport assessment. The forecast suggests that in 2031 between 20 and 30 million passengers per annum are likely to wish to use Abbey Wood station, assuming there is no Crossrail station at Woolwich. A key issue to be agreed between the Promoters and the local highway authorities is the assumed modal split for passengers travelling to the station in the peak a.m. journey-to-work period. For Abbey Wood, the Promoters would like to assume a high mode-share for buses and a low mode-share for cars. That assumption would make it likely that between 90 and 160 buses in each direction would be required in the peak hour in 2031. However, for a number of reasons, the boroughs are not convinced that very low car access can be achieved at stations in outer London and beyond. The estimate of passenger numbers which the Council has considered suggests that, whatever modal split is assumed, there will be a requirement for highway works and bus priority measures in order to maintain and improve vehicle access to the station. The proportion of works required for bus priority and the proportion required for general highway traffic and congestion relief will depend on what modal split is eventually assumed for station access. In any event, the Council maintain that the Promoters should give an in-principle undertaking that the necessary works will be built to ensure that congestion on the highways does not frustrate the desire of local residents to use the proposed station conveniently and to its full potential.

7951. Has such an undertaking been sought by the Council?

(Mr Chard) We have had a number of meetings with the Promoters and we have made—

7952. You do not need to go into great detail. I will ask for more detail if we need it. Has one been sought?

(Mr Chard) Yes.

7953. Has one been given?

(Mr Chard) No.

7954. Please read 5.10.

(Mr Chard) In order to establish what works to highways the Promoters should reasonably be asked to underwrite, the Council have appointed consultants Mouchel Parkman to undertake an independent preliminary assessment.

7955. In 5.11, it should read “The consultant’s draft report”, should it?

(Mr Chard) Yes. The consultant’s draft report suggests that, in accordance with Policy M27 of the Council’s draft Unitary Development Plan and similar policies in the London Borough of Bexley, the Promoters should contribute between £20 million and £30 million towards off-site highway works at Abbey Wood. It can be appreciated that the Promoters might be reluctant to accept such an additional cost to the project without further scrutiny. It may be that the highway works can be funded from some other source and, if the Promoters wish to offer an undertaking to that effect, then an amendment to the Bill might be unnecessary. We also understand the Promoters’ estimate that, if a Woolwich station is included in the project, then about 25 per cent of potential passengers at Abbey Wood could transfer to Woolwich, and possibly it might be more with appropriate highway management and new bus services. The required highway works would then be less; hence one of the financial benefits of a Woolwich Crossrail station would be cost savings to the Promoters at Abbey Wood.

7956. So essentially what you are saying there is that, in dealing with the costs of the Woolwich Crossrail station, one also ought to put into the arithmetic the saving in terms of highway works in the vicinity of Abbey Wood?

(Mr Chard) Yes.

7957. Moving on to the Abbey Wood station access issues, could you read from paragraph 6.1 please.

(Mr Chard) Greenwich Council accepts that passenger forecasts undertaken in support of the Bill were generally adequate, but they are inadequate for the purpose of providing transport assessments to individual stations on the south-east arm of Crossrail. That is because: firstly, they only forecast year 2016 passenger numbers, ie, one year; secondly, they assume an inappropriate growth profile post opening; thirdly, they do not extend to 15 years post station opening; and, fourthly, the forecasting methodology is not good at identifying new trips as distinct from reassigned trips. Consequently, the Promoters’ forecast for Abbey Wood is incomplete and likely to be too low. Based on evidence from the Jubilee Line Extension North Greenwich Station, the Council have estimated that, if Crossrail Abbey Wood station has eight million passengers in year one after opening in 2016, it will have between 20 million and 30 million in 2031, 15 years later, or up to 400 per cent of the 2016 numbers.

7958. There is no need to read the next paragraph, so paragraph 6.4 please.

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(Mr Chard) The Council's own estimate and assumed growth profile of potential passenger numbers at Abbey Wood is focused on 15 years after the likely station opening date of 2016, that is, 2031. In our opinion, the station should be designed and built to accommodate any likely passenger numbers arising in the 15 years after opening comfortably and without any need for major modification. At the public inquiry into the Thames Gateway Bridge proposals, TfL informed the inquiry (day 56) that with the bridge traffic and with the general growth in other traffic there would be no spare capacity in Harrow Manor Way in 2016, even with the highway mitigation works for the Bridge.

7959. **Mr Jones:** Can we just pause there? For those not familiar with Harrow Manor Way, could you confirm that that is the main route northwards from Abbey Wood Station?

(Mr Chard) North and south is the viaduct and the roads beyond the viaduct and Abbey Wood Station which goes north/south.

7960. So it is a main route from Abbey Wood Station, full-stop. Would you read on, please?

(Mr Chard) Therefore, further highway works will be required to increase capacity to accommodate any traffic generated by a Crossrail station at Abbey Wood. The cost of those works is a cost of the project and an absolute requirement, whether they are funded from Crossrail budget or not. If highway access to the station were not improved then highway congestion would diminish the efficiency and value of the station for any passengers needed to access by car or bus. It would also have a substantial adverse impact on the quality of life of local residents. The council strongly supports policies to maximise public transport use and that includes supporting access to stations by bus in preference to cars, where that is feasible. However, for a station in outer London or beyond, which is not in a town centre, it is unrealistic to assume (as the Promoters have done) that nearly all access to the station can be by walking, cycle and bus. A more realistic and pragmatic approach suggests that, even with an extended controlled parking zone, car access cannot be reduced to insignificant levels. An interim assessment for London Borough of Greenwich for new highway works and for bus priority measures and congestion relief works has been undertaken by consultants Mouchel Parkman. We seek an assurance from the Promoters that in the absence of any Crossrail station they will work with the local authorities to refine those estimates and will, in any event, guarantee the funding for the design and construction of the necessary highway works. With a Crossrail station at Woolwich the problem of Abbey Wood becomes less severe. It can be assumed that about 25 per cent of potential passengers at Abbey Wood might choose, or could be persuaded to use Woolwich instead. It would also affect the modal split of passengers accessing Crossrail stations in the borough. Walk-mode share and bus-mode share would both increase, while car-mode share would reduce significantly. That is because as a town centre

Woolwich will always be much better served by feeder bus services. For example, some potential rail passengers in the Wickham area, who can only realistically get to Abbey Wood Station by car, can even now easily get to Woolwich stations by bus.

7961. Could you just say where Wickham is in terms of directions from Abbey Wood?

(Mr Chard) It is southeast. I can—

7962. Just a broad indication.

(Mr Chard) Sorry, Wickham is southwest from Abbey Wood.

7963. If we can go to section 7, Woolwich Station access issues, I think we can omit paragraphs 7.1 and 7.2 from the oral reading. Could you start at 7.3, please?

(Mr Chard) Unlike Abbey Wood Woolwich is a town centre and a hub of the bus network. It is very well served by buses already and further improvements will be necessary in any event. In the town centre there is a controlled parking zone and all parking (except at Network Rail car park) is charged by the hour. Compared to Abbey Wood a higher mode share for buses and a lower mode share for car access to the station is realistically achievable.

7964. In paragraph 7.4 and the first 60 per cent of paragraph 7.5 you deal with future works. I think it is appropriate to note the last three sentences in paragraph 7.5, which relate to those possible future works.

(Mr Chard) However, in nearly all cases those works—that is the works at Woolwich—are required before 2016 with or without a Crossrail station. Therefore, the cost of the works apart from bus stops in Plumstead Road are not attributable to Crossrail project. This compares favourably with Abbey Wood.

7965. Section 8 deals with deferred construction of a Woolwich Crossrail station. Would you read that, please?

(Mr Chard) In February 2005 the Secretary of State for Transport issued safeguarding directions for Crossrail. Sheet numbers 33 and 34 of the plans attached to the directions cover the area of Woolwich town centre and show an area of surface interest which we are advised was included to allow for the possibility of a Crossrail station at Woolwich.

7966. If we move to paragraph 8.3 and if you would read that, please?

(Mr Chard) The council and the Promoters are agreed that there is no technical reason why a Woolwich station could not be built later, but we are also agreed that it cannot be done at any reasonable cost, as recorded in the minutes of the meeting of 4 April 2006. Detailed costs for construction after the railway is open have not been prepared by the Promoters, as far as we are aware, nor by any of the other parties that have commented on possible later construction. It has been suggested to the Promoters

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that such construction might involve: temporary closure of the railway for an extended period; more expensive working methods; compensation to the train operating company; and loss of potential cost savings at Abbey Wood. In the Promoter's Response to the council's Petition it is stated on page 12: "The Promoter does not consider that there is a strong enough case for building a station at Woolwich in view of the cost of doing so." While we completely disagree with that statement we can agree that there appears to be no reasonable case for building a station at Woolwich with the very much higher costs which would be involved if construction were to be undertaken while the railway is operational. Subject to further investigation cost alone is likely to be a good enough reason to dismiss the possibility of later construction, but it may not be the most important reason. The benefits would be greatly reduced, not just because the benefits would be deferred but also some benefits would be lost forever. New opportunity costs not related to construction are also likely. For example, without an immediate prospect of a Crossrail station developers will still develop their sites but, as EDAW and DTZ reports confirm, that development would be significantly less value than the likely development with a Crossrail station. Once built the development cannot be changed, so the opportunity and the benefits it would bring would be lost forever. Also the over station development site, worth millions of pounds, would be blighted by safeguarding and would probably remain undeveloped. A Crossrail station built later would have a benefit cost ratio much inferior to the benefit cost ratio for a station built with the rest of the railway. In all probability it would be poor value for money and would therefore fail to get funding clearance from either the Department for Transport or TfL because the business case would be so poor. I am aware of only one analogous case. The DLR underground station at the Cutty Sark in Greenwich was designed with passive provision for extension. However, when detailed plans were prepared to upgrade the line and the stations from two-car trains to three-car trains it was discovered that extending the platforms underground would be very expensive. It would have required risky and costly engineering work as well as temporary closure of the line and large revenue losses to the operating franchisee. It was decided that station platform extension underground would be too costly to justify; so Cutty Sark is now the only station on the line proposed to have short platforms and selective door opening. In conclusion, if a Crossrail station is not built at the same time as the rest of the railway it is almost certain it would never be built.

7967. If we move on now—we do not need to go to the undertakings, they are in the text—you deal with construction working hours, and I do not ask you to read this section, but perhaps you could read the first sentence at paragraph 9.7?

(Mr Chard) The council therefore seeks an amendment to Schedule 7 of the Bill to allow local planning authorities to control working hours for

planning and highway reasons. Apart from the example given there may be other instances, as yet unforeseen, where it may be necessary for the Nominated Undertaker and a Local Planning Authority to agree limited extended hours for planning and highway management reasons.

7968. In section 10 you deal with disruption to the North Kent Line services and there is an undertaking proposed there. Section 11, planning permission for station buildings. Apart from just flagging up the third sentence in 11.5, "The council only seeks a planning application in respect of the station building because it is a public building and not for other parts of the station," I do not think it is necessary to read that, and there is an undertaking there. Section 12 has been resolved but it might be very convenient to move to Petitioner slide 12, so that the Committee is informed how it has been resolved. As far as that is concerned would you just confirm that the council is content if clause C at the bottom and the paragraph that follows clause C are removed, and that clauses A and B, although slightly reworded, are not changed in substance, and that the introductory sentence remains unaltered?

(Mr Chard) Yes, that is correct.

7969. Other Petition clauses in your section 13, if you could just move to Ebbsfleet so that the council's position in respect of that is clear. It is on page 30 and would you read paragraph 13.9, please?

(Mr Chard) While recognising the potential benefits of an extension the council would not wish to support a change to the Bill for an Ebbsfleet extension if it would increase the cost of the Crossrail project. A note sent to the Promoters is in the appendix to this proof.

7970. **Mr Jones:** Thank you, Mr Chard; would you wait there, please?

Cross-examined by **Mr Taylor**

7971. **Mr Taylor:** Mr Chard, I want to begin by asking you some questions about accessibility changes, just very briefly, and you address those in paragraph 3.7 of your proof at page 301.¹⁰ You have explained here that current accessibility in the borough is not good, but you point out in the last sentence that: "With both a Docklands Light Railway in a station in Woolwich and Thames Gateway Bridge open the accessibility of the borough would be close to the London average."

(Mr Chard) Yes.

7972. If we add Crossrail as proposed in the Bill with the station at Abbey Wood to that average situation that would make accessibility of the borough above average for London, would it not?

(Mr Chard) Slightly, yes. Because Abbey Wood is very marginal to the borough, it is on the boundary.

¹⁰ Committee Ref: A84, Accessibility Changes, Para 3.7 (GRCHLB-3605-301).

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7973. If we add again the Greenwich Waterfront Transit Scheme that also would increase the available public transport in the borough yet further, would it not?

(Mr Chard) By a miniscule amount, yes, because to some extent it just replaces bus services.

7974. I see. A lot of the questions I have for you this morning relate to the issues surrounding traffic at Abbey Wood, and that is going to be the main focus of the questions that I have. Just to set the context for all of that, can you confirm that it is national planning policy to encourage a move to more sustainable forms of transport?

(Mr Chard) Yes, it is.

7975. Indeed, the council is subject to provisions of the Road Traffic Reduction Act 1997.

(Mr Chard) Yes, we are.

7976. Which requires it to look at ways of reducing traffic in the interior?

(Mr Chard) Yes.

7977. And the council is in the process, as I understand it, of formulating its Unitary Development Plan and within that development it explains that the council does not support road schemes that would lead to a generalised increase in road capacity within the borough.

(Mr Chard) That is correct, but with certain caveats.

7978. I have an additional set of documents that were produced this morning, with an extract from policy M13 of the draft UDP, and in particular paragraph 7.30, which is on page 4.¹¹ 7.30 begins: "The council does not support road schemes that lead to a generalised increase in road capacity, especially if they could be used for a more radial car-based community."

(Mr Chard) Yes.

7979. So within the borough's policy and within the context of national policy, in essence the way forward is to use the available road space more effectively for public transport?

(Mr Chard) Yes, we do seek to do that.

7980. In essence that means by improving the service provided by buses.

(Mr Chard) That is one of the things, yes.

7981. It would not be consistent with that policy picture, would it, to provide additional highway capacity to relieve congestion to general traffic?

(Mr Chard) Two key words in this are "generally" and "radial car-based community". What we are trying to achieve here is getting people on to public transport, which is a slightly different matter.

7982. But providing more road capacity for people to ride around in their private cars would not be consistent with that objective, would it Mr Chard?

(Mr Chard) It depends what the net effect is. If we discouraging people from driving all the way into central London or into inner London by allowing them to drive a shorter distance and then doing most of the journey by train then the net effect is to reduce road traffic.

7983. If you are trying to encourage people to take the bus to the train station, if you were to provide an increase in road capacity that would mitigate away from that objective, would it not?

(Mr Chard) We entirely support encouraging people to use buses but in outer London and in the rest of the UK encouraging people to use buses and not to use their car is a difficult task and we have to be pragmatic and realistic about what is achievable.

7984. Encouraging people to drive to a station rather than to take the bus to the station would be contrary to national and local policy, would it not?

(Mr Chard) Yes, it would.

7985. So if we are looking at the highways in relation to the Abbey Wood Station, if Crossrail were to lead to an increase in general road traffic the policy would be not to provide additional highway capacity to cater for that traffic, would it not?

(Mr Chard) I do not know where we will eventually get to. I think it depends on how the transport assessment finally evolves. I do not think we have reached that stage yet.

7986. I will put the question again. It is a hypothetically based question: if Crossrail were to lead to an increase in general road traffic the policy would indicate that we should not provide additional highway capacity to cater for that additional road traffic. That must be right, must it not?

(Mr Chard) Are you taking that particular stage on Crossrail or not? You said Crossrail; are you talking about Abbey Wood Station?

7987. Yes, or indeed anywhere.

(Mr Chard) The important thing is that we maximise the use of public transport, that is one of the council's objectives. If maximising public transport involves changes to the highway then that may have to be done.

7988. I am trying to establish a simple point with you, Mr Chard. The real question here is not whether Crossrail should provide additional capacity for general traffic, but whether Crossrail can impact upon the provision of buses. That is the central issue in relation to Abbey Wood Station, is it not?

(Mr Chard) Yes, there is a need to accommodate buses and give them priority on the highway network; we agree that buses should have priority.

¹¹ Crossrail Ref: P78, Highway and traffic issues, Para 7.29 (SCN20060510-001).

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7989. In order to examine what the potential impacts of Crossrail would be at Abbey Wood and on the local highway network around the station obviously we have to have regard to some forecasting, unfortunately.

(Mr Chard) Yes.

7990. You have been in discussions with the Promoter about the way to carry out that forecast, and as a result of those discussions a detailed report was produced in January of this year by Halcrow. You are aware of that report?

(Mr Chard) Yes.

7991. As I understand it that went some way to meet your concerns but there are two central aspects of that work about which you have concerns. Firstly, the assessment year that has been adopted, that Halcrow modelled to 2016 and you, I believe, advocated an assessment year of 2031.

(Mr Chard) Yes.

7992. The second aspect is the mode split that has been assumed, that is to say the proportion of people travelling by whichever transport mode, albeit walking, cycling, buses or private car.

(Mr Chard) Yes.

7993. In your evidence at page 306, paragraph 5.4 you set out the point relating to the assessment year of 2031 and you, as I understand it, have produced your own forecast for the number of passengers in 2031 in paragraph 5.7 on page 306, and you estimate between 20 million and 30 million passengers per annum are likely to wish to use Abbey Wood Station.¹²

(Mr Chard) We got no 2031 forecast from the Promoter so we had to think what it might be, and we did some calculations based on what is actually happening and what is forecast to happen at North Greenwich. I do not particularly think that this is the best estimate that we will eventually get to. We do not have access to the models which the Promoters have and I think we want to work with them to try and improve this estimate.

7994. I do not accept that the 2031 forecast has not been produced—and we will come to the Promoter's 2031 forecast in a moment. The evidence you have set out and given this morning to the Committee in relation to the likely impact of Crossrail on Abbey Wood in 2031, as I understand it, is based upon forecasts of between 20 million and 30 million passengers per annum. That is right, is it not?

(Mr Chard) Based on, sorry?

7995. On forecasts of between 20 and 30 million passengers per annum?

(Mr Chard) We have discussed this with our consultants, Mouchel Parkman, who also act for a number of other Petitioners and that is the number that is in their draft report, which I understand has

been given to the Promoters. I would repeat that I think that we all have to consider this number further and work on it towards an agreed figure.

7996. Based upon those forecasts, in paragraph 5.8 at the bottom of page 306, you identify the demand of between 90 and 160 buses in each direction in the peak hour in 2031.

(Mr Chard) We gave good information on the relationship at North Greenwich between the number of buses which serve the station and the number of passengers that go through the station over the last six years. So we have simply applied similar ratios to Abbey Wood.

7997. I will come to that later. On the next page, 307, you indicated in your evidence, which I think we received on Thursday, that the council have appointed consultants Mouchel Parkman to undertake an independent preliminary assessment of what works the Promoters should be asked to underwrite.¹³

(Mr Chard) Yes.

7998. That was received on Thursday and that was the first indication that the Promoters received that you had commissioned work; is that right?

(Mr Chard) I am not sure when they became aware that we had consultants working on this.

7999. The Promoters then wrote and asked you to provide a copy of the assessment that Mouchel Parkman had undertaken, did they not?

(Mr Chard) They did.

8000. And on Monday I think you had a conversation with somebody who worked for the Promoters and you declined to provide a copy; is that right?

(Mr Chard) I explained that it was a working document that was still in draft, and in fact I also received a later version of the draft on Monday, which is the version you now have.

8001. I was handed a copy of the draft at 20 to ten this morning; that is right, is it not?

(Mr Chard) Yes.

8002. **Mr Taylor:** I will do my best to deal with the points that I can in the limited time I have been given.

8003. **Chairman:** Mr Taylor, as I understand it we are talking about estimates which have actually been done for Abbey Wood.

8004. **Mr Taylor:** Estimates from the Promoter.

8005. **Chairman:** He has indicated that this has been done but it was not felt necessary to get them to Greenwich.

¹² Committee Ref: A84, Transport Assessments, Para 5.4 to 5.8 (GRCHLB-3605-306).

¹³ Committee Ref: A84, Transport Assessments, Para 5.9 (GRCHLB-3605-307).

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8006. **Chairman:** No, sir. The Promoter, Crossrail, has produced forecasts for 2031 and provided them last week to Greenwich. Greenwich have also carried out a forecasting exercise of their own and that was handed to me at 20 to ten this morning. I am going to do my best to take the points that arise in this document, but it is in the context of me having one copy and 20 minutes to look at it.

8007. **Chairman:** Is it not a case of being hoisted by your own petard in that it was late anyway?

8008. **Mr Taylor:** Sir, I have to say I do not accept that. There has been a lot of discussion between the parties and the first that Crossrail knew that consultants had even been appointed to produce figures by Greenwich was when they received the proof on Thursday.

8009. **Chairman:** What I am trying to get at is what we are doing is crossing between two sets of areas here and I think that the Committee well understands the points that are being made, although it is from two different perspectives of models.

8010. **Mr Taylor:** I will take the points that I have and we will see where we get to, and if the Committee feels that there needs to be more discussion or more time to crystallise the issues then we will proceed from there.

8011. **Chairman:** We will do that quickly.

8012. **Mr Taylor:** Mr Chard, if I hand over a copy of this draft report to Mr Fry. I am interested in paragraph 4.4, which is the summary at the end of the forecasting section of this report.¹⁴ Here Mouchel Parkman conclude, having examined the capacity of the links, that is to say the roadways between the junctions, in the vicinity of Abbey Wood, that the issue of whether or not the Thames Gateway Bridge is in the baseline assumptions has a significant bearing. Without Thames Gateway Crossrail can demonstrate that the highway impact in 2016 is minimal. Yes?
(Mr Chard) I do not know whether that is the case or not.

8013. That is what your consultants are saying to you.
(Mr Chard) Indeed.

8014. As I understand it, those conclusions are drawn from an examination of the implications of the Promoter's forecasts for 2016 which can be found in table 4.1 earlier in the document, I think at page 19, and in this table, Mr Chard, we have an examination of the changes in the link flows on the various roads in the vicinity of Abbey Wood in 2016,

¹⁴ Committee Ref: A84, Summary of Highway Assessment, The Highway Impact of Crossrail at Abbey Wood, Mouchel Parkman 2006, para 4.4 (SCN20060510-002).

without Crossrail and with Crossrail.¹⁵ And columns 1 and 2 are based on the Promoter's forecasts, are they not?

(Mr Chard) This is the consultant's document; the consultant is not giving the evidence. I received this on Monday morning and it is still being assessed by our highway engineers. The council does not necessarily accept all of it. We have employed the consultants to do the work and they have been advising it. I am not really in a position to discuss it in full detail.

8015. In that case are you prepared to accept an undertaking that we will continue discussions to resolve this, Mr Chard?

(Mr Chard) I think that both parties should continue to discuss to resolve this but we have certain matters which we would like to be agreed at this stage and we would like agreement that the TA Guidance will be followed; we would like agreement that the 15-year assessment period is agreed from the date of station opening; and we would like agreement that the Promoters will produce a forecast for 2031 and then we can discuss the implications beyond that. I think we have to do it that way in practice because half of the station catchment area is in the London borough of Bexley and we have yet to hear what—well, I have some idea of what their views are but not everybody in this room is aware of their views.

8016. So I think the answer to my question is you would be prepared to accept an undertaking to discuss, is that right?

(Mr Chard) Yes.

8017. In that case I will not ask you any further questions on the forecasting. I just want to turn to some other matters that you deal with in your evidence. If we turn to page 314, section 9, paragraph 9.1, you address to construction working hours.¹⁶ Now, it is the case, is it not, that Westminster City Council are the lead authority in relation to that particular issue and discussions are on-going between the Promoters and Westminster City Council?

(Mr Chard) Yes.

8018. And you are happy, are you not, for those negotiations to continue and for the Committee to be informed of progress at a later stage?

(Mr Chard) For normal working hours, yes.

8019. That suggests that you are not content about some aspects of the negotiations that are on-going with Westminster in relation to abnormal working hours?

¹⁵ Committee Ref: A84, Table 4 1—Highway flows on roads adjacent to Abbey Wood station, The Highway Impact of Crossrail at Abbey Wood, Mouchel Parkman 2006 (SCN20060510-003).

¹⁶ Committee Ref: A84, Construction working hours (Petition Clause 24) (GRCHLB-3605-314).

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(Mr Chard) Well, Westminster is not actually the lead in respect of our concerns about working hours, so I do not know where those negotiations have got to. I am aware, however, that the Promoters, as far as I am aware still, do not agree to the amendment to Schedule 7 to the Bill which a number of boroughs are seeking, I think including Westminster.

8020. That is part of the negotiations with Westminster, is it not?

(Mr Chard) Yes, but they did not announce to the Committee that they were speaking on our behalf, so we are speaking on our own behalf.

8021. So you do not believe Westminster is the lead authority representing you on that issue?

(Mr Chard) We are not sharing their costs and therefore they do not necessarily speak for us on everything.

8022. What is the undertaking you are seeking from the Petitioner in relation to the working hours, then, Mr Chard, because I do not see one in your proof anywhere?

(Mr Chard) We have not put it in the form of an undertaking. We have just made the same point that a number of other boroughs and Petitioners have made, that it will assist all the local planning authorities in their view if there is an amendment to Schedule 7 which restores a clause which is in Schedule 6 to the Channel Tunnel Rail Link Act, which is otherwise identical, to enable the local planning authority to control working hours for planning and highways management reasons. Obviously if noise is the reason why working hours are going to be controlled then it should be done under the more specific legislation which is in Section 61 of the 1974 Act, but that only relates to noise.

8023. We are not going to deal with this today; we are obviously going to report back once the negotiations with Westminster have been concluded, but you have made your point to the Committee so I have done my job in that respect. Now, disruption to the North Kent Line is the next aspect to be raised on page 22, paragraph 10.2, and here you seek an undertaking that is specified that when the nominated undertaker for the North Kent Line work is appointed, they shall require that nominated undertaker to—and then there are four elements to the undertaking sought on page 316, a), b) and c).¹⁷ The first is to “prepare a detailed construction programme for the approved works, including programming any working outside normal working hours . . . any railway possessions or blockades, and any proposed variations or changes to the normal passenger services and timetables.” That is the first element. When possessions are undertaken or blockades are undertaken at the moment on the North Kent Line, is the local authority provided with a detailed construction programme for those works?

(Mr Chard) No.

8024. Secondly, b), implementation of any works, the programme is to be submitted to the relevant local authorities and the transport users group to allow comment. c): It requires careful consideration of the comments received, particularly in relation to adverse effects to residents, and d), it requires that the work is not constructed other than in accordance with the programme of work and a schedule of mitigation measures which have been submitted to and agreed by the London borough of Greenwich. When work is done on the North Kent Line at present, does the London Borough of Greenwich have control over the programme to the extent it cannot be carried out if the Council disagrees?

(Mr Chard) No.

8025. Why is it that you are seeking, then, to obtain such control in relation to possessions and blockades associated with Crossrail?

(Mr Chard) We think that the local authority and the London Transport Users Committee should be a consultee to the proposed programme of works. I understand that the generality of the planning regime will require the Promoters or the nominated undertaker to submit to the local planning authority a programme of work and a schedule of the consent applications they are going to submit under the planning regime. That was the way the system worked under the Channel Tunnel Rail Link Act. Our present understanding is that a similar arrangement will be put in place for qualifying authorities under this Bill, so what I think we are saying is that these blockades and possessions should be included in that programme, which the nominated undertaker is, I understand, going to submit anyway to the local authority for their comments.

8026. Your undertaking as it is drafted at present requires the submission of that programme before any work begins, does it not?

(Mr Chard) That, again, is in line with the arrangements on the Channel Tunnel Rail Link.

8027. Have you undertaken any research as to when knowledge of the dates and times for possessions becomes available under the process as it exists in relation to NetworkRail?

(Mr Chard) In my experience they are often agreed and scheduled years in advance of them actually happening.

8028. And have you investigated the process that is involved in obtaining possession on the railway?

(Mr Chard) Well, I worked on secondment for British Rail for a time and I listened around the office to the procedure.

8029. You see, my understanding is that, given particularly the scale of the work in relation to Crossrail, the dates for possessions or, indeed, blockades, although I do not believe a blockade is

¹⁷ Committee Ref: A84, Disruption North Kent Line Works (Clause 40) Para 10.2 (GRCHLB-3605-315).

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proposed here, are not such that they are available years in advance. In particular your undertaking does not provide for the dates to alter, does it?

(Mr Chard) We do not want to be unreasonable and we have said that agreement would not be unreasonably withheld. What we do not want to happen is to be cut out of the decision-making process without consultation in the way that happened with the DLR and Woolwich because the Council needs to represent the interests of local people.

8030. Would you be prepared to accept an undertaking that offered consultation on the details of the work identified in paragraph a) and which also offered to take into account the responses from that consultation as set out in paragraph c)?

(Mr Chard) Well, I think we would want c) as well—

8031. I am offering that to you, Mr Chard.

(Mr Chard) (a), (b) and (c)?

8032. I am offering (a) and (c). (b) we cannot do because we do not necessarily know the dates prior to the implementation of all the work.

(Mr Chard) I think this needs to be tied into the planning regime for qualifying authorities. I am not disagreeing with what you are suggesting: I am saying that it needs to be looked at in that context, to get a final version that fits with the consent arrangements within the planning regime which is still being developed.

8033. **Chairman:** Is that a no?

(Mr Chard) It is a yes.

8034. **Mr Taylor:** The last matter, then, is planning permission for station buildings. As I understand it, you are suggesting that the local planning authority should consider a full planning application for the station at Abbey Wood?

(Mr Chard) Yes.

8035. And I am right in saying, am I not, that the Bill makes provision for a sort of form of outline planning permission through Schedule 7, does it not?

(Mr Chard) That is correct.

8036. And in essence what it does is it provides for Greenwich to have approval of plans for works; it provides for Greenwich to require additional information if it wants it; it requires the development to be carried out in accordance with plans approved by Greenwich, and there are grounds for refusing to approve, are there not?

(Mr Chard) There are.

8037. And included in those grounds are matters relating to the built form of a station building?

(Mr Chard) Yes.

8038. And the grounds for refusing to approve plans are that the design or external appearance of the station ought to be modified a) to preserve the local

environment or local amenity, b) to prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area, or c) to preserve a site of archaeological or historic interest or nature conservation value and that the design of the works is reasonably capable of being modified. Yes?

(Mr Chard) Yes.

8039. Now, what is it about that regime that does not give London Borough of Greenwich sufficient control over the design of the station?

(Mr Chard) The normal planning regime has been disapplied with a new regime put in its place which is beneficial to the Promoters and less beneficial to the planning authority, and what we are saying is that we cannot see that there is justification for not using the normal planning process in this particular instance.

8040. Presumably through the normal planning process you would retain control over the design and appearance of the station, would you not?

(Mr Chard) Yes.

8041. And do, under the provisions of Schedule 7?

(Mr Chard) Not to the same degree. The problem is that good design may take time and one of the things the replacement planning regime does is it takes away time and puts the local planning authority under pressure because, if they do not do something within the very tight timetables then it is a deemed approval, and that has disadvantages to professional town planners and architects who are trying to move towards a good design where the design is in the public interest and where there is a lot of local interest. There is no reason why more time cannot be given in this circumstance.

8042. If the normal planning process applied, one of the things that Greenwich would be able to require would be highway improvements connected with the station, would they not? Indeed, they would be able to insist on it through either a Section 106 planning application or an agreement under Highways Act Section 278, if those works were necessary?

(Mr Chard) Yes, that is a possibility. With any full planning application you can have conditions under Section 106 agreements.

8043. And, if there was a disagreement about the particular highway improvements that might be required associated with Crossrail, then the only avenue would be to appeal to the Secretary of State and for a planning inquiry to be held into the station and the issues relating to how the highway improvements and highway infrastructure?

(Mr Chard) Yes.

8044. What is the sort of timescale for getting an inquiry at the moment, Mr Chard? Are you aware?

(Mr Chard) It could be six months or a year, but what I would like to say is that does not mean to say that the station would not operate during that period. We had a similar issue with the Cutty Sark DLR station where the station operated because the

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platforms and ticket machines were there but the over station building took a long time to sort out a good design which was required because it was in the World Heritage site, so I do not think the requirement for a full planning application for a station building would prevent a station from operating in the interim.

8045. So what you are saying is that we can construct the station without planning permission?

(Mr Chard) Well, the platforms, because they are not building, and there are existing use rights for a station so presumably it continues while the construction work is on-going, but if we are talking about the particular new station building, then that is a new public building which the local authority for various reasons has significant interest in.

8046. Well, I am going to leave the Committee to form their own view as to whether or not that is a sensible way forward but can I just suggest to you that perhaps the reason that the Council is wishing to retain control over the planning permission in relation to the station is not so much concerned with the design of the station itself but more concerned to ensure that it has a strong position in terms of negotiation for highway improvements, Mr Chard?

(Mr Chard) We are not unaware of that. Hopefully the highway issues will be resolved long before we get to the design of the station building, and Greenwich Council does have a track record of being involved with station building design and planning applications related to station buildings. For example, I was very much involved in DLR Woolwich, and what the planning authority did was prepare a planning brief, we had a legal agreement with the Promoters of DLR Woolwich station which was very useful because it fixed some parameters of the design and integrated the station building which was to be owned by the railway company with the over station development which was to be built on top, so I think the Council has experience and has a good track record of working with railway promoters to integrate stations in their surrounding area and to develop comprehensive designs and get them done on time and efficiently and not hold up the railway project.

8047. **Chairman:** Was that a yes?

(Mr Chard) Yes.

8048. **Mr Taylor:** Thank you, Mr Chard. It is a shame we did not have a chance to go into the figures on forecasting; I would have enjoyed that! Those are all the questions I have, thank you.

Re-examination by **Mr Jones**

8049. **Mr Jones:** You were asked about reductions in road traffic at the very start of cross-examination today and you said: "Correct, with certain caveats". Can you just tell us what Transport for London's attitude to policies favouring reduction in road traffic was when it came to Transport for London's promotion for the Thames Gateway Bridge?

(Mr Chard) Yes. Thames Gateway Bridge is a new highway and the Council and TfL had to consider whether constructing a new major highway in London was compatible with their policies for road traffic reduction. They concluded that, bearing in mind the caveat to the policy on road traffic reduction in new highways, building a new highway over Thames Gateway Bridge and the connecting highways was not in conflict with the policies of generally not building new highways in London, and we as a borough came to the same conclusion in relation to our own policies, that there was not a conflict between our policies and the construction of the new highways for Thames Gateway Bridge.

8050. I think perhaps again, dealing with reduction in road traffic, and I know it pre-dates the Act but not Greenwich's policies with regard to road traffic, as far as the Greenwich peninsula is concerned were roads built to give access to North Greenwich station?

(Mr Chard) Yes. Roads exclusively for buses and roads for general traffic as well.

8051. You mentioned in answer to a question in respect of a programme for the North Kent Line your concern about what happened in respect of the Docklands Light Railway station at Woolwich. Can you just tell the Committee what is going to happen in respect of that, or what did happen?

(Mr Chard) There was a provision in the Transport and Works Act Order for a temporary platform to be built just east of Woolwich Arsenal station and we were told that the purpose of that was to use that temporary platform while the existing platform was out of use in order to construct the Docklands Light Railway. We took it on trust, I suppose, that that was what was likely to happen. It was only halfway through the construction period, or well into the construction period, that we realised that was not going to happen and that the railway companies had got together and agreed amongst themselves with the contractor that they would not build that temporary platform so people who were coming down from London would not be able to get off the trains anywhere in Woolwich for a period of, I think, a month or six weeks that the station, that the platform was going to be closed.

8052. This is Woolwich Arsenal station?

(Mr Chard) Yes.

8053. And how important a station to Woolwich is Woolwich Arsenal?

(Mr Chard) It is very important. It is the main station.

8054. Can we move to design? It is suggested that the Council was not motivated by design concerns but by highway concerns. You mentioned about the Council's policy to design stations. Are you able to comment on Greenwich Council's general approach to design and its importance or unimportance in planning in general terms?

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(Mr Chard) Yes. Quality design is an important matter for our Council. We employ a design specialist in our planning team. The Council has won a number of awards for good designs where we work very closely in partnership with developers to get top quality designs, so we have a track record, we commit to professional resources, and we have had involvement, particularly with the over station development at Cutty Sark in the World Heritage site and now also on-going in Woolwich with the DLR Woolwich station.

8055. **Mr Jones:** Thank you, Mr Chard. I have no further questions.

8056. **Chairman:** Then I think this is an appropriate moment, five minutes earlier than expected, to rise until 2.30 this afternoon. I will just remind people about problems we may experience later on in the day outside, if you can try and get back a little bit earlier.

8057. **Mr Elvin:** Could I just say that this afternoon I am going to call two witnesses, and in light of Mr Chard's agreement about discussions on Abbey Wood they are going to be shorter than I thought so I hope, depending of course on Mr Jones' cross-examination, we can conclude the Greenwich Petition this afternoon.

8058. **Chairman:** Excellent!

After a short adjournment

8059. **Chairman:** We will begin with Mr Elvin.

Mr David Anderson, Recalled

Examined by **Mr Elvin**

8060. **Mr Elvin:** If convenient, as I said, I am going to call two witnesses. First of all, I am going to call Mr Anderson, who is already well known to the Committee so introductions are not necessary. Mr Anderson, can I deal with some matters relating to Woolwich first, and then we will deal even more Abbey Wood given the position we reached this morning. The position appears to be largely common with Helen Bowkett, who gave evidence yesterday for Greenwich. That is to say the benefit cost ratio, a factor which, again, is relied upon, is only one of the elements required to be taken into account when the Department for Transport is assessing whether or not to proceed with some infrastructure. What I would like to understand from you, Mr Anderson, is what elements are also significant in the context of assessing Woolwich?

(Mr Anderson) It was clear from the Buchanan Report, which we commissioned, that the other important category is East Greenwich, and that covers both integration with policies but also issues such as transport interchange.

8061. Can I ask you briefly for a view on the interchange issue so far as integration is concerned?

(Mr Anderson) It is clear from what we have heard so far that Woolwich would not provide any significant interchange with other railways, but then it would not be intending to. The important thing about the south-east branch of Crossrail is that it connects into the National Rail networks in the south-east and it does that at Abbey Wood. At Abbey Wood we can provide a very high quality interchange. That simply is not possible at Woolwich, so we get the benefits from South-East Greenwich by the connection at Abbey Wood.

8062. How easy is the interchange at Abbey Wood?

(Mr Anderson) I think there was a figure in our exhibits which demonstrates that if you are travelling on a train from North Kent you will simply alight at Abbey Wood, walk across the platform and you would be able to board a Crossrail train.

8063. In terms of the economic issues, we have the letter from the Minister which deals with that, so I do not need to ask you any questions. However, can I—indeed, it would not be appropriate for me to do so—ask you about the benefit cost ratio range? What the Department has agreed is that the BCR for Greenwich lies within a range, the lower end of which is two and the upper end of which is four. What factors influence a judgment on the value for money issue in terms of the BCR?

(Mr Anderson) I think there are three things one needs to consider. First of all, the scale of growth, and various scenarios have been tested, secondly, there is location for growth and, thirdly, the timing of the growth. Across the three tests that we have reported on, it is clear there are different assumptions on those, with the exception of timing. On the scale of growth, clearly EDAW is one end of the range—and we have heard that the assumptions there are to try and maximize the re-development potential in the areas around the station—at the bottom end of the range we have the London Town forecasts and then in the middle of the range we have a high growth test that we did based on our understanding of the emerging development assumptions in the Woolwich area.

8064. In terms of the forecasting in the appraisals that were used to test the Crossrail stations generally, what approach was adopted, in terms of the forecasts that were adopted, and which set of figures were taken?

(Mr Anderson) They are all based on the London plan.

8065. Mr James referred, in re-examination yesterday, to individual assessments at stations with development potential and the like, does that have any significance as to whether or not there was a level playing field for the assessment of the other stations?

(Mr Anderson) Clearly, I think the proposition of a station at Woolwich has been subject to very intensive scrutiny. Very largely we have further work

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in terms of where development might be located. We have not done that for the other stations, it is fair to say.

8066. Can I ask you this question, the cost of a Crossrail station at Woolwich would be of the order of £260 million. Can you give the Committee an idea of how that compares with other stations within the proposal of the Bill scheme?

(Mr Anderson) It would be on a par with the Central London stations which are similarly located deep beneath the ground, and obviously that gives rise to greater significant costs. They will be significantly greater than the cost of rebuilding other stations at town centres in London on the surface sections of the railway.

8067. For example, would you be able to give the comparative costs of Ealing, which is another town centre station which lies outside the Central area?

(Mr Anderson) Yes, with Ealing the station building is being rebuilt and the scale of cost would be in the order of £50 million.

8068. Can I then turn to the question of the omission of Woolwich in the process? I asked some questions of Mr McCollum yesterday, can I get from you your knowledge of the situation. We know Woolwich has never been in the Bill, was it in the benchmark scheme or in the business case which was tested by Montague?

(Mr Anderson) No, it was not. The business case we submitted to governance in the middle of 2003 did not include the station of Woolwich. Where Woolwich may have featured was in much earlier consultation on the very wide range of options for Crossrail which were in documents back in 2002.

8069. Was it considered in the Montague options? Montague considered a whole variety of options?

(Mr Anderson) No.

8070. In very brief terms, why, so far as you are aware, was it excluded?

(Mr Anderson) The principal reason was the capital cost of the scheme, which was regarded as very high.

8071. Can I ask you about the comparison that was made between the growth to be expected in Woolwich and the growth which has taken place in the North Greenwich Peninsula, which is the area around the Dome? Mr McCollum was drawing some comparisons yesterday, and I asked him some questions about that. Can you give your own view as briefly as possible, please?

(Mr Anderson) In terms of the future, our forecasting has assumed very significant growth, well over 150 per cent, a lesser level of growth in the Woolwich area, about half of that.

8072. In terms of the Abbey Wood area, how comparable are the two?

(Mr Anderson) They are not really comparable at all because Abbey Wood is a largely residential area, so we would not expect to get the development-driven

growth in Abbey Wood that we might do at either Woolwich or indeed the Peninsula. We get much lower levels of growth, something in the order of 20 to 30 per cent.

8073. Can I turn to Abbey Wood. In the light Mr Chard's agreement that we continue discussions regarding the infrastructure of the highways and public transport issues, I am only going to ask you a question relating to Mr Chard's contention that Greenwich should have greater powers over planning at Abbey wood. What is yours' and CLRL's views about that?

(Mr Anderson) I am not sure that the position is very different to that of our normal Transport and Works Act order process. My understanding is that the regime contained within the Bill gives control over those matters which are also subject to controls under the TWA process.

8074. For example, can you tell the Committee what happened with the DLR at Woolwich? What level of control was given to the planning authority once the TWA order had been granted?

(Mr Anderson) I think there was a very similar level of control on the sorts of issues that would be subject to further detailed consideration on the size and location of the facility within the order specified in the TWA order?

8075. So far as the consequences, if Greenwich were to be given greater powers over planning, it is a station which lies across two administrative areas, would you have any concerns if they were given greater control and, if so, what would they be?

(Mr Anderson) I am not sure why we should veer to this location compared to many other locations on the railway. Abbey Wood is an important part of the project. It is one of the termini, so it is quite important that we are able to deliver that in accordance with the programme for the rest of the scheme. It seems to me that a twin-track process in terms of approval could lead to some delay.

8076. Thank you?

Cross-examination by **Mr Jones**

8077. **Mr Jones:** Dealing with that last matter first. Abbey wood is, of course, one of only two new over-ground stations in the project, is it not?

(Mr Anderson) I am not sure I would agree with that. Clearly we are rebuilding existing stations on the city line at many locations. There are several locations on the Great Eastern, indeed we have heard recently evidence on the situation of Romford, so there are quite significant rebuilding of stations taking place elsewhere.

8078. Moving on to another question. At the very beginning of your cross-examination you were asked about the Department for Transport tests in the context of benefit cost ratio. You started talking about whether this was an interchange or not. I was slightly surprised, I thought you would go to page 19

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of your evidence which does set out the Department's test.¹⁸ Can we move to page 19 of the Promoter's documents. If we can focus on the centre of the page, please. This is one of your documents, or the Promoter's documents, and there we see the basis for ministerial decisions. We see value for money. Essentially the test for value for money is assessed in benefit cost ratio, is it not?

(Mr Anderson) That is correct.

8079. We know the benefit cost ratio is at the very least 2:1 and therefore it is a high benefit cost ratio come what may?

(Mr Anderson) Yes, in terms of the DfT guidance.

8080. The probability is that it will be higher than 2:1, will it not?

(Mr Anderson) It is likely to be higher, yes.

8081. Your figures were worked out before the very large increase in housing for the Thames Gateway which occurred only within the last two or three years.

(Mr Anderson) I am sorry, which figures are you referring to there?

8082. The figures which you have used to work out a cost benefit ratio of 2:1.

(Mr Anderson) The figures we used for that were based on the London Plan which is an extra 800,000 in the population and 600,000 extra jobs.

8083. In terms of a level playing field, many boroughs covered by the London Plan have not great changes in their housing requirements since then, but the Thames Gateway Bridge has had very great changes since then, has it not?

(Mr Anderson) Did you say the Thames Gateway Bridge?

8084. The Thames Gateway, I beg your pardon.

(Mr Anderson) Clearly, yes, there have been developments in the thinking there.

8085. To rely on the London Plan, which everyone knows will not provide the housing figures for this part of London because it is out of date because of the latest Thames Gateway figures--- Indeed, progression of the Thames Gateway figures will give a low benefit cost ratio, will it not?

(Mr Anderson) I have already indicated how I would expect it to be higher than the 2:1, but in terms of what the position is going to be, I think we need to weigh the review of the London Plan, which is starting now and is one of the reasons that we have some interim advice forecasts from the GLA. I think we need to weigh the outcome of the review of those forecasts and the revisions to the London Plan to fully answer that answer.

8086. If we go down those indents that we can see on the screen, am I right that the only one which the Promoters say is not satisfied for Woolwich is affordability? Am I right that you agree that every other indent is satisfied?

(Mr Anderson) It is a question of degree, is it not, as to how far the others are satisfied or not satisfied? I would not want to say they are all 100 per cent satisfied. Also, we are sending information in the form of the various tables that we have already seen and that is put forward to those making the decision. I assume they make that decision, as it says at the top there, "Ministers make the decision on the basis of the information put to them".

8087. Apart from affordability, do you say that any one of those indents is not satisfied?

(Mr Anderson) I do not think it is a simple yes or no answer, it is largely a question of degree and things to be weighed in the balance. Clearly that is what ministers do.

8088. Did you say that any one of those, apart from affordability, Woolwich does not score well?

(Mr Anderson) I am not sure they would score particularly well on practicality and deliverability. I think the difficulty of providing a station at that location is one of the reasons why we have the higher costs.

8089. You have got a station box within your own design, you have got to design for a station there. Outside the affordability element, what is impractical or not deliverable about it?

(Mr Anderson) It helps for the construction of places within the project.

8090. That is an affordability point.

(Mr Anderson) That really depends on how you interpret practicality and deliverability.

8091. You gave evidence that the cost of the station would be similar to other stations below ground. Which other stations have had a benefit cost ratio calculated together with low ground stations.

(Mr Anderson) I have not prepared a BCR for any of them.

8092. Just for example, picking one out of thin air, we know what the position is for Woolwich but we have no idea what it is for Bond Street.

(Mr Anderson) We know what the cost of Bond Street is.

8093. For the benefit of construction?

(Mr Anderson) No, we have not prepared a benefit cost ratio for that individual station, and I would not necessarily expect us to.

8094. As your evidence established, the Montague review did not consider Woolwich, it was not put to him and therefore did not reject it, did it?

(Mr Anderson) I think the Montague Review did refer to the fact that further work was ongoing and whether a Woolwich station should be added.

¹⁸ Crossrail Ref: P77, Department for Transport Guidance on Value for Money, www.dft.gov.uk (GRCHLB-3604-019).

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8095. And did not reject it?

(Mr Anderson) It did not reject it, no.

8096. It did not pass any adverse comment on it?

(Mr Anderson) No, I think it was mutual on the matter.

8097. Thank you, Mr Anderson.

Examined by the Committee

8098. **Chairman:** Mr Anderson, quite a few Members have indicated that they want to ask questions, but there are a couple of questions I want to ask you. Sticking with this question of value for money. Were there any other stations which have been agreed that offer less value for money?

(Mr Anderson) The appraisal was not built up in that way, if I can explain that. The way we build up an appraisal is largely the way the Montague did it during the Crossrail review. What we are looking for is to divide sections of the routes which are operationally self-contained and then we will seek to add to that. This is the way Montague built up the review of the business case so one could identify a core railway which is the central section. Of course we do look at the performance of the individual station, particularly in the way they perform operationally. What we do not do there is just simply take out one station and work out the benefits or disbenefits.

8099. The reason I ask that is because one of the key planks of your argument and evidence today is that it was high cost and that was the major reason for not including the station. If the argument is, "Is it not value for money", could we not look at another part of the route being cut for the same reason. Also, bearing in mind there are other things included, like why we should be doing these sorts of things, particularly in an area of deprivation like Woolwich. If that is part of the purpose of delivering the railway like this and it fits all the criteria, why should we not look at that for trains that go out to Abbey Wood? If you are looking at value for money and costs, you have got to give a reason why something else was not cut rather than Woolwich?

(Mr Anderson) I think it is very difficult to trade-off individual stations against each other. The approach Montague took was to work out the value for money of individual sections, some of which were subsequently not included in the Hybrid Bill at the time the review was undertaken, there was a route to Kingston, for example. Montague presented the benefit cost ratio for that route and it was subsequently not included in the Bill for a variety of reasons. I do not think it is simply the case that we trade-off the value for money with one section against the other.

8100. That was just part of it. Can you go to the Mayor's map. If you are saving money, I want to ask a couple of questions on that. First of all, the estimate of £260 million, can we have an analysis of that? It has just been said that it is £260 million.

8101. **Mr Evlin:** Sir, I have to say, those estimates are agreed with Greenwich, there is no dispute about the £260 million.

8102. **Chairman:** There might not be a dispute, but I am asking a question about how it worked out because I want to look at whether or not we could create savings elsewhere and take different decisions. I want to see the analysis of that, whether or not Greenwich agreed with it. £260 million pounds, as we have just seen in evidence, is that it is the equation of a box which is already one of the options, which are homes. I want to know how that analysis was done.

(Mr Anderson) The analysis has been done and there is a detailed breakdown, but it does include the whole station including ticket halls and so on. We have provided that to Greenwich. I should say, we did look at the costs very hard because at the time of the Buchanan Report the cost was significantly higher, at £350 million, and we spent quite a lot of time seeing if we could get it down.

8103. It does not seem to be an extraordinary large amount of money to have to spend on a station. Can we get a note about that? Can you beam in on this area around Woolwich like you did before, in specific the costs and the savings. We have the other line which is running along the side of this which is going to go to the Woolwich Arsenal. We are talking about the integration and co-ordination of railway interchanges and links. It strikes me that there is an awful lot of similarity going on there. You are about to drive a tunnel under the Thames for one, could that tunnel not be enlarged to be used for both, and could that then not have an impact on planning and how you could link together a station?

(Mr Anderson) I will give you an initial answer on that, but I maybe able to take more advice on the engineering aspects. They are two quite different types of railways with different sizes of trains. Crossrail is built on a gauge of a surface railway, whereas the DLR is a much smaller gauge and a much different type of railway. As you can see, it has many, many more stops on it. I suspect the impact of driving that smaller tunnel under the Thames would be significantly less than Crossrail.

8104. What I am saying is if you are digging a hole, you could dig two holes together or make one slightly larger. If we are talking about costs perhaps might be a consideration. Do you think considerable savings could be made there?

(Mr Anderson) I think it is unlikely, but I can take advice on that. Obviously they do have their powers and they are getting on with it at the moment, but I can take advice on it.

8105. **Mr Binley:** I am also concerned about the social contribution, because Crossrail is going to create a lot of social havoc. It is clearly aware of its social responsibilities and therefore will clearly take into account the social contribution it makes to the areas that it lives in. You have done some sort of survey on its contribution to this area. I wonder how

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you judge that because sometimes the contribution is positive and sometimes it is negative. I know this area a little, and I know that from my little knowledge—and I say that because it can be a dangerous thing—the potential of regeneration in this area of Woolwich could be quite sizeable. How have you analysed and come to conclusions about social contribution in terms of regeneration?

(Mr Anderson) I think the methodology here is reasonably common, and I think the approach we have adopted is similar to that of Mr Chard. The changes in regeneration and job freedom are generally related to changes in the accessibility of an area, so we relied upon the relationship between improved accessibility and the ability not only to attract into an area but improve the opportunities for people to travel to other locations where they might find work.

8106. As I understand it, Woolwich wins hands down over Abbey Wood in this respect because of the types of areas we are talking about. Is that so?

(Mr Anderson) On that particular aspect that is certainly true. I should say, I do not think the issue here is providing Woolwich Station or Abbey Wood Station, it is actually providing a connection to the much wider Thames Gateway area.

8107. I understand that, however, we have done this sort of work in Woolwich and, as I understand it, not in any of the other stations of any consequence. Is that right or am I misguided?

(Mr Anderson) Woolwich is the only station obviously that must be subject as a station to this level of scrutiny. We have looked at the social effects, ie the regeneration effects across the whole scheme, not just on the Thames Gateway area but the other regeneration area.

8108. Woolwich has had specific attention on this, why is that?

(Mr Anderson) Simply because following the decision not to include it in the scheme we were asked to look at it again and we were willing to do that.

8109. Is that not a rather odd way of doing it. Would you not rather look at it and say, “What can this bring?” instead of saying, “We are not going to deal with it but we need to know the figures so that we can argue against it”. That approach surprises me.

(Mr Anderson) We did know what it would bring to Thames Gateway generally. If you look back at the information that was assembled, when the project was appraised—Indeed, Montague did cover this to a degree—we did have the information on the effects of regeneration across the whole scheme.

8110. I still do not see why you do it after you have decided not to have the station. I do not understand that thinking, help me.

(Mr Anderson) All I can say is that at the time the decision was taken the principal reason for not doing this station was cost.

8111. With respect, that is not my questions. My question is you did the sort of work on regeneration value after you decided not to build a station. I do not understand why you did that. Can you explain and help me to understand that?

(Mr Anderson) I think in broad terms the effect on regeneration would have been understood by those taking the decision at the time.

8112. You still have not answered my question. Why did you decide to do this work after you decided not to build a station? What was the purpose of doing the work when you said, “We are not going to build a station anyway”?

(Mr Anderson) We did say we would look at the building of Woolwich Station again, and indeed, Montague alluded to that, so we agreed to do the analysis. At the time of the original decision I do not think the analysis of an individual location was done in detail for any point.

8113. Was it in order to possibly review the decision about Woolwich that you did this work? Was that the reason you did it after you made the decision not to go ahead with the station?

(Mr Anderson) In a sense, it was to look at the case again in more detail.

8114. But the evidence suggests that that would add to a positive decision about Woolwich rather than a negative decision, would it not?

(Mr Anderson) That is really a matter for the Minister to judge.

8115. In terms of the figures you have given me, that would suggest to be the case. I do not understand the thinking of a body like yours spending money on a survey of some kind of analysis after you have decided not to have a station there. I am commercial man, I am a businessman, I do not understand that thinking and you have not reassured me as to why.

(Mr Anderson) All I can say is that I do not think we did a specific survey after the decision was taken. What we did do was utilise the information we already had to look at specific effects in terms of Woolwich itself.

8116. **Mr Binley:** I bet you wish your position was stronger and you were more on the front foot, do you not? I can say that, Mr Elvin. I know that, Mr Elvin; I can say that and ask that. I have my answer.

8117. **Kelvin Hopkins:** As I understand it the original plan was to at least have the possibility of a station at Woolwich, that it was put in at the original design, and it went through the centre of Woolwich, which suggests that that was one of the faults. And at a later stage when costs looked as though they were going to be high some bits had to be lopped off and Woolwich was one of those bits that was taken out to save money. Is that a fair summary?

(Mr Anderson) I do not think it was taken out to save money *per se*. I should say that at the time I was not part of the decision-making body, if you like, but

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I think that the decision was taken because of the high capital cost of providing a station in that location, not a desire in itself to save money.

8118. Once a decision like that has been made and it has to be justified is there not a temptation to build up the costs as much as possible to make it a stronger case for leaving it out?

(Mr Anderson) I do not believe so. The difficulties we have here, we are very deep and as I understand it the ground is not particularly good and the geography is really against us. What I can say is that since the Buchanan Report that we commissioned and published last year we did look to try and drive down the costs and did succeed doing that from £350 million down to the £270 million we have now. So I do not think it is the case that we have tried to drive costs up; quite the opposite.

8119. Looking at the project overall it is pretty clear that there are many more stations on the north eastern branch of Crossrail than the south eastern branch of Crossrail. The stations are much closer together and there are many more of them and the populations served by some of those stations are rather smaller than that which might be served by Woolwich station, is that fair?

(Mr Anderson) I think that is fair. Of course on the Great Eastern Line we are going along an existing line where stations already exist and Crossrail is a service that will stop at those stations. So it is not quite comparable. Of course, on the south eastern branch we have to run through the Docklands area, which is still reasonably unpopulated at the moment, and of course one has to bridge the river. So there is notably quite a long gap there while we do that.

8120. But that long gap, which contrasts greatly with the gap between stations elsewhere on the line, goes through a densely populated area which needs regeneration and which could well do with a station which would help with that regeneration.

(Mr Anderson) I think undoubtedly it would help regeneration, yes.

8121. **Mr Liddell-Grainger:** How far is Abbey Wood in miles, if possible, if there was a station at Woolwich? How far would that be? I worked it out at about 3.5 kilometres.

(Mr Anderson) You are probably right.

8122. So roughly two and half miles, three miles. Is one of the reasons behind it that once these trains, which are quite big and long, get up to speed it is going to be slowing down? Is that the thinking behind it? It is actually so close.

(Mr Anderson) I am not aware that that is an important factor in the decision.

8123. Because Abbey Wood is going to be the terminus for it. If you look at the rough spacing of these stations along the whole of the route, all the way around, they are all fairly equidistant. It just intrigues me that if you go from Abbey Wood up to

Custom House and then on to the Isle of Dogs and then up to Shoreditch, Whitechapel they are all fairly equidistant, but that one would not be, that would be very, very close. There was no thinking behind it—rather like Embankment and Charing Cross—that it is too close?

(Mr Anderson) I do not believe that was the factor.

8124. Not at all?

(Mr Anderson) I will take advice from my colleagues but I do not believe that was the case.

8125. Something must have happened; if it is not to do with costs it is to do with something?

(Mr Anderson) I think the position was that the station was not included in the scheme and the principle reason was the high capital cost. I think now we have done a lot of further work for ourselves and the borough has as well, and I think that what we see now will in turn be a matter for the Minister.

8126. **Chairman:** The distance is extraordinarily long. The whole purpose of Crossrail is to get a new railway across London from one part to the other, and here you are going from Custom House and even the Isle of Dogs. How far is that? Is it about nine kilometres—five miles, six miles? How far is that from Custom House to Abbey Wood?

(Mr Anderson) I think it is a bit less than that, sir. Perhaps the best thing is if we note down the distances for you and let you have a note on that.

8127. It is certainly over five miles, is it not?

(Mr Anderson) Yes. I think one is getting perhaps a slightly unfair comparison here because you have the DLR very much in the foreground here and the tube and you would expect the distances for those to be much shorter than for a national rail service.

8128. If you go back to what we were discussing earlier, on page 19 of the Promoter's case, and all the different aspects of the decision-making factors which make up the decision, it seems to be doing nothing else but driving the railway through. It does not seem to be anything to do with sustainability of population communities of anything else, or regeneration, it just seems to be driving the railway. *(Mr Anderson)* Sir, I do not think that is the case. The strategic reason for having the southeast branch at all is to connect into the national rail network south of the river, and thereby connect into the Thames Gateway. We do get significant movements from the North Kent area on to Crossrail at Abbey Wood.

8129. There is a public participation in this as well as government support. It gets the whole ethos of government policy; it is all about sustainable communities and a sustainable railway. It just seems that going that kind of distance it is only traversing trains out of the area—through, but never stopping. *(Mr Anderson)* The principle reason for that link is the connection into the railway south of the river.

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8130. Not the people.

(Mr Anderson) Yes, because clearly from Abbey Wood onwards you would connect with that and we have already connected north of the river with the docklands area.

8131. It is a crossrail, across London railway, and it seems to be going through an area which is densely populated which is probably the most deprived in the city and yet you are not stopping, not even to wave—just going straight through.

(Mr Anderson) All I can say is that it is very deep below ground and that is what has driven the high cost and I think that is what has led to the decision.

8132. **Mr Jones:** Sir, I hope that this is the proper thing to do and not in any way wrong, but figures for the distances that have just been asked about were supplied a little while ago in a note from the Petitioner to the Promoter and I do not think they are disputed. They were Custom House to Abbey Wood, 7.55 kilometres, in round terms four and a half miles; Custom House to Woolwich was 4,150 metres; and Woolwich to Abbey Wood was 3,400 metres.

Re-examined by **Mr Elvin**

8133. **Mr Elvin:** Mr Anderson, can I come back to the questions that the Chairman and Mr Binley were asking about consideration of regeneration benefits. I would like to take the Committee through the process of what was assessed and whether regeneration issues were taken into account before the business case and the benchmark schemes were prepared. Can you explain what the latter approach is and what it involves and how we got to the case that was put to Montague?

(Mr Anderson) Yes. I think we have already heard evidence on the five categories, which include economy, integration, accessibility and so on, and the regeneration aspects come up under integration and that is where we get the integration with other government policies such as those of regeneration. We can assess the effect of regeneration using the method I outlined earlier, that we actually work out the changes in accessibility across London, but particularly in relation to designated regeneration areas, and from that we can develop estimates of employment growth, and indeed these were cited in our statement. So that effect overall would have formed part of the vast assessment that was put to Montague.

8134. Let me put the matter into plain English. The Committee clearly what to know from you to what extent the regeneration benefits of the different areas that are being targeted by Crossrail were taken into account, and in plain terms were they looked at and were they appraised?

(Mr Anderson) Yes, they were.

8135. Can we look at the Montague Report because it refers to some of these items? It is in the Promoter's bundle, exhibit 57.¹⁹ This is from the Montague Business Report. We have the section headed "Wider benefits" and we see at 160: "Wider benefits are identified in three main areas. One is support for London's position as the pre-eminent FBS Centre," the City of London, the Isle of Dogs and elsewhere. "Support for the planning and transport policies for government, the GLA," et cetera. And thirdly, "Regeneration effects, particularly the Thames Gateway." The Committee can see, for example at 163, employment growth issues; 164 and 165 issues as to how you work those out. We see at 165 in particular, "CLRL believes that Crossrail has the potential to contribute significantly to the government's wider regeneration objectives, particularly Thames Gateway where a range of initiatives is planned in relation to housing, education and to health." Can I just understand this—and perhaps you can explain this to the Committee—that although a station at Woolwich is not proposed is it expected that benefits to the town's gateway area will be delivered by Crossrail, looking at the area generally?

(Mr Anderson) Clearly, yes, a large proportion of the jobs indicated there would be related to the Thames Gateway. Indeed, I think strategically one of the reasons for actually taking the railway south of the river is to connect into the Thames Gateway.

8136. Can I ask you about the reasons for taking it south of the river? In terms of the connections into the wider rail network that you mentioned earlier, what are the benefits in terms of the connection to the main line and the North Kent line?

(Mr Anderson) It allows us to provide a high quality interchange with services from the Thames Gateway area.

8137. But what does that do in real terms for those actually using the North Kent line?

(Mr Anderson) It means that they can get off the train at Abbey Wood and walk across the platform and then get a—

8138. Yes, but what that does that do for the quality of the service that is available?

(Mr Anderson) It is much better, particularly if they are travelling into the Docklands area and the City area.

8139. In terms of the benefits, therefore, coming south for connection, is that a benefit that is targeted at Abbey Wood, or is it a benefit that is targeted at North Kent?

(Mr Anderson) It is targeted at a much wider area.

8140. In terms of the appraisal of the benefits of Crossrail you have already said that BCRs were not done for individual stations. How does the appraisal

¹⁹ Crossrail Ref: P77. Crossrail Review, Wider Benefits, Paras 163–165 (GRCHLB-3604-057).

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process for a major infrastructure project like this look at the value for money issue? How are the regeneration issues looked at?

(Mr Anderson) The value for money issue is looked at through the benefit cost ratio benefit of the project as a whole.

8141. Yes, but how is the project divided up for that purpose?

(Mr Anderson) It will be divided up into the various sections, and I think Montague went through a number of these sections individually and reported on the value for money that would be attracted by each of them. There is then a further analysis on the regeneration and jobs effects and they would all come together in the appraisal.

8142. Why are stations not appraised individually?

(Mr Anderson) Clearly a station on its own is of little use; it is part of an integrated network and it tends to be those self-contained sections of the network and the project that we appraise. That is the approach that we took and it is the approach that Montague took as well.

8143. So focusing on Woolwich, in terms of its BCR, would that be consistent with the appraisal which Montague carried out for the project as a whole?

(Mr Anderson) Yes, I believe it would.

8144. What I would like to ask you about, again with the intention of giving the Committee a further insight into the assessment process, is the question that you mentioned of linking into the network. How important—let us take two stations as an example, let us take Whitechapel and Bond Street—for example is Whitechapel in terms of interchange and why?

(Mr Anderson) I think Whitechapel is probably one of the most important stations on the Crossrail network in terms of interchange. I think that is illustrated by the transport map that we were looking at earlier. It provides connections into the District Line, the Metropolitan Line and, importantly, the newly extended East London line. Certainly the forecast that we prepared for the railway indicated that there would be a very high desire to change to and from Crossrail at that location. For example, if you were travelling from the east of Crossrail and wanted to go to the south of the City you might change at Whitechapel rather than go to Liverpool Street. Similarly if you are travelling from south of the river on the extended East London line you can change at Whitechapel to join Crossrail to access Liverpool Street and the surrounding area.

8145. In terms of that integration approach, how would Woolwich compare?

(Mr Anderson) Clearly Woolwich does not provide an interchange.

8146. Can I ask about Bond Street as another potential comparison? What would happen, for example, if Bond Street were taken out of the

Crossrail programme? It is a cost at a significant level—similar, you said earlier. Why can you not just take Bond Street out? What significance would that have?

(Mr Anderson) I think this is something that I have discussed with the Committee on a previous occasion, I think when we were looking at the Mayfair area. Clearly Bond Street is the principle West End destination for Crossrail, so it is serving that very high value, high employment area in the West End. Clearly also it does provide significant interchange. We know that one of the things that Crossrail does for the transport network is to meet the Central Line, clearly by serving Bond Street. So we can serve directly and more quickly the area around Bond Street. Additionally, if Bond Street was not there we would immediately get a larger load on the GLC stations, particularly Tottenham Court Road, which is something that we would have to look at very carefully.

8147. The Committee raised with you what about the possibility of reducing the service on the Great Eastern side—that is the Metro service from Shenfield. In terms of the stations that are being served on the Great Eastern line, to what extent is it necessary to intervene greatly in the existing stations in order to accommodate Crossrail?

(Mr Anderson) We do need to rebuild parts of the station to accommodate the line that would arise from Crossrail. There are several locations where that is necessary.

8148. In comparative terms with a build such as Woolwich, how do the Great Eastern stations compare?

(Mr Anderson) Clearly it is much smaller as they are all above ground.

8149. Can I ask you a point that Mr Hopkins raised with you on the costs of the Woolwich station? Have those costs been analysed critically to drive them down from previous estimates?

(Mr Anderson) Yes, I have indicated that they have; that is the case.

8150. I appreciate that the Committee wants to see how it is broken down, and we will provide that breakdown to the Committee—and I appreciate that it does not bind the Committee in any way—but those driven down costs were discussed with Greenwich and are not disputed?

(Mr Anderson) That is correct.

8151. So that the Committee will have this when they look at those costs, have those costs had the input of technical experts, quantity surveyors and the like, so that we have a reasonable degree of assurance as to their scope?

(Mr Anderson) Yes, clearly they have; they were prepared by our quantity surveyor advisers.

8152. Have Greenwich checked the costs, so far as you are aware?

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(Mr Anderson) I am not aware of that. We did put the costs to them and did discuss them at a meeting and they indicated that they would not seek to challenge them.

8153. Do you have any view as to whether there is any real likelihood of driving down those costs significantly any further?

(Mr Anderson) I think that is unlikely. Clearly we have been through the exercise once and we have driven down quite a saving. Of course I will need to speak to colleagues about this, but the advice we have is that there is not much more scope to reduce costs at all

8154. Can I come back to some points that Mr Jones raised with you, and that is the London Plan and the fact that it is out of date and the like? Does that mean that it is a legitimate comparison to look at Greenwich's own figures for Woolwich and compare them with the Crossrail figures for employment and residential growth at the other stations?

(Mr Anderson) Not necessarily because we have used the London Plan assumptions for the rest of the network and the rest of the appraisal.

8155. If you updated the appraisals for the whole of the network which is proposed in the build scheme would it necessarily come out with the same figures to compare with the EDAW figures for Greenwich?
(Mr Anderson) Not necessarily. Clearly that would be a very, very extensive exercise for the whole loop; but it would likely lead to a different conclusion perhaps at some locations.

8156. **Mr Elvin:** We will provide the breakdown in costs that the Committee requests. It is readily available because, as I say, it has already been given to Greenwich. Would a one-sheet breakdown suffice for your purposes, sir?

8157. **Chairman:** That would be helpful, Mr Elvin. I would also like it if you would give us a value for money breakdown on all the stations on the route.

8158. **Mr Elvin:** It cannot be done.

8159. **Chairman:** Why not?

8160. **Mr Elvin:** Because it has not. Because the way, as Mr Anderson has explained, that the BCRs are done for route sections and not for individual stations. That is the way transport infrastructure is assessed; you do not take it station by station, you take it a section at a time.

8161. **Chairman:** I am afraid I am going to ask for some analysis of that because although I accept in terms of the Bill we cannot alter the terms, but we could actually either add stations or indeed change stations.

8162. **Mr Elvin:** Sir, I would ask you to reflect on that particular request because, firstly, the exercise has not been done and it would require an absolutely

massive and lengthy piece of work examining every station in the Bill. Secondly, because BCR is only one of the many factors—and you have seen the DFT Guidance—you would also have to know the basis upon which the stations were selected, regardless of the BCR. You would also effectively have to re-run the Montague exercise which took—how long, Mr Anderson?

(Mr Anderson) It was many, many months.

8163. **Mr Elvin:** I am not trying to be obstructive and I will provide as much assistance as possible.

8164. **Kelvin Hopkins:** If the exercise was undertaken for a small number of comparable stations which are entirely new and perhaps outside the centre—there are not that many of them—that would be an easier exercise, surely? You pointed out that many of the stations on the Essex line already exist so it is rather pointless doing an exercise there because it is not a fair comparison, but taking two or three stations which are being entirely newly constructed, and doing the exercise of comparison there, would be easier, surely?

8165. **Mr Elvin:** My recollection of the approach is that you may find that the stations at the periphery are in general cheaper than the stations in the strategic central section because those in the central section require a greater deal of intervention, they have more structure surrounding them and you can just imagine the issues of Bond Street, Tottenham Court Road, Liverpool Street and the like. It may not give you the sort of comparison you need. I will take instructions on it and if necessary I will come back to the Committee.

8166. **Chairman:** Mr Elvin, I would like a detailed note—and it does not have to be a full Montague re-run—at some time on the kind of things that were examined. It is essentially because I do not really think it is good enough, whenever we ask various reasons behind costings and economics, just to be told by the witness—and indeed you said it yourself—that the costs have not been challenged by, in this case, Greenwich. They clearly do not have the expertise to do that. They are a planning authority, yes, and yes they do have economists working for them but they do not have the level of expertise, which Crossrail would, to get the undertaking from analysis.

8167. **Mr Elvin:** Sir, with respect I do not accept that because they have the ability to instruct national names and they called DTZ and EDAW to give evidence to you at this hearing.

8168. **Chairman:** I do understand that but I do not think it is an answer just to say it is unchallenged—

8169. **Mr Elvin:** It is agreed.

8170. **Chairman:** It might not be an area of their expertise and if they were simply to accept that it could be very easy for any person planning such a

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project as this to just keep putting up a whole range of arguments which they would find unaffordable to challenge.

8171. **Mr Elvin:** I perfectly well understand from that point of view, sir, but you are not dealing with a Petitioner in that position. I entirely understand where you are coming from in respect of that concern, but you are dealing with a London authority—and you have only seen the tip of the iceberg, there have been a vast amount of discussions, meetings and papers going backwards and forwards, report and the like. This process has been going on for many, many months. I am not shrinking from it; we are going to provide you with the issues.

8172. **Chairman:** Mr Elvin, I understand that. This is a very, very large project indeed with many billions of pounds involved in it, but what we are saying is that we need to look at a cost analysis for a station because we are accepting some of the arguments that are being put forward as being valid, but whether or not we rule in their favour is at some time in the future in its own discussion. But if we think that some of the arguments put forward are not valid and things that we should look at, then therefore we want to examine as fully as we possibly can any information that we can glean on the methodology of costs.

8173. **Mr Elvin:** Can I suggest this—sir, and if it does not come up with what you need then no doubt you will tell us—that if we provide a range of costs or a multiple series of examples of costs of other stations on the route—and I cannot give you the BCRs for the reasons I have indicated, they have simply not been done—we can probably provide you with a series of costs for a selection of stations, probably quite a few stations if not most of them, fairly quickly, for other stations within the scheme. Would that assist the process?

8174. **Chairman:** That would assist but we may come back to it.

8175. **Mr Elvin:** I am just trying to produce something (a) which will help you and (b) which is manageable in the timescales involved, because I do not want to promise something which we cannot manage. We will obviously give you the cost for Woolwich but if we give you the costs for other stations as well it may be possible to provide you with some additional information on top of that and then perhaps the Committee can let us know if you require anything else to assist in the process.

8176. **Chairman:** Mr Anderson, before you leave your seat, you were tested a few times on that it was either Woolwich or Abbey Wood. Of course, Abbey Wood is the terminus and it is quite a different stop on the line. The thoughts are that what had been proposed by Greenwich is not a terminus at all, just a stop.

(*Mr Anderson*) Correct, yes.

8177. **Mr Elvin:** Of course, Abbey Wood and Crossrail and the mainline coincide and, as we know, they are an eight minute walk apart at Woolwich.

(*Mr Anderson*) Yes.

8178. So you could not have the terminus coinciding with the mainline if you were looking for a direct interchange with the North Kent line?

(*Mr Anderson*) No. I come back to what I said earlier, that is the reason for going south of the river to connect in with the national rail network.

8179. **Mr Elvin:** Sir, we will produce that information and no doubt you will let us know if you want more.

The witness withdrew

Mr Rob Colley, Sworn

Examined by **Mr Elvin**

8180. **Mr Elvin:** Mr Colley, you are Rob Colley; you are a partner with Drivers Jonas; could you just explain briefly to the Committee your area of expertise?

(*Mr Colley*) Yes. I am Rob Colley. I am a partner of Drivers Jonas and have been since 1999. I joined the firm in 1991. I run our strategic consultant team of about twenty people and we deal with Treasury Green Book, office appraisals, estate strategies and a fair amount of regeneration of property economics work.

8181. Do you have development and valuation experience?

(*Mr Colley*) Yes. Principally on the valuation side.

8182. Thank you. Now, I would just like you to explain your position on the differences of approach taken by Greenwich and their advisers EDAW and Crossrail to the estimation of benefits and growth which will accrue from Crossrail?

(*Mr Colley*) I think it is fair to say that our approaches are very similar. The estimation of jobs and, indeed, population are based on a number of key assumptions. One is the number of sites selected, their potential development capacity which leads to development density assumptions, and the type of developments. We made our main assessment back in 2004–05 and we considered ten sites in the town centre which broadly equated to a 1 km zone around the Crossrail station. EDAW considered 14 town centre sites so they included a few more than we had in our early schedule, but also included 38 council estates, some within the 1 km zone and some within the 2 km, so there is a lot more residential in there than we looked at. In our 1 km zone we looked at around 110,000 square meters of development which we assumed would be split fairly evenly between residential and commercial development, and we suggested that about half of the commercial

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development would be attributable to Crossrail. For residential we adopted around 2,750 units which were from the ODPM zonal action plan figures for Woolwich and we suggested about 10 per cent of those units would be directly attributable to Crossrail on the assumption that we believe that most of those units would be built out in any event without the scheme, without Crossrail. Of the residential units, obviously you have heard the EDAW figures yesterday and they seemed a lot more, a net increase of about 18,000 of which about 4,000 was attributable to Crossrail, so in terms of our approach a very similar sort of approach looking at sites and development capacity. I think where we differ is more on the assumptions to some of those key variables.

8183. Let's look at the differences. Firstly, points of agreement. There is no dispute between you and EDAW and, indeed, between Crossrail and Greenwich, but there would be a positive impact on regeneration from a Crossrail station?

(Mr Colley) Correct. Our view is that there would be a significant impact with Crossrail that would be bigger than if Crossrail were not to have a station in Woolwich, so our basic premise is similar. Where we perhaps differ is in the order of magnitude of those benefits and the degree to which the incremental marginal amount is due to constructing a station there.

8184. Now the EDAW evidence, and perhaps we can have a look at the bar chart again in the Promoters' evidence, and if we could go please to exhibit 17, there we have London Plan, CLRL Highgrove Scenario, the EDAW Assumptions and the GLA Latest Forecasts.²⁰ The Committee are familiar with this, having seen it yesterday. What assumptions go into that EDAW forecast, which I put to Mr Jones as being the highly optimistic end of the scale, which you would take issue with?

(Mr Colley) I think the main issue is that EDAW, in my view, have done a very good and competent study, and obviously spent a lot more time and energy and effort on it than we had available at the time we did our figures, but what has been done is a development capacity study so we have looked at every possible site that could be included in the 1 km zone and, indeed, within the 2 km zone of the station that assumed the maximum number of sites are developed out, with or without Crossrail, that the maximum amount of density of development is included, and the degree to which that is attributable to having a station there is included, so it is really the consequence of a series of assumptions that have a cumulative effect on the final answer. So we perhaps would be a bit more measured in what we thought would be built out in the time available, and there is one exhibit that was shown yesterday which showed the 1 km and 2 km zones with all the residential sites shaded pink and the town centre sites shaded yellow, which represented most of the land mass of potential

land within a walking distance of the station. Now, that to me looks like it would take a generation or two in some cases to develop that out, so the quantum of development proposed, whilst possible or indeed probable in the long term, in the medium term I think is probably unrealistic mainly because of funding and delivery issues. Some of the papers I have read have assumed that for some of the housing renewal programmes, which we did not include in our figures, it would take two generations to transform some of the housing stock into the standard it should be in.

8185. Now, an issue I raised with Mr McCollum yesterday was the question of land ownerships within the central area of Woolwich and the lack of big unified ownerships which exist in the North Greenwich Peninsular, and it was suggested that compulsory purchase powers could be sought to assemble the land.²¹ Is that a speedy process?

(Mr Colley) No. In any town centre situation land ownerships are generally more fragmented than other larger industrial areas, and we looked at plans yesterday that showed the area of land in the North Greenwich Peninsular which was principally formerly in the ownership of British Gas. In the town centre you do not have that. I agree that in Woolwich perhaps compared to other town centres there are one or two land owners, the Borough included, the Powis Street Estates and formerly the MoD, so that it is perhaps less fragmented than other town centre areas but nevertheless it is not unified ownership so to deliver comprehensive development CPO may well be needed, and although Greenwich have demonstrated they do have the appetite to do compulsory or promote compulsory purchase orders, that in itself takes time, so yes, there is some question of the deliverability and the length of time that would take for the town centre.

8186. And the pink areas we can see on that plan are the estates proposed for redevelopment within the capacity study?

(Mr Colley) Yes.

8187. In terms of the arrangements for consulting with tenants, making arrangements, satisfying them and possibly compulsory purchase, and then not forgetting the need actually to find premises to decant existing tenants into while the redevelopment is taking place or as an alternative, again, how rapid a process is that?

(Mr Colley) It is a lengthy process. My understanding is that four of those I think 38 sites are in the current investment programme, but I would stand to be corrected on that if that is not the right number. I also understand that the level of right-to-buy options have not been exercised in Greenwich as they have in some other boroughs, partly because of the quality of the estate itself so there has not been a major incentive to buy there, but still the decanting of tenants into new schemes whilst

²⁰ Crossrail Ref: P77 Population and Employment Growth 2001-2016: Woolwich Station Catchment (GRCHLB-3604-017).

²¹ Committee Ref: A84, Fig 6.1, Scope and location of Development Opportunity Sites (GRCHLB-3605-130).

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the existing sites are redeveloped is a major logistical exercise, and I have not the figure of the number of people involved to hand but that would be a major consideration, and might well take one or two generations.

8188. Finally, the bottom line, to what extent do you think that regeneration and development in Woolwich is dependent on a Crossrail station coming forward?

(Mr Colley) My view is that Crossrail would have a positive effect on regeneration in Woolwich, there is no doubt about that, and I agree with Mr Lambert's comments that the effect of a transport scheme like Crossrail is purely down to accessibility and capacity issues. There is partly an image question of putting places on the map, but going to visit Woolwich now there is a lot of development activity going on; the Woolwich Arsenal site has been and continues to be developed and units are selling out; there is a lot of development activity; and this is partly driven by the fact that Woolwich is on the river and riverside developments are very popular and sell at a premium presently, but also there is the degree to which Woolwich fits into the whole residential supply of London. There is, as we all know, a major mismatch between demand and supply for residential in London and Woolwich, like any other area, is responding to that and units are being built and sold out along the river, but also around the town centre, so I would expect a large amount of development to continue without Crossrail going there—partly on the strength of the DLR station, talking to local agents and Berkeley Homes selling Woolwich Arsenal sites, who are saying their purchasers are citing DLR as a reason. So there is a momentum of development happening that would be furthered by Crossrail but the majority of the regeneration effects do not depend on Crossrail being built, with the station at Woolwich, in my opinion.

8189. Mr Lambert said yesterday that he would expect a surge of development to accompany the likely opening of the DLR in 2009. Would you agree with that?

(Mr Colley) Yes.

8190. So to what extent have the positive impacts of the DLR been fully felt at this stage in Woolwich town centre?

(Mr Colley) They are already being felt; you can see the development going on and the sales of units. Developers tend to be fairly slow to react to transport schemes. The promise of the scheme is not normally good enough; when they see it coming out of the ground that is a different matter and that is happening with respect to the DLR. You can see the tower cranes in Greenwich and Woolwich town centre so that has been a major spur to developers, and purchasers as well.

8191. And we know from Mr Lambert and his report there are three major retailers putting forward proposals for new stores within Woolwich town

centre and he expects them to come forward regardless of Crossrail. Do you have any views about the significance of that?

(Mr Colley) I agree with those findings. Schools is one of the other factors that people take into account in moving to an area over and above other items, even transport. So that is certainly going in the right direction as far as development and regeneration is concerned, and inward investment in Woolwich.

8192. What does the fact that three major retailers are looking to move into the town centre—I think he mentioned Tesco and Sainsbury, I am not sure he mentioned the name of the third—signify in terms of the position of the town centre?

(Mr Colley) I think it demonstrates the existing density of population which supports the growth in supermarkets and retail space. I think Woolwich has probably suffered from an under investment over the years in retail provision and so to a certain extent it is catching up on that and that is what these retailers are responding to, but they are also responding to future anticipated increase in population and spending patterns and they can see the number of units going to Woolwich Arsenal, and just to the north east of this plan on the chart there is Galliers Reach as well, which presumably would be within the catchment.

8193. Thank you. Then, finally, in terms of the regeneration issues, the question of offices. We know from Mr Lambert that Woolwich is not an office location at the minute. He referred to its possible growth as a back office location. What views do you have about that as a realistic approach?

(Mr Colley) Well, I think many of the peripheral stations along the Crossrail route at any peripheral centres around London are not office locations and will never become office locations, and I think Woolwich is one of them, partly to do with the fact that although there may be some fragmented demand for back office locations what drives business costs now more than the property costs and rental costs are wage costs, and there is a significant differential wage cost between any London borough and moving out of London. We have done some work on relocating a government department and the interesting factor was that Birmingham, as it was, was 15 per cent lower in wage costs than London and it did not really make much difference how much the property costs were. Also, what seems to be happening in London is the reinforcement of the central London cluster, and we have mentioned the finance and business services in the centre of London, so that is the West End, mid town, city and Canary Wharf. That is where the jobs are and that is where the clustering of the agglomeration benefits are. You do not get that sort of clustering benefits in peripheral town locations. There are not similar firms you want to interact with or support services, so there may be one or two office occupiers that would move small offices here but nothing major, so I do not think either Woolwich, or Abbey Wood for that matter, are likely to become office locations.

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8194. **Mr Elvin:** Mr Colley, would you wait there, please, thank you.

(Mr Colley) Yes.

Questioned by the Committee

8195. **Kelvin Hopkins:** Mr Colley, just briefly, the major generator of additional income for a local population might be jobs in the locality perhaps having better access to the jobs in London, as you say, where wages are high. Woolwich is not dissimilar in many ways from my own town of Luton, which I represent, where we service a lot of towns roundabout and we need good transport facilities for people who do not do the higher paid perhaps higher qualified jobs, but the police officers, the train drivers and people like that who need good access, and the more good transport access they have got to other areas nearby the more they are likely to earn and bring wealth and good incomes into the area. That is the major benefit of having good transport links, is it not?

(Mr Colley) Yes, and I would not dispute that, but I would say that Woolwich is not devoid of transport at the moment and we spent some time yesterday comparing Woolwich with North Greenwich which, before the Jubilee Line went in, had no public transport to speak of and that is not the situation here. We have heavy rail into London Bridge, we have DLR coming in and intensive bus networks, so we are not starting from the point of a blank sheet of paper in transport terms, but I agree with what you are saying. Also, I think the good news story from the point of view of the residential developments that we are seeing growing up at ever higher densities in the peripheral town centres is there is a lot of local employment generated by housing both in the public services, schools, hospitals, doctors' surgeries, but also local support services—restaurants, bars and legal services—so it does mean that without having to link your transport into central London to get the higher value FBS jobs, there is a lot of local employment generated through the provision of high density housing which seems to be the case in Woolwich and other locations.

Cross-examination by **Mr Jones**

8196. **Mr Jones:** I would like, first of all, to deal with your calculations that led to the figure on Promoters page 17.²² I think your calculation is that you work on the basis of 2,750 new homes, is that right?

(Mr Colley) Yes.

8197. So you have 2,750 new homes in Woolwich. Can we just do the arithmetic from that? Presumably in that arithmetic you allowed for the 2,517 new homes that have been provided in the Royal Arsenal?

(Mr Colley) Correct.

8198. So that left 243 new homes in the whole of the rest of Woolwich?

8199. And that is the London Plan figure effectively, 243 new homes in the whole of Woolwich. Now, what weight did you give to regeneration of any of the housing estates in Woolwich when you calculated the number of homes?

(Mr Colley) As I said earlier we did not include the housing renewal sites at all.

8200. So unless it is right to allow only 243 non Royal Arsenal homes in Woolwich, and unless it is right to give no weight to regeneration housing estates, that left-most bar on the chart must be wrong, must it not, and significantly wrong?

(Mr Colley) That is a population figure rather than housing units.

8201. But it is derived from housing, is it not?

(Mr Colley) Yes.

8202. So it must not only be wrong but significantly wrong?

(Mr Colley) It appears so but I would need to go back and check.

8203. If that is significantly wrong we know that the 2:1 benefit cost ratio is a significant underestimate, do we not?

(Mr Colley) That has already been discussed, yes.

8204. Do you have a copy of the document that is referred to yesterday, which is a Crossrail Technical Report Assessment of socio-economic impacts to hand?²³ As we can see that is a document and Drivers Jonas was one of the two bodies, along with Colin Buchanan, which produced it, and there were questions asked yesterday on this, and can we look at the first substantive page of the document which has 81 on the bottom, paragraph 6.3.7? We see here the methodology that was used by Crossrail and we see: "Outside Central London, property information is patchy with no single source of information. Information has been pieced together on the property market and future development data from a number of sources including: . . . schedules of development", and at the top of the next page, page 82 at the bottom, the continuation of the sources of information, we can see that in effect the London Plan was only one of nine items. I am not suggesting that Heathrow is necessarily one to be counted, but it was only one of nine points taken into account?

(Mr Colley) Correct.

8205. So that was your approach. Perhaps I could move to the next page which deals with the next point of examination, page 86 at the bottom, and if you look to begin with at the top of that page, please, you mentioned that land ownership would cause significant problems, and we have already heard undisputed ownership at Woolwich town centre is principally owned by Powis Estates and the London

²² Crossrail Ref: P77 Population and Employment Growth 2001-2016: Woolwich Station Catchment (GRCHLB-3604-017).

²³ Crossrail Ref: P78, Crossrail Technical Report, Socio Economic Impacts, pp81-82 (LINEDW-STR121-076 to 077).

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Borough of Greenwich. Can we see what was stated in this Crossrail Report about land ownership for the Royal Docks?²⁴ If we turn to Royal Docks, we see the third sentence: “The LDA have significant land holdings, so site assembly and availability is not a constraint on development”. One could equally say for Woolwich, Powis Estates and the London Borough of Greenwich have significant land holdings? Very significant land holdings, could one not?

(Mr Colley) I would disagree to the extent to which the relative proportions of land ownership in Royal Docks and Woolwich town centre are comparable. In fact, I am currently engaged by the GLA to look at the Royal Docks in more detail and it is very apparent that large tracts of land comprising many, many hectares, hundreds of hectares, are, indeed, in local authority or LDA ownership or control, so I would be of the firm view that deliverability on those sites is more likely to happen sooner, given market demand, than it would in the Woolwich town centre.

8206. Do you know what proportion of Woolwich town centre is owned by Powis Estates and the Borough put together?

(Mr Colley) I have not got a figure in my head, no.

8207. Then we look at Abbey Wood, and perhaps you could just read that paragraph to yourself, paragraph 6.4.19.²⁵ Ignoring the two figures of 1500 and 50 per cent, what, stated in that paragraph, would not apply to Woolwich?

(Mr Colley) Well, the first sentence would. The last sentence—you have obviously not referred to the figures in the middle sentence—the accessibility improvements and image would deliver benefits in Woolwich town centre, as I have already said, but I would not say that 50 per cent would be attributable to the line. I would say a lower proportion of development in Woolwich would be attributable to the construction of a Crossrail station in Woolwich.

8208. And then you mentioned the developments in Woolwich. How many major sites are you aware of being developed other than the Royal Arsenal site?

(Mr Colley) If I can just go back to my opening comments in that I referred to ten sites, and it also applies to your taking me through the socio-economic report and those bullet points which were the source of information, for information outside the centre of London where property agents provide a lot of information it is more difficult. In the Greenwich situation we relied on information principally provided by the London Borough of Greenwich itself, so our ten sites that we included

there were provided by Greenwich, as were the housing sites as well. So that was the principal source of information that I adopted.

8209. My question may not be very clear. How many sites apart from the Royal Arsenal, major sites, are you aware of which are at present being developed in Woolwich town centre?

(Mr Colley) I am not aware of any with tower cranes on top of them or units being built. I am aware of the plans for Peggy Middleton House and for the Kidbrooke Estate to the south.

8210. Peggy Middleton House is, of course, the local government offices that will be redeveloped. The Kidbrooke Estate, otherwise known as Ferrier, is in the south west part of the London Borough of Greenwich and by no means in Woolwich town centre, is it?

(Mr Colley) No, but it has been cited and I think is included in the EDAW figures and is on the plan which showed the pink array of sites around.

8211. **Mr Jones:** Thank you, Mr Colley.

8212. **Mr Elvin:** I have no questions, sir, thank you.

8213. **Chairman:** Thank you very much, Mr Colley.

The witness withdrew

8214. **Chairman:** Mr Elvin, do you want to sum up?

8215. **Mr Elvin:** I think in the light of your request for further information I would rather do that in the morning, sir, if you do not mind. I will see if I can get you some more cost information because it may affect what I say tomorrow, so we are going to try to get you some of the information before we close tomorrow, if that is acceptable.

8216. **Chairman:** That is fine.

8217. **Mr Jones:** I rise because I would have mentioned this in my closing; I was going to invite the Committee to seek when it asks for costs in respect of stations not merely the building of the station but also associated works such as new highways that go with them so you have a total figure for the cost of the station when you are making a comparison.

8218. **Chairman:** Yes. That discussion may be useful, yes. So, Mr Elvin, tomorrow?

8219. **Mr Elvin:** If that is acceptable to the Committee.

8220. **Chairman:** Then we will resume tomorrow at 10.00 am.

²⁴ Crossrail Ref: P78, Crossrail Technical Report, Royal Docks, Paras 6.4.17, 6.4.18 (LINEDW-STR121-081).

²⁵ Crossrail Ref: P78, Crossrail Technical Report, Abbey Wood, Para 6.4.19 (LINEDW-STR121-081).

Thursday 11 May 2006

Before:

Ms Katy Clark

Kelvin Hopkins
Mrs Siân C James
Mr Ian Liddell-Grainger

John Pugh
Mrs Linda Riordan
Sir Peter Soulsby

In the absence of the Chairman, Mr Liddell-Grainger was called to the Chair.

Ordered: That Counsel and Parties be called in.

8221. **Mr Liddell-Grainger:** Good morning, everybody. As is our practice, I will be adjourning the Committee at a convenient time somewhere near 11.30—if we make it to that time—for Members of the public to have coffee. Today the Committee will hear closing remarks for the London Borough of Greenwich. May I also say thank you to Ms Lieven for the information to do with the station, and the costs of the station, both sub-surface and surface.¹ We will digest the figures. If we need any more information, we will come back to you.

8222. **Mr Elvin:** Sir, may I raise one point, in case it raises an immediate question in the Committee's mind. You will see that the costs for Woolwich amount to £306 million. The £260–£270 million figure is the net figure. You get to that by deducting the cost savings of not constructing the running tunnels for a section, and the Arsenal Way shaft is then not required if there is station at Woolwich. If you deduct the savings, that gets you down to the £260–£270 million figure, but we thought it would be better if the Committee had the like for like figures of some of the other major stations that we were discussing yesterday.

8223. **Mr Liddell-Grainger:** Thank you for that. That is extremely useful. We were discussing before how we got to the figures and now I understand.

8224. **Mr Elvin:** This means that you have a like for like comparison with the other station figures.

8225. **Mr Liddell-Grainger:** That is understood and we will discuss the figures—in a private session, I suspect. May I call upon you to make your closing remarks.

8226. **Mr Elvin:** Thank you, sir.

8227. In the Bill scheme, Woolwich is not proposed, as the Committee well knows, to have a Crossrail station. The reason for that is one ministers have grappled with very recently and indeed in the past. They have come to the clearest decision, based on a consideration which under government policy they are fully entitled to take into account. It is a matter which lies primarily within ministerial responsibilities. The fundamental issue at Woolwich

is the very large capital cost relative to a benefit which, although important, is limited to the local area.

8228. Crossrail is already an enormously expensive scheme. The Secretary of State has made clear in the Raynsford letter of 5 May that all effort must be focused on reducing those costs if Crossrail is to be built. The Secretary of State has to balance the cost of a station at Woolwich against the rest of the transport budget, and £270 million is simply too much money for a station which serves no wider strategic function.

8229. We accept entirely, as we have made clear throughout, that there will be regeneration benefits from a station at Woolwich, but these have to be set against the considerable additional cost and the fact that regeneration is taking place already in Woolwich, is planned to take place without Crossrail, and there are major infrastructure improvements which Woolwich will receive in the near future, not least the DLR station.

8230. Could I correct one misapprehension which appeared to emerge in questions yesterday when Mr Anderson was tasked on a number of matters. We designed a Woolwich station in response to the petition and for no other reason. It would have been irresponsible for the Department not to have looked at a station designed for Woolwich, given the nature of the petition and that it was going to be a serious issue, but it was done for no other purpose than to respond to the petition. We were requested to do so by Greenwich and we did so.

8231. It is common ground between ourselves and the Petitioner that, firstly, the difference the DLR will make to Woolwich will be “huge”—and that word is not mine but the Deputy Chief Executive Mr McCollum's (Day 29, paragraph 7641).

8232. Secondly, that the DLR will provide a link across the river which is a major missing element in the Woolwich infrastructure at present.

8233. And thirdly that it will stimulate development by (a) providing the direct cross-Thames link into the main underground and London Transport system which is missing at the moment, (b) reducing travel times by a significant degree; and, as Mr

¹ Crossrail Ref: P79, Woolwich Station Cost Comparison (SCN20060511-001).

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Lambert's bar graph shows, (c) the significant accessibility improvements over the current situation, with, firstly, DLR and then Crossrail coming along, even without there being a station, because of the ability to interchange elsewhere on the network. You can see on the bar graph that there are increasing benefits. Clearly Crossrail with the station provides the greatest accessibility savings, but it would be wrong to proceed on anything other than the basis that the DLR and Crossrail without a station still bring significant improvements in travel time into the central areas of London and into the areas to which accessibility is required.

8234. You have had detailed evidence from the London Borough of Greenwich which has exaggerated the effect of a Woolwich station, based on a supposed like for like comparison (Mr Jones' own language) with the benefits of other Crossrail stations which was nothing of the sort—as the witness Mr Jones accepted and Mr Anderson further explained. For reasons Mr Colley explained, EDAW has assumed a level of redevelopment for a ten-year period which is more appropriate for a 30-year period.

8235. We urge the Committee to bear in mind that regeneration in Woolwich is already underway. It is planned and will benefit from new infrastructure improvements, as Greenwich's own EDAW-commissioned development framework made clear—which is the framework that Mr Jones produced as part of his evidence to the Committee.

8236. All parties agreed that improvement in accessibility was key. I would ask the Committee to note the following improvements which will assist in the regeneration of Woolwich, although they have yet to occur. First, there is the DLR, which I have already mentioned. Secondly, there is the Waterfront Transit. The London Borough of Greenwich seem to wish to play down the transit in its evidence but, if you want the real picture, look at Greenwich's own development framework for Woolwich which points out how important it is as part of the planned infrastructure and accessibility improvements which will drive regeneration. We would ask you to look at Woolwich's policy—which has been around for 18 months and driving the current regeneration—and not merely at what they say in Committee to you. Finally, as the bar chart showed you earlier, even though Crossrail would not have a station at Woolwich, the ability to interchange on to it elsewhere in the network—and there is nothing magic about that: it is just as we all change tube stations onto different lines at the moment, there is nothing extraordinary or difficult about that—brings additional accessibility benefits to the people at Woolwich.

8237. Indeed, if you want to check that I am not making submissions because I have to, check Mr Chard's evidence from yesterday (Day 30, paragraphs 7971-7973) where he told you that the DLR and the Waterfront Transit would make

Woolwich better than the London average for accessibility in transport terms. It is not just the Secretary of State who is saying this; it is Greenwich itself.

8238. More telling, as I have said, is the November development policy framework, which is the structure for the regeneration in Woolwich—Greenwich's own document, commissioned by EDAW. Can I remind the Committee of its conclusions: "New transport infrastructure will add to existing good transport to make Woolwich one of the best connected places in London. On the back of these and other investments under consideration, the town centre itself will undergo comprehensive restructuring which will change the public perception of Woolwich." I would ask you to compare that statement of carefully thought out drafted policy which is guiding Woolwich at the moment, with the different views that were expressed in committee because Greenwich is anxious to promote what we would say is the icing on the cake rather than the necessary substance of what is needed to drive regeneration in Woolwich.

8239. This is supported by Mr Lambert's report, which made it clear that significant residential and commercial development is coming forward without Crossrail (Petitioner's exhibits, pages 239–240)² and that the effect of Crossrail is much harder to predict. It all comes down to journey-time savings, as Mr Colley agreed. These are achieved, firstly, by DLR and the transit, and, secondly, the ability to change to Crossrail elsewhere in the network. (You will see Mr Lambert's figures at Petitioner's exhibits, page 215.)³

8240. Where does all this lead? Whilst Woolwich would be assisted in its regeneration by Crossrail, regeneration is proceeding apace with residential and retail development in the pipeline. You will recall that Mr Lambert said three major retailers are already seeking to locate in Woolwich town centre, and he is confident that has nothing to do with Crossrail but the fact that the conditions, the rentals and the capacity are increasing in Woolwich for such development.

8241. So you have retail as well as residential benefit and this will be boosted by the DLR once it opens in three years' time. You will recall that Mr Lambert said that there will be a surge of new development which will accompany the opening of the DLR and Mr Colley explained to you yesterday that often people do not react to new transport infrastructure until it is practically ready to open or is open.

² Committee Ref: A84, Realistic Growth Potential of Woolwich without Crossrail, DTZ Report (GRCHLB-3605-240).

³ Committee Ref: A84, Journey Times Savings from Woolwich to Key Employment Destinations (GRCHLB-3605-215).

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8242. We say, therefore, that it would be incorrect to proceed on the basis that Woolwich will not be properly provided for in transport accessibility terms without Crossrail, and its regeneration already has significant assistance from public funds in the form of the DLR and the transit.

8243. The fact that Woolwich may have regeneration benefits and score well in benefit cost ratio terms does not mean that it should proceed. It is plain from central government guidance that BCR is only one of many factors which leads to decisions on the funding of infrastructure. Affordability and integration are relevant considerations as well as BCR. You were given the TAG (Promoters' exhibits, page 115), and indeed Helen Bowkett agreed when Ms Lieven put those issues to her in cross-examination.⁴

8244. BCRs are not carried out for individual stations on a major project such as this to determine whether they should be included, since, in a strategic project, you are looking to ensure that it is the various sections of the route which provide value for money. To produce a BCR for individual stations, for example in the central section, would be virtually meaningless, as the stations cannot be divorced from their strategic function within the network. A benefit cost ratio, for example, for Bond Street could not encompass the fact that Tottenham Court Road, without Bond Street, would become highly overloaded. The central section is likely to produce much lower BCRs, not because it lacks strategic importance but because the stations are deep underground stations, surrounded by buildings and services, where property costs are very high and the potential for disruption to people's lives and businesses is very great. It would be unthinkable, however, you may say, to eliminate the central stations within the network, because of their strategic access to key locations, to employment and economic generation uses and because of their fundamental role in allowing interchange and reducing congestion on other lines. That shows of course the limited value which BCRs have in making decisions of this nature.

8245. We also urge that you should not proceed on the basis that regeneration issues were not considered by Crossrail and by Montague when the Bill scheme was assessed and approved. Indeed, the Montague report makes it quite clear that they were considered, and I would ask you to look at the examples I referred to yesterday in re-examination of Mr Anderson (Promoters' exhibits, pages 57–58).⁵

8246. Indeed, I drew attention to the regeneration benefits Crossrail would provide, if you will cast your mind back to 17 January, when I opened the case on behalf of the Promoters. I referred you to the

plan in the non-technical summary for the Environmental Statement which shows the regeneration areas served directly and indirectly by Crossrail.⁶ You will see that the regeneration areas of the Thames Gateway directly served by Crossrail are many, and they include the Isle of Dogs, Custom House, Royal Docks, and the area of Thamesmead north of Abbey Wood. Of course Woolwich is only in the blue and grey area, where there is indirect benefit. You know there is indirect benefit because of the journey and accessibility savings which Mr Lambert agreed will take place even without a Crossrail station. Sir, it is not as if Crossrail does not deliver significant regeneration benefits linked into the Thames Gateway.

8247. Further, regeneration was considered when the decision was made not to include a station at Woolwich. The new approach to transport appraisal—lovingly known as NATA—was carried out, which fully takes into account regeneration benefits. It would be wrong to suggest that this is a case where the justification for omitting Woolwich was only devised after the decision. It was not.

8248. It is also relevant, bearing in mind the diagram that I have just put up, that the strategic aims of Crossrail may include regeneration and may serve considerable parts of the Thames Gateway area. But it does not mean that they should serve every part of it and it does not mean that regeneration and regeneration in the Thames Gateway is the only objective of Crossrail.

8249. Montague made it clear that there were three strategic objectives which Crossrail should serve. The way I put them in my opening to this Committee on 17 January is as follows: they are, firstly, to support the development of London as a world city and its role as the financial centre of Europe in the UK; secondly, to support the economic growth of London and its regeneration areas by tackling congestion and the lack of capacity on the existing rail network; and, thirdly, to improve rail access into and within London.

8250. Therefore a number of issues and priorities are there which have to be balanced, not just regeneration. I would just ask you to note that regeneration is also served within the Crossrail scheme because of the extra capacity it creates in the London network itself. There are vast indirect benefits to regeneration, even in the areas where there is not a specific service provided directly.

8251. Simply because a station may promote regeneration in its local area does not mean that it should have a Crossrail station, even if it does have a suitable BCR.

⁴ Crossrail Ref: P77, DfT Transport Analysis Guidance, Appraisal Summary Table (GRCHLB-3604-115).

⁵ Crossrail Ref: P77, Crossrail Review, Wider Benefits, Paras 163–165 (GRCHLB-3604-057).

⁶ Crossrail Environmental Statement Non Technical Summary—Crossrail will serve regeneration areas <http://billdocuments.crossrail.co.uk> (LINEWD-NTS62-026).

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8252. I do ask the Committee to bear in mind that stations which are expensive, such as Bond Street and Whitechapel—and you now have the comparative figures in the table we provided this morning—have a huge benefit not only to the people who use them as their destination for going to and from work, or for going to and from home, but to those who pass through them and use them to interchange onto other lines and other parts of the network—in other words, those people for whom we are promoting the strategic objective of improving rail access and capacity into and within London itself.

8253. The Committee only needs to look at the Mayor's future transport map, the aspirational map for 2016 (Promoters' exhibits, page 12) to see the massive interchange benefits of stations such as Bond Street and Whitechapel which have comparable costs to a proposed station at Woolwich.⁷ Abbey Wood is not only the terminus for the scheme in the south-east, but it is a major change from the North Kent Line as well as a station for local people. It will allow change to Crossrail for many coming in on the mainline who will then be able to reach more destinations throughout London more quickly and more easily. The principle purpose of the south-east branch is not to serve the residents of Abbey Wood as such, but to provide very easy interchange for all those using the North Kent Line. This provides much better access to the City and other destinations for those people and relieves congestion at London Bridge. Indeed, Abbey Wood is one of the most significant interchanges on the scheme because of that, and we suggest it helps drive the BCR for the south-eastern link of the scheme regardless of Woolwich. Abbey Wood is a critical part. The south-eastern link was put there for a reason and it was put there to allow interchange from the mainline to North Kent.

8254. Woolwich Station would not have any interchange potential, as Mr Chard was at pains to emphasise. It provides a benefit to local people and local regeneration, but, unlike, for example, Whitechapel, it provides absolutely no benefits to those who travel through Woolwich. No one is sensibly going to use it to change from the mainline, when they can do so at Abbey Wood by simply crossing the platform, or to change even to the DLR when they can do so easily at Custom House. If one considers the costs of CLRL put together in the sheet you were provided with this morning, I would like the Committee to note this. First, Bond Street and Whitechapel have broadly comparable costs, but they provide major interchange benefits for users coming from widely differing parts of the network (not just those local to the stations) and to relieve other parts of the network. Secondly, the Isle of Dogs provides support for the development of London as a world city and the financial centre of Europe. It also has—let us not forget this—regeneration benefits and massive employment

generation. Perhaps we could have a look at Mr Jones' figure 16 (Petitioner's evidence, page 57).⁸ You can see there the little figures which represent employment generation and you can compare very simply in graphical form the vast benefits in employment generation for the Isle of Dogs as opposed to Woolwich. It is difficult to say that, in terms of job creation and economic generators, Woolwich can fairly compete with the Isle of Dogs. These stations also provide agglomeration benefits because they are close to places where people want to work and where benefits arise because of the close proximity of a whole series of different employment-generating and economic uses, and again this cannot be said of Woolwich.

8255. We have given you, on the surface part of the table this morning, and that is the north-eastern part of the line, the cost of the two major rebuilds, the most expensive stations on the north-east link which are Ilford and Romford where the stations have to be rebuilt. You can see that the costs are only a fraction of the costs of Woolwich. We put these in because these issues were raised yesterday. It would take of course something of the order of five such major rebuilds on the north-eastern line to be eliminated even to come close to the costs of Woolwich, and of course there are not five such rebuilds on the north-eastern branch of the line.

8256. We have also provided you with Manor Park and Shenfield which are the next two most expensive station works on the north-eastern branch. These put the cost of Woolwich into stark contrast because you can see from this, bearing in mind the relatively minor works that are required for most of the stations on the north-eastern link, that it is likely that the cost of Woolwich will equate to something close, or similar at least, to the costs of the station works on the whole of the north-east branch because the fact is that on the north-east branch most of the stations only require relatively minor intervention.

8257. Fundamentally, as the Minister's letter to Mr Raynsford last Friday makes clear, Crossrail is already an expensive project. To make it happen, it has to be made affordable and costs have to be driven down. At £260 million net, a station at Woolwich is a major step in the wrong direction when Woolwich is already undergoing regeneration and is about to be provided with major new transport infrastructure which, to use Mr McCollum's words, will "make a huge difference to Woolwich". A station at Woolwich would be a step in the wrong direction which would tend to undermine, rather than assist, the affordability of the project as a whole. We do not mean any disrespect to the Committee in its deliberations over Woolwich, but this is a case where the Minister's judgment is that Woolwich cannot be afforded and should not be funded. Thank you very much.

⁷ Crossrail Ref: P77, Putting Transport on the Map (GRCHLB-3604-012).

⁸ Committee Ref: A84, Scale of Impacts: Comparison to other Crossrail Stations (GRCHLB-3605-057).

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8258. **Mr Liddell-Grainger:** Thank you, Mr Elvin, for that. Mr Jones?

8259. **Mr Jones:** Thank you, sir. Before moving to my prepared text, may I deal with one or two matters which Mr Elvin raised which have not been dealt with within that text.

8260. Firstly, I wonder if we could have the slide which Mr Elvin had a little while ago of the regeneration areas. It was “LINEWD-NTS62-026”.⁹ Mr Elvin said that the benefit of Woolwich would be limited to a local area. A Woolwich station will not be a village halt. On the figures with which we have been supplied by the Promoters, and they have not been able to provide them for Stratford, I should add, which may have a large number of passengers, Woolwich would have the largest number of passengers of any of the stations east of central London, very far from just being a local matter.

8261. If one looks at the regeneration area that would be benefited by Woolwich, one can see the whole bluey-grey area basically to the west of the figure “9” and south of the Thames lying within the London Borough of Greenwich, all the area for which Woolwich is the major town centre. You will recall in fact the undisputed evidence that Woolwich is the main town centre of the Thames Gateway region south of the river. Sir, this is not some little local matter. It is a matter of a very large number of passengers being deprived the benefit of a Woolwich station.

8262. While in that context, may I also deal with what Mr Elvin said about Bond Street. I am not suggesting that Bond Street should be removed. The argument he raised in respect of Bond Street was: what would the impact be on Tottenham Court Road? That is exactly the point that your Petitioner makes about the impact on Abbey Wood. If Abbey Wood has to take all the cars, all the buses coming in from south-east London, there will be a very great impact on it, just as if Bond Street were removed, there would be an impact, I do not know how much, on Tottenham Court Road.

8263. Mr Elvin again repeated the argument that Woolwich is getting the Greenwich Waterfront Transit. The Greenwich Waterfront Transit is an essentially local initiative. It is of buses, not trains, it does not go to the Isle of Dogs, let alone the City or the West End, its capacity is vastly lower than Crossrail, its speeds are vastly lower than Crossrail, and to bring in buses to Woolwich while ignoring buses in the rest of London is failing to treat like with like, and you may recall the undisputed evidence of Mr Andrew Jones in respect of the Greenwich Waterfront Transit.

8264. The Docklands Light Railway has been brought in as if the Docklands Light Railway by itself would be enough for regeneration. Of course it is desirable, but it has neither the capacity nor the speed of Crossrail and, if you are tempted to accept what the Promoters are saying about the Docklands Light Railway, that it will somehow achieve the regeneration of Woolwich, then I can only invite you to go on a site visit to Lewisham or Deptford High Road to see whether the Docklands Light Railway has actually achieved that for those centres.

8265. You were next taken to the Woolwich Town Centre Development Framework. That of course is like any development framework. A development framework is not an academic assessment of probabilities; it is a planning document. It has aspirational elements and of course it is what the borough wants for the development of its borough. To treat that as if it was a report assessing what would happen is to confuse two quite different sorts of documents.

8266. It was said by Mr Elvin that it would be unthinkable to eliminate central stations because of their strategic nature, but what the Promoters are saying is that a station for the only town centre that is not served, and a main town centre at that, a strategic centre, a station for the only transport hub that is not served by Crossrail, a station, I think, for the only river bus service not served by Crossrail should be removed. Woolwich has a strategic nature and its evidence has been brought out and it is the only place of such a strategic nature which is excluded from the scheme.

8267. Sir, perhaps I may now move to the printed text which has been circulated. In opening for the London Borough of Greenwich, I drew attention to a variety of matters, including the social deprivation in the vicinity of Woolwich, with more than twice the national average within the lowest level of subsistence, that Woolwich’s town centre is under-performing, its need for regeneration and the fact that the current scheme would leave Woolwich as the only main town centre and the only transport hub anywhere on the route of Crossrail without a station.

8268. I also drew attention to the benefits of the scheme with new homes and new jobs being created and the image of Woolwich enhanced. With the exception of the number of new homes that would be created, not one fact contained in Greenwich’s opening has been disputed since that opening was given.

8269. Among the Promoters’ documents, the Department for Transport’s Guidance on Value for Money: Explanatory Note helpfully explains that, “Ministers make decisions on the basis of a series of considerations, including: value for money; practicality/deliverability; public acceptability; distributional and equity impacts; affordability and financial sustainability; contribution to central

⁹ Crossrail Environmental Statement Non Technical Summary—Crossrail will serve regeneration areas <http://billdocuments.crossrail.co.uk> (LINEWD-NTS62-026).

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government, local and regional objectives; and the amelioration of identified problems". Whilst it is clear from the word "including" that the list is not exhaustive and whilst the list does not of course bind the Committee, it nonetheless provides a useful checklist for considering transport proposals and a structure to such considerations that should facilitate consistency of decision-making.

8270. Before moving to the details, it is worth recalling Mr Anderson's response to cross-examination on this point. After some efforts to obtain a clear answer, he agreed that a Woolwich station scored well on all of them, except practicality/deliverability and affordability. His sole reason for the former was affordability, suggesting that in all other respects the scheme is practical and deliverable. Whilst disagreeing with him on those two points, his concession in respect of the other considerations was clearly rightly made.

8271. Value for money: it is agreed that a Woolwich station would have a benefit:cost ratio of at least 2:1 and be in the high value for money category. Mr Anderson has accepted that it would probably be higher than this. This concession is hardly surprising. The figure of 2:1 is based on the out-of-date London Plan which greatly understates the number of dwellings that will be provided in the Thames Gateway. It assumes that 2,750 units will be provided in Woolwich town centre, that is, only 233 in addition to the 2,517 in the Royal Arsenal. It makes no allowance whatsoever for redevelopment in the housing estates on the edge of Woolwich town centre. The Promoters' lower figure of 2:1 is obviously unrealistically low even for a minimum figure. It follows that, on any account, a Woolwich station would be well into the high value for money category.

8272. As for the allegation made in opening that Greenwich was exaggerating, which was indeed repeated in closing, and overstating its case, in addition to pointing out the inadvisability of throwing stones in a glass house, it is noticeable that the Promoters' own witnesses do not go that far. Rather, they limit the criticism of EDAW's figures to alleging that they are "at the upper end of the plausible development volume", and I think it has already been shown that the 2:1 figure is below the lower end of the plausible development volume. It is clear that the BCR for a Woolwich station is better than for Crossrail as a whole and better than for other DfT schemes.

8273. Practicability and deliverability: there is no reason to interpret this as meaning affordability and, in doing so, effectively to accuse the Department of unnecessary repetition. No part of the Promoters' argument has been that the station could not be built. Rather, it has produced designs for a Woolwich station that would enable it to be included in the Bill without any delay.

8274. Public acceptability: sir, if this were *Strictly Come Dancing*, one would see the four judges holding up "10" in each case on the count of public acceptability. The only problem with the phrase 'public acceptability' is that it greatly understates the position. The scheme is not only accepted, but it is overwhelmingly strongly supported by the general public, by their elected representatives in both Parliament and on the Council, and I should add also on the Greater London Authority, by the leaders of the three political groups and by local businesses and organisations. The evidence for this is at tab 7 of the Petitioner's bundle. It is perhaps particularly interesting to read the list of businesses and other groups supporting a Woolwich station. They are bodies as diverse as two major national museums, a Premier Division football club, educational institutions, major landowners, leisure operators, retailers, a public body, ethnic minority businessmen, et cetera, et cetera.

8275. Distributional and equity impacts: on any account, a Woolwich station would provide significant help for a substantial number of disadvantaged people in terms of homes, the best of any station, jobs and the environment, and you have heard the Council's concerns about air quality in this area. This should surely carry great weight. The impact of improving the town's image and the resulting improvements in a sense of self-worth and of being valued by the State should not be ignored. The Petitioner considers that, when it came to cutting the scheme, an element of it that greatly benefited regeneration had been wrongly selected for removal and that this showed the wrong priorities.

8276. Contribution to central government, local and regional objectives: support for regeneration, public transport, the Thames Gateway and concentrating major attractors of people on town centres are all very well-established objectives at a national, London and local policy level. A Woolwich station would have all of these. Leaving Abbey Wood as the only station in south-east London would have far less effect. The major centre of the Thames Gateway south of the river would be, and be perceived as being, neglected. There would be less regeneration. The major transport hub with its numerous buses and indeed river transport connections would be bypassed. More people would access Crossrail by car and more would choose to use cars for at least part of the journey towards the Isle of Dogs or central London, for example, by driving to North Greenwich Jubilee Line Station. The only Crossrail station in south-east London would be in a residential area, not a town centre.

8277. The amelioration of identified problems: a Woolwich station would ameliorate social deprivation, assist in reducing the need for more homes and jobs and improve air quality by reducing motor-vehicle mileage.

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8278. Affordability and financial sustainability: a Woolwich station would be financially sustainable with some of the highest passenger numbers on the line. I should add that, from the figures we have been given by the Promoters, it is the highest, though we have been unable to get Stratford and we recognise that it might be higher, the highest single number of passengers of any station entering the system, not of course talking about central London, leaving at the end of the day.

8279. That leaves the real issue between the parties in respect of a Woolwich station of affordability. As a result of detailed scrutiny from the Petitioner, the estimated cost of the station has been reduced substantially and now stands at £260 million. There are two ways of achieving affordability: one, that this reduced sum should be found in any event; or, two, that some other element or elements of the scheme should be cut. It is no part of the Petition to propose a specific cut, but we can go as far as to suggest that items would have less merit than a Woolwich station and ought, therefore, to be considered for possible removal from the scheme if the alternative is no Woolwich station. Those would be: stations with a relatively low usage, especially where a high cost is associated with them, whether the construction of the station itself or other matters, such as related highway works; some stations where stations are particularly close together; sections of route with a relatively low number of trains per hour, although, however, I recognise that that may be outside the Committee's terms of reference; and severable elements of the scheme that have no obvious major benefit, particularly of course those with a substantially lower benefit:cost ratio.

8280. As far as Woolwich station itself is concerned, Greenwich understands that the subway beneath Plumstead Road, together with the south entrance, and you may recall being shown those at page 106 of the Promoters' documents, could be severed from the scheme and that these together would cost some £14 million. Whilst Greenwich wishes the Bill to include powers to construct these, it points out that a substantial contribution to the costs involved could be made by contributions under deeds of

planning obligation under Section 106 of the Town and Country Planning Act 1990, and page 141 of the Promoters' bundle deals with possible contributions under Section 106.

8281. On the basis of the Department's own considerations, there ought to be a Crossrail station at Woolwich. Including this station in the Bill sends out a signal of commitment to helping the disadvantaged and shows confidence in Woolwich.

8282. If a Woolwich station is excluded from the Bill, there is no possibility that it would be built subsequently. For the disadvantaged people of Woolwich, it really is now or never.

8283. **Mr Liddell-Grainger:** Mr Elvin?

8284. **Mr Elvin:** Sir, I am not seeking to come back on Mr Jones. However, you will have noticed that I did not say anything about Abbey Wood because there was an issue with Mr Chard over that, and the reason I did not was because Mr Chard agreed, during the course of his evidence, that an undertaking from us to continue discussions would satisfy him, and there were a number of other matters.

8285. **Mr Liddell-Grainger:** I think we are having a Petition from the borough that this falls under

8286. **Mr Elvin:** Indeed.

8287. **Mr Liddell-Grainger:** Therefore, I think we will wait to see what they say.

8288. **Mr Elvin:** Yes, I think that is on the menu for next week.

8289. **Mr Jones:** Sir, indeed I say the same. My only references to Abbey Wood were in the context of the need for a station.

8290. **Mr Liddell-Grainger:** Yes, I think that is accepted and thank you very much for that clarification. I, therefore, adjourn the Committee until Tuesday 16 May at 10 o'clock.

Tuesday 16 May 2006

Before:

Mr Brian Binley
Ms Katy Clark
Mr Philip Hollobone
Kelvin Hopkins

Mrs Siân C James
John Pugh
Mrs Linda Riordan
Sir Peter Soulsby

In the absence of the Chairman, Sir Peter Soulsby was called to the Chair.

Ordered: That Counsel and Parties be called in.

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Mr Neil Cameron appeared on behalf of the Petitioner.

Sharpe Pritchard appeared as Agent.

8291. **Sir Peter Soulsby:** Gentlemen, good morning. I intend to suspend the Committee for about 15 minutes at a convenient point after 11.30 so that everyone can have the opportunity to have coffee if they wish. The Committee has a long day ahead. We are beginning with hearing the Petition of the London Borough of Bexley. We will also be having the first of our evening sessions at 6 pm when the Committee will be hearing a number of other petitions from mostly individuals.

8292. Mr Elvin, would you, as counsel for the Promoter, like to set this petition in context for us.

8293. **Mr Elvin:** Before dealing with the petition, may I alert the Committee to one point of information. A new guidance note on the land disposal policy to accompany the relevant information paper has been prepared and either is in the process of being put on the website and sent to your clerk or has already been sent. If not, it will be done shortly, probably this week. That guidance note will provide additional information on the Department's policy on land disposal and should be read together with the IP. It will be available from the website, as with all the other IPs.

8294. **Sir Peter Soulsby:** Thank you very much. We will note it and number it when it arrives.

8295. **Mr Elvin:** Sir, turning to the Petition for the London Borough of Bexley, there are two main issues raised by the Petition and there are a number of minor issues as well. The two main issues are, firstly, the traffic implications of Crossrail at Abbey Wood Station—and that follows on slightly from the London Borough of Greenwich's Petition last week—and, secondly, the slightly more complex question, in the light of the Instruction to the Committee from the House of Commons, as to whether Crossrail should be extended beyond the terminus approved at second reading from Abbey Wood to Ebbsfleet.

8296. On the issue of highways, could I ask the Committee to look at plan SE8(i) from the main Environmental Statement, volume 4b, and zoom in, please, on the Abbey Wood Station.¹ Mr Taylor will be dealing in due course with the highways issues in his usual way. May I remind the Committee that similar issues were raised last week by Greenwich. The issues at Abbey Wood are slightly complicated, because of course, as you see from the pink line that runs down the centre of the screen, the Abbey Wood Station falls partly within the remit of the London Borough of Greenwich and partly within the London Borough of Bexley, as does the road network around Abbey Wood. Accordingly, any solution and any issues regarding that have to be agreed between both boroughs, as well as the Department and Crossrail.

8297. You will recall from last week (Day 30, paragraphs 8012 to 8016 in Mr Chard's evidence) that Mr Chard told you, in the light of the draft Mouchel's report, that Greenwich had yet to reach a concluded view on the issues. They did not have a report in final form, and Greenwich accepted a simple undertaking by the Department that discussions would continue—because of course Greenwich has yet to formulate its final views. It is difficult, we would suggest, to see how anything else sensibly could be done, so far as Bexley is concerned, in the light of that position with Greenwich. We have offered Bexley an undertaking in broadly similar terms to that offered to Greenwich last week, but, as yet, that undertaking has not been accepted, and no doubt Mr Cameron will explain to you in due course why Bexley should be in a different position to Greenwich, given the common issues.

8298. On the extension, if the Committee will forgive me, I am going to spend a little bit more time, because it does involve the Instruction to the Committee. Although Ebbsfleet was originally proposed as the terminus for the south-east limb of Crossrail, this was altered before the Bill was deposited, and the Bill of course fixes the south-east terminus at Abbey Wood. That terminus is part of the principle of the Bill, as the Committee will be aware, fixed and, indeed, debated at second reading and at the Instruction debate on 12 January of this year.

¹ Crossrail Environmental Statement, Abbey Wood Station—Key Environmental Features [http://billdocuments.crossrail.co.uk \(LINEWD-ES17-125\)](http://billdocuments.crossrail.co.uk (LINEWD-ES17-125)).

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8299. Perhaps we could have page 124 from the main Environmental Statement, and zoom in on figure 6.3.² This is a slightly overcomplicated plan because it shows all the options considered for the eastern route but I want to home in on the Abbey Wood to Ebbsfleet element at the bottom left-hand side of the plan. There you can see what was originally proposed between Abbey Wood and Ebbsfleet, quite an additional extent of track integrating ultimately with the North Kent Line. Ebbsfleet was removed following a review in 2004.

8300. The basic position is explained in the Environmental Statement at page 126, paragraphs 6.3.44 and 6.3.45.³ Firstly, it is dealing with the corridor generally, and then you will see the benefits that it was thought a south-east link would provide, including the link into the North Kent Line. At 6.3.45, you will see: “CLRLL considered the option of operating the Crossrail service from Abbey Wood only, rather than projecting a proportion of the service to start at Ebbsfleet. CLRLL concluded that by sharing tracks with other rail services on the North Kent Line between Abbey Wood and Ebbsfleet, there was an unacceptable risk of disruption to Crossrail’s high frequency service pattern. As a result, Abbey Wood rather than Ebbsfleet was selected as the starting point for all Crossrail services in the corridor.” That is a reason which Mr Berryman will expand on and explain to the Committee in due course.

8301. There is also an issue with electrification, because the North Kent Line and the section from Ebbsfleet involves not the use of an overhead 25 kilovolt electric system but a third rail at 750 volts. For reasons set out on page 129 of the main Environmental Statement, it is explained that the third rail system has not been established railway practice for many years and the preference is not to use it.⁴ Therefore, stopping at Abbey Wood has avoided the need for trains which have dual capability and taking their power from the third rail and from overhead electrification. Abbey Wood has allowed simplification on that score as well.

8302. The issue then arises as to the position before the Committee. The Ebbsfleet issue was subject to an inspection, as was the possibility of extension to Reading. If we could look at Instruction No 3, page 002 of the Promoter’s exhibits.⁵ Of course the interpretation of the Instruction is a matter ultimately for the Committee, but we would say the House of Commons’ Instruction to the Committee as to how it should proceed, particularly when

Abbey Wood to Ebbsfleet is very clear, is: “. . . if it thinks it appropriate to do so, hear the Petitioner and the Member in charge of the Bill on that issue for the purpose of reporting to the House whether there appears to be a case for such extension being the subject of an application for an order under the Transport and Works Act 1992.” The Committee is not asked to consider anything more than that, nor is it asked whether the Bill should be amended or whether the Instruction should be amended.

8303. Bexley have come up with a number of suggestions, to which no doubt Mr Cameron will take the Committee in due course, none of which appear to us at first blush, and, indeed, at second consideration, to fall within the terms of the Instruction. That, of course, is a matter for members of the Committee, interpreting the Instruction, but it did seem to us that the Instruction was particularly clear on the point. To the extent, therefore, that Bexley is asking the Committee to do something other than report to the House whether there is a case for an extension under the Transport and Works Act Order, it seems to us, respectfully, that it falls outside the Instruction. It is only if it falls within that simple definition, that it falls within the remit of consideration by the Committee.

8304. I will pass over to Mr Cameron.

8305. **Sir Peter Soulsby:** Mr Cameron, I would invite you to address the Committee.

8306. **Mr Cameron:** Thank you, sir. As Mr Elvin has already explained, there are two main points that Bexley would wish to put before the Committee: the extension to Ebbsfleet and the adverse transport consequences at Abbey Wood. It is Bexley’s case that those adverse consequences will be particularly severe if the line is not extended to Ebbsfleet, so the two points are related.

8307. Sir, can I turn first to the extension to Ebbsfleet. I make it clear, sir, that Bexley Council’s aim is to secure an extension from Abbey Wood to Ebbsfleet. The line to Ebbsfleet was included in the scheme promoted in Crossrail’s July 2003 business case and appraised in the Crossrail Review, the Montague Report. The line to Ebbsfleet continued to be put forward in the consultation which took place in September 2004 and the decision to drop the route to Ebbsfleet and terminate the service at Abbey Wood was made in 2004. I anticipate a potential dispute on two issues: whether such an extension is desirable—and it may be there is less dispute on that than on the second—and, if it is desirable, how best to grant powers to authorise it.

8308. Bexley are very mindful of the Instructions that have been given to this Committee and Mr Elvin has already referred to them. Rather than dealing with merits first, I would like to deal with procedure first, so that you know exactly what it is we are asking you to consider, and then I am going to say something about the merits.

² Crossrail Environmental Statement, p124, Fig 6.3 Eastern Route Options, <http://billdocuments.crossrail.co.uk> (LINEWD-ES08-018).

³ Crossrail Environmental Statement, p126, paras 6.3.44 and 6.3.45, <http://billdocuments.crossrail.co.uk> (LINEWD-ES08-020).

⁴ Crossrail Environmental Statement, p129, Alternative Electrification System, <http://billdocuments.crossrail.co.uk> (LINEWD-ES08-023).

⁵ Crossrail Ref: P80, House of Commons, Votes and Proceedings, 12 January 2006 (BEXYLB-32004B-002).

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8309. In the second reading debate of 19 July 2005, as you will be well aware, the Instruction given to the Committee was: “. . . that, in applying the practice of the House, the Select Committee treat the principle of the Bill as including: the termini of the railway transport system for which the Bill provides . . .” The Bill provides for a terminus at Abbey Wood, which is partly, as Mr Elvin has explained in Greenwich and partly in Bexley. You have already been referred to the additional Instruction for 12 January 2006 and I do not read it out again.

8310. Bexley wish to put four options before the Committee. I would like to circulate Mr Hardie’s evidence, because we have set out the four options in the evidence, so that you can see what it is we are asking you to consider.⁶

8311. Sir, if you would turn to page 3 of Mr Hardie’s exhibits, you will find our options set out: Options, A, B, C and D.⁷ As far as Option A is concerned, the purpose is to seek to secure the inclusion of the extension to Ebbsfleet in the Bill. It is in many ways the simplest option, because the arguments in favour of promoting Crossrail through the Hybrid Bill procedure would support the merits of this option. Sir, on behalf of Bexley, I acknowledge the obstacles in the way of the Committee in achieving this option, but I would like to refer to a remark made by Mr Liddell-Grainger when he was in the Chair on Day 21, 28 March 2006, and in particular to paragraphs 5460 and 5521. In paragraph 5460, Mr Liddell-Grainger drew attention to the fact that there was a facility for the Committee to make a special report requesting the House to reconsider the issue of whether a certain station should be a terminus. In 5521 he referred to such a request as seeking a dispensation. There is a mechanism to achieve Option A and that would have the merits of including the extension to Ebbsfleet in the Bill, but I accept that it would involve some delay because it would have to go back to the floor of the House and then be re-committed to this Committee if the House of Commons accepted a recommendation from the Committee.

8312. As far as Option B is concerned, which is on page 4, this option follows a precedent set in the Channel Tunnel Rail Link Act 1996 where a similar provision was inserted, and that provision led to Stratford Station being brought forward under the Transport and Works Act 1992 procedure.⁸

8313. The effect of that amendment would be to require the proposal to be put before each House of Parliament on a motion moved by the Minister of the Crown. That is a requirement of section 9, subsection 4 of the Transport and Works Act. Once

the resolution had been passed, a Transport and Works Act Order could not include a provision inconsistent with the proposal approved by such a resolution. There is a disadvantage with this option, because the proposal would have to come back to Parliament, but there is an advantage in that the proposal, once approved by Parliament, could limit the scope of the Transport and Works Act Order and then limit any substantial dispute on issues such as stations and selected termini. So a disadvantage but a number of advantages because the scope can be set. That might be particularly advantageous when considering the terminus in Kent which could otherwise bog down the Transport and Works Act procedures.

8314. Option C is a variation on Option B.⁹ Option C is designed to have the advantage of Option B without having to come back to Parliament. It would allow Parliament to approve the principle now. In order to achieve this objective, I acknowledge that it would be appropriate for the Promoter to have produced the plans and the Environmental Statement to support a Transport and Works Act Order before the Bill receives its consideration and third reading, because what Parliament would in effect be doing would be approving the principle of an extension to Ebbsfleet so that when a Transport and Works Act Order came forward the principle was established.

8315. As far as Option D is concerned, which is on page 6, the effect of that option would be to rely on the Secretary of State’s goodwill in responding to any recommendation that the Committee might make.¹⁰

8316. If I could ask you to turn over to page 7, we are asking for a further request to be met.¹¹ That request would apply whichever option you selected or in the event that no option was selected. Bexley are there asking you to follow the approach taken by the House of Commons Select Committee on the Channel Tunnel Rail Link Bill. That Committee requires that the Waterloo spur should be constructed before the Rail Link itself was open to traffic and we ask you to require that the south-eastern branch—we hope to Ebbsfleet, but that depends on whether you accept our arguments—is constructed before Crossrail is open to traffic and that it is served by Crossrail when it is first opened for traffic.

8317. As far as Bexley preferences are concerned—and I apologise that it is not as neat as A, B, C, D—our first preference is for A (included in the Bill); our next preference is for C (a modification of the approach taken in the Channel Tunnel Rail link); then B (which is preceded by the Channel Tunnel

⁶ Committee Ref: A88, London Borough of Bexley—Exhibits of Chris Hardie.

⁷ Committee Ref: A88, Options for Select Committee (1) Option A (BEXYLB-32005A-003).

⁸ Committee Ref: A88, Options for Select Committee (2) Option B (BEXYLB-32005A-004).

⁹ Committee Ref: A88, Options for Select Committee (3) Option C (BEXYLB-32005A-005).

¹⁰ Committee Ref: A88, Options for Select Committee (4) Option D (BEXYLB-32005A-006).

¹¹ Committee Ref: A88, Actions to Consider (5) All Options (BEXYLB-32005A-007).

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Rail Link); and then D. Bexley's least favourite option is D, but it would nonetheless be an important step towards achieving an extension to Ebbsfleet.

8318. Having dealt with procedure, sir, can I go to the merits. As I have already said, the Ebbsfleet line was included in the proposals until November 2004. We are not suggesting an extension which has not already been considered—not only by the Promoter but in the Montague Review. The extension would have served an area of North Bexley and North Kent which is in need of regeneration and which forms part of the Thames Gateway. It would have brought significant regeneration benefits. Sir, as Mr Elvin has already told you, the reason given by the Promoter for dropping the proposals was that, by sharing tracks with other services on the North Kent Line, there was an unacceptable risk of disruption to Crossrail's high-frequency service pattern. That is the reason given.

8319. A solution to the problem has been identified by CLRL; namely to widen part of the route, and that is the section between Slade Green and Dartford. If you turn on, sir, in Mr Hardie's bundle of exhibits to page 25, there is a letter there from the Department for Transport in which you can see that a passage has been highlighted: "The capacity bottleneck that currently exists between Slade Green and Dartford precludes future extension of Crossrail services and CLRL has advised that this section should be widened to four tracks in order to achieve a reliable service."¹² So there is a solution to the problem identified.

8320. Going back to the Montague Report, Montague considered the incremental benefit-to-cost ratio of extending the line from Abbey Wood to Ebbsfleet, and they were comparing a route from Paddington, whether it went to Abbey Wood or Ebbsfleet. The incremental benefit-to-cost ratio of extending to Ebbsfleet was 3.21:1. To give you an idea of how beneficial that would be, the whole scheme ratio calculated in October 2005 of the current scheme is 1.80:1. The Montague Report did not allow the additional cost of four tracking between Slade Green and Dartford.

8321. Bexley have carried out an indicative exercise based on the Montague Report figures. If you turn on to page 41, you will see the results of that exercise, which showed a benefit-to-cost ratio of 2.27:1.¹³ Since Mr Hardie produced that, the Promoter has come back with some additional figures for the cost of the four tracking and Mr Hardie has done a recalculation which he will present to you in due course. That still shows, even if you take the Promoter's figures, a benefit-to-cost ratio of 2.08:1. It is still in the high values.

¹² Committee Ref: A88, CLRL Solution to Unreliability (1) (BEXYLB-32005A-025).

¹³ Committee Ref: A89, The Business Case for Ebbsfleet (9) (BEXYLB-32005A-041).

8322. **Sir Peter Soulsby:** I think I am right that these costs will be A89.

8323. **Mr Cameron:** Thank you for that number, sir. On page 1 of that document you can see Crossrail's costs and at page 3 Mr Hardie's revised workings.

8324. Not only is there a high value for money but there will be substantial regeneration benefits for an area of London and the South East which suffers from relatively high levels of deprivation. By cutting the line at Abbey Wood, a substantial proportion of the regeneration areas which would have been served by Crossrail are deprived of the opportunity to benefit from that service. In evidence, Mr Donovan from Bexley Council will explain the consequences of the lost opportunity.

8325. As far as Abbey Wood Station is concerned, Bexley shares Greenwich Council's concerns about the transport implications of providing a terminus at Abbey Wood. The Promoter has not carried out a full transport assessment of the implications. It is Bexley's case that he should not only do so, but, in the event that adverse consequences are identified, he should agree to mitigate that adverse impact. Those measure are likely to include provision to allow those with mobility impairments to cross the railway; capacity improvements on the local road network; an extension of the existing controlled parking zone; good pedestrian and cycle access to the station; and adequate provision for bus access to the station.

8326. To answer Mr Elvin's point, the reason Bexley are not content to accept an undertaking to discuss these matters is that Bexley will be very happy to discuss the matters—they are very content with that element of the undertaking—but they wish the Promoter to go further and to indicate in such an undertaking that if, as a result of those discussions and that work, it is found that there are adverse transport consequences, the Promoter will take steps to mitigate those impacts. If such an assessment is to be carried out, there is not a great point in working out there is going to be a problem, unless you say, "We will do something about it" and provide a solution. That is the essence of the difference between us and the Promoter on that issue.

8327. Could I add one thing in response to Mr Elvin, he mentioned that one of the benefits of stopping at Abbey Wood would be that one would not have the third rail system on the North Kent Line. That, sir, is in fact a very important reason for doing something about it now rather than leaving it until later, because, if something is not done about it now, so that when trains are ordered they have the dual power facility, it is going to be difficult to achieve the extension later.

8328. Sir, I intend to call three witnesses: Mr Hardie,

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whose exhibits you have, who is a transport planner; Mr Donovan who deals with regeneration issues; and Mr Hawkins who deals with traffic and transport.

8329. Unless there are any issues that need to be dealt with before then, I would like to call Mr Hardie.

Mr Christopher Hardie, Sworn

Examined by **Mr Cameron**

8330. **Mr Cameron:** Mr Hardie, would you like to tell the Committee who you are and what your job is.

(Mr Hardie) My name is Christopher Hardie. I am a senior consultant with Mouchel Parkman Services Limited and by profession I am a transport planner.

8331. Would you like to turn to your exhibits, page 2, and explain the purpose of your evidence.¹⁴

(Mr Hardie) As Mr Cameron has already said, there is a very strong regeneration case. The evidence which I hope to lead you through later will also show there is a strong transport business case for Crossrail to serve Ebbsfleet and also that the benefits do significantly outweigh the costs. If I may address the reasons for CLRL deciding to terminate at Abbey Wood, I think it is to demonstrate that we accept there is a capacity constraint but that the solution is available, feasible and can be implemented, and that by doing so the expected unreliability to both the Crossrail services and the associated services in the North Kent area would also be relieved, and also to ask that the south-eastern branch be included as phase 1 of the project. I think Mr Cameron has already covered the point about the mechanism for doing so.

8332. You say that the south-eastern branch would be phase 1 of the project. I think the note says that it should be included in phase 1.

(Mr Hardie) Yes.

8333. What is the reason for that request?

(Mr Hardie) Partly because the transport case is itself very strong, and the benefits, because they are good, should be made available to the Borough of Bexley as soon as possible. I think also because of the fact that the implementation team will already have been established: it will be a rather more ready project team available, with a good understanding of the project that will be able to take it forward, rather than if there is some sort of break and there is a dissolution of the project team, when some sort of inertia would set in and then it would be that much more difficult to get it going again.

8334. I am not going to ask you to go through the options. I have already done that. Would you turn to page 8, please.¹⁵ What do we find on page 8?

¹⁴ Committee Ref: A88, Purpose of Evidence (BEXYLB-32005A-002).

¹⁵ Committee Ref: A88, Table 6.3 Description of Eastern Corridor Options (BEXYLB-32005A-008).

(Mr Hardie) In the original Crossrail Environmental Statement a number of corridors for Crossrail were identified. They were rather widespread in the choice of destinations that they might serve. This is showing the corridor we are particularly interested in, Corridor D, which took the line from Liverpool Street to Whitechapel to the Isle of Dogs and then south of the Thames into North Kent via Abbey Wood and then on to Ebbsfleet.

8335. On page 9—and the Committee have already seen Figure 6.3—the line to Ebbsfleet is shown.¹⁶ If you go to page 10, how many stations would there have been in Bexley and Kent under that scheme?¹⁷

(Mr Hardie) There would have been nine stations.

8336. If we turn to page 11, the current position.¹⁸

(Mr Hardie) As the Bill is currently promoted, there would be one station.

8337. Would you turn on to page 12.¹⁹ I think here you have a series of slides in which you examine Crossrail's reasons for dropping the line to Ebbsfleet.

(Mr Hardie) Yes, I have sought here to extract from a number of different documents produced by the Promoter that there is a consistency in stating that the reason for terminating at Abbey Wood rather than continuing to Ebbsfleet was the unacceptable risk by virtue of mixing the services along the North Kent Line.

8338. At page 12, paragraph 6.3.45, Mr Elvin has already referred to that. At page 13 is the Promoter's Information Paper A5.²⁰ You have highlighted paragraphs 3.2 to 3.4. Paragraph 4.1 reads: "The decision to terminate Crossrail trains on the south-east corridor at Abbey Wood rather than Ebbsfleet taken in November 2004 was based on the need to ensure a reliable train service throughout the Crossrail network and especially in the tunnel between Whitechapel and Paddington."—so that is the reason given.

(Mr Hardie) Yes.

8339. At page 14 you highlight paragraphs 3.2 to 3.4 because they were rather difficult to read on page 13.²¹

(Mr Hardie) Yes.

¹⁶ Committee Ref: A88, CLRL Corridor D, Crossrail Environmental Statement, p124, Fig 6.3 Eastern Route Options (BEXYLB-32005A-009).

¹⁷ Committee Ref: A88, Safeguarded South-East Alignment (BEXYLB-32005A-010).

¹⁸ Committee Ref: A88, Crossrail Line 1—Bill Scheme (BEXYLB-32005A-011).

¹⁹ Committee Ref: A88, CLRL reason for terminating at Abbey Wood (1) Environmental Statement Volume 1, Ch 6, p126 (BEXYLB-32005A-012).

²⁰ Committee Ref: A88, CLRL Reasons for Terminating at Abbey Wood (2) Crossrail Information Paper A5 Abbey Wood to Ebbsfleet (BEXYLB-32005A-013).

²¹ Committee Ref: A88, CLRL Reasons for Terminating at Abbey Wood (3) Crossrail Information Paper A5 Paras 3.2—3.4 (BEXYLB-32005A-014).

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8340. What do we find at page 15?²²

(Mr Hardie) Page 15 is a copy of a parliamentary written answer on 16 February this year in which Derek Twigg confirms the reason given, that it is the sharing of tracks with other rail services that would give the unacceptable risk of disruption to Crossrail's planned high-frequency service pattern.

8341. At page 16 we have another extract from the Information Paper.²³ What is highlighted in red on page 16 is set out on page 17, and it is the same reason given.

(Mr Hardie) Yes. It emphasises the reliability being the factor.

8342. That is the problem. If you turn on to page 18, is there a solution?²⁴

(Mr Hardie) This is a letter from Edmund Cullen of the Department for Transport to Dartford Borough Council dated 19 July last year. It rather more localises the problem. Rather than talking in general terms about service unreliability, it is more specific about mentioning the capacity bottleneck between Slade Green and Dartford. That is focusing attention on where the problem is within the wider network.

8343. You have highlighted that at 19. You have then produced a letter to Richard Hawkins of Bexley Council. Is there a particular passage in this letter that you want to highlight?

(Mr Hardie) The particular pieces I have highlighted there run over two slides.²⁵ There are two boxes highlighted in red and two boxes highlighted in green. I was there satisfying myself that the claims about the unreliability were in fact valid. The boxes in red set out the service pattern in and around the junctions to the west of Dartford and up the North Kent Line towards Slade Green. The green boxes then have effectively the same service pattern but with Crossrail trains introduced into the mix. I should emphasise that this is a letter provided by CLRL in answer to questions we put to them, so this is their expression of the service pattern.

8344. If we go on to page 23, you have there diagrammatically identified the critical junctions.²⁶

(Mr Hardie) Yes. I have identified the critical junctions, but, as you can see, to the north of it there is yet another triangular junction which adds to the extent to which services converge and conflict with each other.

8345. What does page 24 show?²⁷

(Mr Hardie) I have taken the information that was contained in the red and green boxes in CLRL's letter. Homing in on just the Dartford Junction triangle, I have put on the number of train movements. It is a little bit hard to follow, but I have effectively tried to show the number of trains which are going along each line and from that one can get a feel for the extent to which there are conflicting movements.

8346. Peak hour train movements with Crossrail are the figures not in brackets.

(Mr Hardie) That is right.

8347. And without Crossrail they are the figures in brackets.

(Mr Hardie) Yes.

8348. We have already looked at page 25 on page 18. You then highlight a part from an element in CLRL's letter. If we go to page 27, we can see the part you wish to draw to the Committee's attention.²⁸

(Mr Hardie) This letter is saying that there is a solution to the unreliability, which would be to provide four tracks from Crayford Creek Junction to Dartford Station, and that by allowing independent operation for Crossrail trains there would be a reduction in the conflicts and convergence on the line and hence a reduction in unreliability.

8349. So the problem is identified but a solution is available, if I have correctly understood it.

(Mr Hardie) That is right, yes.

8350. If we go to page 28, that is an extract from Information Paper A5 again.²⁹ What is the Promoter saying?

(Mr Hardie) The Promoter is effectively making the same point again that it is segregation of the services which would lead to a reduction in conflicting train movements and hence promoting reliability.

8351. On the next page, page 29, is an extract from Information Paper C5.³⁰

(Mr Hardie) C5 takes us on a little step further and confirms again that it is the Slade Green to Dartford section that is really the problem and that four tracking through that section would provide the solution.

8352. It is the first sentence.

(Mr Hardie) Yes.

²² Committee Ref: A88, CLRL Reasons for Terminating at Abbey Wood (4) Hansard, Column 2409W, 16 February 2006 (BEXYLB-32005A-015)

²³ Committee Ref: A88, CLRL Reasons for Terminating at Abbey Wood (5) Crossrail Information Paper A5 Additional Safeguarding (BEXYLB-32005A-016).

²⁴ Committee Ref: A88, CLRL Reasons for Terminating at Abbey Wood (7) Letter from DfT to Dartford Borough Council, 19 July 2005 (BEXYLB-32005A-018).

²⁵ Committee Ref: A88, CLRL Reasons for Terminating at Abbey Wood (9 and 10) CLRL letter to Bexley Borough Council, 26 January 2006 (BEXYLB-32005A-020 and -021).

²⁶ Committee Ref: A88, Schematic of Existing Track Layout in Slade Green to Dartford Area (BEXYLB-32005A-023).

²⁷ Committee Ref: A88, Train Movements Through Dartford Junction (BEXYLB-32005A-024).

²⁸ Committee Ref: A88, CLRL Solution to unreliability (3) CLRL letter to Bexley Borough Council, 26 January 2006 (BEXYLB-32005A-027).

²⁹ Committee Ref: A88, CLRL Solution to unreliability (4) Crossrail Information Paper A5 para 3.6 (BEXYLB-32005A-028).

³⁰ Committee Ref: A88, CLRL Solution to unreliability (5) Crossrail Information Paper C5— Additional Safeguarding para 2.3 (BEXYLB-32005A-029).

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8353. “CLRL have advised that in order to achieve a reliable service, four-tracking of the line would be required between Slade Green and Dartford.” Then we have the revised safeguarding plans on page 30.³¹ (*Mr Hardie*) Yes. I am afraid they are not the clearest plans, but I hope they convey the message that in terms of revised safeguarding arrangements there would be enough space identified in order to provide the four-tracking solution which the Promoter has put forward.

8354. **Sir Peter Soulsby:** Could you tell us quite what we are looking at on page 30. I have to say I am a bit stumped.

(*Mr Hardie*) I must apologise. I was trying to condense some very large drawings on to a slide and I do have a hard copy if it would help. In terms of top to bottom, the drawings are running west to east. The one in the middle would appear to the right of the one at the top and we have here the section of line just north and west of Slade Green depot. The plan would be to segregate a pair of tracks adjacent to Slade Green depot and then continue east. You are now into the middle drawing and you can see that the red dotted lines have been drawn wide enough so that additional tracks could be provided in that space. Towards the right-hand end of the middle drawing, probably halfway along to the end, you have the top side of Dartford junction itself. Continuing on to the right, that then appears at the left-hand end of the third drawing, and that is showing the right-hand end of the Dartford junction triangle. As you can see, the limits have been drawn wide enough in order to provide additional tracks such that segregated traffic could be provided up to Dartford Station.

8355. **Mr Cameron:** These plans are produced, am I right in understanding, by the Secretary of State as part of a draft safeguarding direction to safeguard that land so that any future proposal coming forward to provide four tracks is not impeded by any development in the meantime. Is that right?

(*Mr Hardie*) That is my understanding, yes.

8356. On page 31 I think you have got a schematic diagram which shows where the four-track section would be included.³²

(*Mr Hardie*) That is right. The maroon line that I have drawn there—and I emphasise this is schematic—is the degree of separation. Geographically, it would be nothing like that; this was merely to give you a sort of pictorial—

8357. **Sir Peter Soulsby:** Just so we can understand the context of this, can you give us an indication of the distances between the junction here?

(*Mr Hardie*) I think it is about 3 to 3.5 kilometres.

³¹ Committee Ref: A88, Revised safeguarding—Slade Green to Dartford (BEXYLB-32005A-030).

³² Committee Ref: A88, Schematic of proposed track layout in Slade Green to Dartford area with Ebbsfleet extension (BEXYLB-32005A-031).

8358. **Mr Cameron:** Having looked at the problem identified by the Promoter and the solution identified, in fact, by the Promoter, I think we now move to the business appraisal. Is that right?

(*Mr Hardie*) That is right, yes.

8359. Page 32.³³ Where does this come from and what does it show the Committee?

(*Mr Hardie*) This is an extract from the Crossrail Review published in July 2004, probably better known as the Montague Report. That was the only source I could find that would give you the incremental valuation of going from Abbey Wood to Ebbsfleet. Hence, I picked on Options 2 and 3 which are the only ones that allow that comparison to be made.

8360. It may be said to you that that is not the matter before this Committee, because options 2 and 3 only run from Paddington and not from Maidenhead. Does that make a difference to the point?

(*Mr Hardie*) It might make a slight difference but I do not think, in the large scale of things, that changes to the west of Paddington will greatly influence what is happening in the south-east of London and North Kent. That could only be confirmed by more modelling, and we did not have that modelling at our disposal.

8361. So if we turn on to page 33 (again an extract from the Montague Report) and Option 2, whole life net costs, what benefit to cost ratio does that come out with?³⁴

(*Mr Hardie*) This comes out with a ratio of 1.41:1.

8362. Option 3, on the next page, 34?³⁵

(*Mr Hardie*) This is the extension beyond Abbey Wood to Ebbsfleet and it shows that the benefit cost ratio for the project as a whole rises from 1.41 to 1.46:1.

8363. So an improvement as a result of the extension from Abbey Wood to Ebbsfleet?

(*Mr Hardie*) That is right, yes.

8364. Then, on page 35, I think there is a correction to the bottom of your note. Is that right?³⁶

(*Mr Hardie*) The bundle does have the correction in it. To be clear, the double-starred note at the bottom should say: “Slide 38 shows that £268 million included only £83 million of initial capital cost”. The emphasis is it should be £268 million.

³³ Committee Ref: A88, The Business Case for Ebbsfleet Option (1) Extract from para 267, Montague Report July 2004 (BEXYLB-32005A-032).

³⁴ Committee Ref: A88, The Business Case for Ebbsfleet Option (2) Extract from para 273, Montague Report July 2004 (BEXYLB-32005A-033).

³⁵ Committee Ref: A88, The Business Case for Ebbsfleet Option (3) Table 7: Whole life net costs (Option 3), Montague Report July 2004 (BEXYLB-32005A-034).

³⁶ Committee Ref: A88, The Business Case for Ebbsfleet Option (4) Extract from para 275, Montague Report July 2004 (BEXYLB-32005A-035).

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8365. Let us go back to the substantive point in paragraph 275. What are the points that you are drawing attention to in paragraph 275 of the Montague Report?

(Mr Hardie) First of all, is the comment from the Montague Report itself which described £268 million as a “modest incremental cost”. The second thing is that for that modest incremental cost one had an incremental benefit cost ratio of 3.21:1. The other point I would like to make out of it is that the £268 million of net incremental costs referred to in the Montague Report does, of course, include a host of future operating and maintenance costs and other tax losses etc, which were bundled up into the present value. I thought what was quite significant within that figure was that in terms of an actual increase in project cost the figure was only £83 million of initial capital cost.

8366. Montague notes (if I can just ask you about the third sentence): “Extension to Ebbsfleet would also support the regeneration of the Thames Gateway.” Is that a separate point which is dealt with by the next witness?

(Mr Hardie) Yes. I have not referred to it myself for that reason.

8367. Page 36, paragraph 31 of the Montague Report.³⁷ What is it that you wish to draw to the Committee’s attention from this extract?

(Mr Hardie) I felt we could not ignore the traction notices around the rolling stock and that in terms of assessing our own view of the project we should take that into account. What the Montague Report did not do was identify what additional costs there would be in terms of creating from the start a class of rolling stock which had dual voltage. He did point out that the case should perhaps be reviewed in that light. I think we believe it is an important issue because if Crossrail is to go to Ebbsfleet in the long term, and for any part of that route, were the third rail to be continued, then stock must be capable of operating over it, in which case the stock should be designed right from the beginning for that purpose. Otherwise, retrospective adjustment to the stock would be very much more expensive.

8368. You say on page 37 that the extra cost of dual voltage trains is not great if specified from the outset.³⁸ You say it is not unusual and it is not cutting edge technology.

(Mr Hardie) That is right. Certainly dual voltage stock exists at the moment and while I cannot put a price on the marginal cost of including it at the beginning, certainly if it is specified at the beginning and the designers know that from the start, then the stock can be designed in such a way that the equipment is either on board right from the

beginning or perhaps some sort of passive provision is made to allow the inclusion of the DC equipment at a later date.

8369. An example of a line where dual voltage stock is used would be?

(Mr Hardie) Thameslink. It is quite a normal operation to change power supply in the course of operation.

8370. **Mr Cameron:** One of the points made by Mr Elvin in opening was that an advantage of going to Abbey Wood and stopping there was that Crossrail could be served by overhead lines and not by the third rail.

8371. **Mr Elvin:** I think I can cut this short and say to the Committee that I am told I can give an undertaking that the rolling stock will make passive provision for dual voltage so that there will not be any prejudice caused.

8372. **Sir Peter Soulsby:** That is very helpful.

8373. **Mr Cameron:** I am grateful for that. So we can go to the third point on page 37. What is that third point that you are seeking to make?

(Mr Hardie) If the trains go beyond Abbey Wood towards Ebbsfleet then they have to pass Slade Green depot, and it could be a very convenient place in which to stable certainly some of the trains that serve that branch, and it would also perhaps then allow some of the trains that might otherwise have been stabled at Romford to be stabled at Slade Green and, in this way, some of the concerns about the operation of Romford depot might also be relieved. I have not worked out a complete service plan for that.

8374. We can go to your page 38.³⁹ There I think you explain how the Montague Report arrives at the benefit to cost ratio of 3.21:1 for the extension to Ebbsfleet.

(Mr Hardie) Yes, what I have pointed out is that I have got three columns of figures there. The first column, which I have called “Abbey Wood (Option 2)” is actually presented in the Montague Report, as is the middle column “Ebbsfleet (Option 3)”. However, in the third column I have had to deduce those figures and come back to recreate the benefit cost ratio of 3.21:1 that the Montague Report quoted. It is a straightforward matter of addition and subtraction.

8375. For example—I am not going to go through them all—row one, “capital costs” you get the £83 million by deducting the figure for Option 2 from the figure for Option 3.

(Mr Hardie) Yes, that is right.

8376. And the 3.21:1, of course, is not your figure; it is the Montague figure that we looked at on page 35.

³⁷ Committee Ref: A88, The Business Case for Ebbsfleet Option (5) Extract from para 31, Montague Report July 2004 (BEXYLB-32005A-036).

³⁸ Committee Ref: A88, The Business Case for Ebbsfleet Option (6) (BEXYLB-32005A-037).

³⁹ Committee Ref: A88, The Business Case for Ebbsfleet Option (7) Table 6 and 7 (paras 273 and 275 in Montague Report) Compared (BEXYLB-32005A-038).

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(Mr Hardie) That is right.

8377. You then take it further by considering costs not accounted for in Montague. Can you take us through your next few slides to explain the exercise that you carried out?

(Mr Hardie) Certainly. There were two sources of information which set out where the costs assumed in the Montague Report were insufficient. First is in the CLRL's letter to Bexley Council of 26 January this year, where it says that a design study carried out in 2002 suggested that a proposal to widen the railway would cost £67 million, and that this figure could rise to £90 million when risks are incorporated. It pointed out that this figure made no allowance for railway systems and land purchases. The second point comes from the Montague Report itself where it pointed out that on the provision of a station at Ebbsfleet, it had been assumed the costs would be borne by developers.⁴⁰ So, to take those two sources to the next slide, which is slide 40, I have taken the most pessimistic figure of £90 million for providing the four-tracking.⁴¹ I have started with the £83 million which comes from the Montague Report, I have then added in the £90 million which is the CLRL figure—the most pessimistic one—for putting in the four-tracking; I have then assumed a further £10 million costs for land purchases and the railway systems and then a further £10 million for the provision of a station at Ebbsfleet. Collectively, instead of the £83 million that was in Montague I have now come up with a figure of £193 million.

8378. On page 41 you put the £193 million figure in and it comes out with a benefit to cost ratio of 2.27:1.
(Mr Hardie) That is right.

8379. Can you just remind us of the Department for Transport's guidance on appraisal of schemes? Benefit cost ratios of two or more indicate what?
(Mr Hardie) A high return.

8380. Since you have come up with your £193 million figure, I think Crossrail have come back with another figure, which is on page 1 of the additional exhibits, A89. Those are the Crossrail figures. We can see what they describe as a "point estimate", £95.31 million, and then they add a contingency of £40.46m and arrive at their figure.
(Mr Hardie) That is right, rounded to £136 million.

8381. I think what you have done is to recalculate your figures fully accepting the Crossrail cost figures.

(Mr Hardie) That is right. These revised figures from Crossrail still seem to exclude the cost of a station at Ebbsfleet. So I have continued my

provision of £10 million in the revised costs, which gives a total additional cost for the Ebbsfleet branch of about £229 million.

8382. On the third page of your additional exhibits, we get the revised business case for Ebbsfleet extension and the benefit cost ratio.

(Mr Hardie) Which I make now to come out still in excess of two.

8383. If we go back to the main exhibits, at page 42, we need to add another row, which is May 2006 Bexley Council, assessment of incremental benefit extending from Abbey Wood to Ebbsfleet, based on CLRL revised cost figures, and the benefit to cost ratio to be inserted would be 2.08:1.⁴²

(Mr Hardie) That is correct.

8384. How does the incremental benefit, whether taken from Montague or your two alternative figures, compare with the scheme as a whole?

(Mr Hardie) Very significantly better.

8385. In terms of the business case for extending to Ebbsfleet, your view, please, as to whether or not that is made out on the figures that are available?

(Mr Hardie) Certainly I think there is a very strong business case for going to Ebbsfleet.

8386. Turning to page 43, you say, under "Benefits" "strong regeneration and transport business case"; "Economic and social benefits to the community" and "Delivery team already mobilised and familiar with the project".⁴³ Can I ask you to explain what you mean by the third point, in the delivery team point?
(Mr Hardie) Yes, it is similar to the point I was trying to make earlier, which is that the project team will have already been set up for the delivery of phase one, you will already have some momentum in the team, who know the project well, and there are tremendous advantages in taking forward a project as a single entity. To have a break and lose that team and then try to recreate it, one loses momentum and it takes a long time to restore the momentum. Also, you potentially lose some of the knowledge.

8387. The disbenefits of doing nothing?

(Mr Hardie) Yes. The first one: there are several cases where safeguarded schemes never happen—even cases where power is granted there is still no guarantee of implementation. While the area is safeguarded locally it raises issues of uncertainty and blight. The third point is, given the strength of the case for going to Ebbsfleet, it is difficult to see why it should not be part of the first phase of the project.

⁴⁰ Committee Ref: A88, The Business Case for Ebbsfleet Option (8) Costs not accounted for in Montague Report (BEXYLB-32005A-039).

⁴¹ Committee Ref: A88, The Business Case for Ebbsfleet Option (8) Revised Capital cost for Ebbsfleet extension (BEXYLB-32005A-040).

⁴² Committee Ref: A88, The Business Case for Ebbsfleet Option (10) Comparison of Benefit Cost/ Ratios (BEXYLB-32005A-042).

⁴³ Committee Ref: A88, The Case for Ebbsfleet—Comparison of Benefit Cost/ Ratios (BEXYLB-32005A-043).

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8388. Slide 44, the transport case for Ebbsfleet versus Abbey Wood.⁴⁴ Can you take us through those points, please?

(Mr Hardie) Yes. By extending to Ebbsfleet there would certainly be journey time reductions if only by avoiding the interchange at Abbey Wood that would be necessary for all passengers coming from the East. By taking some of the Crossrail trains on to the relief line that would be put in, that would also reduce congestion to those existing trains. I am sorry, I have missed point two, which is that by the fact that passengers get on Crossrail trains from Ebbsfleet they would not be on the other trains that would be carried on the North Kent line and taking the southern routes into London. I believe, on the business case that Crossrail produced in 2003, something like 15,000 people who would be getting on at Abbey Wood would be going from Abbey Wood into London. So there is a significant amount of people who would then not be on the other trains, which would be quite a significant improvement to their conditions of travel.

8389. You mentioned in that answer getting on at Abbey Wood. We are looking here at an extension to Ebbsfleet. Can you explain that last point?

(Mr Hardie) Certainly from places like Ebbsfleet, where I think something like 400 or 500 people are getting on, to Slade Green, where probably 4,000 to 5,000 people would be getting on, that is a significant reduction in the number of people that would be otherwise travelling on the existing services.

8390. We will look at those figures when we get to Mr Hawkins' evidence. He provides those specific figures.

(Mr Hardie) Yes.

8391. I am sorry, I interrupted you when you were going through slide 44. The third bullet point?

(Mr Hardie) It means that for all those passengers coming from east of Abbey Wood there would certainly be better connections to other lines by having the direct connection into London. The final bullet point is that with the Ebbsfleet extension in the project the project, as a whole, has a more robust business case.

8392. No doubt the Promoter will say there is still a significant advantage for people travelling in from Kent and Bexley because they can take the existing North Kent line and change at Abbey Wood, and they still then benefit from the advantage of Crossrail. What is the answer to that point?

(Mr Hardie) The answer is that for all those passengers who are coming from east of Abbey Wood, if they want to use Crossrail they would have to interchange at Abbey Wood, and as well as the inconvenience of having to make an interchange and then have to cross platforms (which I understand is the proposal—to have a Crossrail platform interchange) nevertheless it is still quite

inconvenient, particularly if you have got luggage. Having got off the train you could then be faced with a five-minute wait, assuming Crossrail trains are running to timetable. In addition to that, even with the conventional transport planning there is a further five-minute penalty assumed for the fact of making the interchange. This is not something that passengers like; it makes the line less attractive.

8393. That is your first point on page 45, is it?⁴⁵

(Mr Hardie) It is, yes.

8394. That is if you are going into London. If you are going back the other way?

(Mr Hardie) If you are coming back the other way, potentially for those stations that lie between Abbey Wood and Dartford, one would have to get off the train at Abbey Wood and then wait for the connecting service. For some of those trains there could be up to a 35-minute wait for getting to, say, Belvedere.

8395. The third point: “Would encourage ‘rail-heading’ to inappropriate location”. What does that mean?

(Mr Hardie) I think partly associated with the idea of not liking to interchange, passengers would head for that station where they could get Crossrail and then get on the train at its terminus. So there would be a propensity for people to drive to Abbey Wood in order to get the train.

8396. Then your last two points on page 45.

(Mr Hardie) I think these are statements within the wider context of connecting points within the South East; that if the line does not go to Ebbsfleet then all those stations to the east of Abbey Wood will lose the opportunity of having the direct connection to Docklands, the City, the West End and Heathrow, and, potentially, make those areas less attractive to people coming the other way. I am starting to stray into Mr Hawkins' evidence.

8397. Regeneration effects is Mr Donovan's evidence.

(Mr Hardie) That is right, yes.

8398. Your conclusions please?⁴⁶

(Mr Hardie) As I have put here, extending to Ebbsfleet gives wider economic and social benefits and we believe the case to be very strong. There is a feasible and technical solution to the Promoters', so far, only reason advanced for not going to Ebbsfleet, which is the risk of unreliability, and the solution is to provide four tracks between Slade Green and Dartford stations. The transport business case would support that investment, and that inclusion of the Ebbsfleet section within the project as a whole makes the project more robust and makes it better justified. As you say, the final conclusion is that Ebbsfleet should be part of the initial scheme.

⁴⁴ Committee Ref: A88, The Case for Ebbsfleet—Transport Case for Ebbsfleet vs Abbey Wood (BEXYLB-32005A-044).

⁴⁵ Committee Ref: A88, The Case for Ebbsfleet—Abbey Wood not satisfactory (BEXYLB-32005A-045).

⁴⁶ Committee Ref: A88, The Case for Ebbsfleet—Conclusions (BEXYLB-32005A-046).

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8399. **Mr Cameron:** Thank you, Mr Hardie.

Cross-examined by **Mr Elvin**

8400. **Mr Elvin:** Mr Hardie, since the debate here is a narrow one I am not going to deal with a lot of your detail. May I just say this with regard to your revised costs to Abbey Wood: we think you have underestimated the costs of the new station, but, frankly, since the result is broadly the same I am not going to trouble you with it. You have also confused some figures which are net present value figures with capital costs, but again the broad picture is not disputed. I am not going to spend time going through that in detail; I am sure the Committee will not want me to. Can I just ask you this: what is happening on the North Kent line with the Abbey Wood proposals, if we look—and I am taking these figures from page 79 of volume 1 of the Environmental Statement, table 4.4—there will be massive journey saving times in any event for people transferring from the North Kent line at Abbey Wood.⁴⁷ Will there not?

(Mr Hardie) Yes.

8401. Can I give you the figures? Abbey Wood to the Isle of Dogs will go from 30 minutes to 9 minutes—a saving of 21 minutes. If you take Abbey Wood to Paddington it goes from 59 minutes to 27 minutes—a saving of 32 minutes. I have added together to the second figures the items one and two. One takes you from Abbey Wood to the Isle of Dogs and—

(Mr Hardie) Yes, 59 to 27. Yes.

8402. So with both those journeys from Abbey Wood you are halving, roughly speaking, the journey time.

(Mr Hardie) Yes, I agree.

8403. Unless your prognostications of doom and gloom of having to wait for half-an-hour for a Crossrail train are correct at Abbey Wood—

(Mr Hardie) I did not say half-an-hour's wait for a Crossrail train.

8404. No?

(Mr Hardie) No.

8405. Half-an-hour at Belvedere?

(Mr Hardie) What I said was that if you are forced to change trains at Abbey Wood, you might, if you want to get to Belvedere, then have to wait 35 minutes for the train.

8406. Clearly, those coming in from the North Kent line and wanting to go fast into the centre or West End of London will find their service massively improved regardless of the fact that you have to change at Abbey Wood.

(Mr Hardie) I would agree that there would be an improvement but I would also say that the improvement is not as good as it could be.

8407. You can say that about lots of things. Can we just examine a few other issues. You have asked the Committee to pursue certain options, and I will make submissions about them in the light of my instructions—I am not going to cross-examine you about each and every item. Can I ask you this: your Option C and, to a lesser extent, your Option B, effectively, requests the Committee to ask Parliament to direct the immediate bringing forward of a TWA Order. Your Option C asks Parliament to deem an approval in principle in accordance with Section 9. Ebbsfleet has never been subject to Environmental Impact Assessment, has it? It is not part of the scheme and, therefore, was not subject to EIA with the scheme.

(Mr Hardie) That is true.

8408. What is the length of track from Abbey Wood to Ebbsfleet?

(Mr Hardie) It is about 15 to 20 kilometres.

8409. It passes through residential areas, does it?

(Mr Hardie) Yes.

8410. We have seen some of those on the plans. If the Committee were to go down that line (and I am not saying that is consistent with the Instruction—I am going to leave that to my closing submissions) you are asking the Committee to make a recommendation that the House of Commons reconsider its Instruction and its decision in principle. That is right, is it? Then, if they agree with that, it has to be recommitted to Select Committee to consider whether or not to amend the Bill. Yes? If the Committee so recommends, an additional provision then has to be produced and debated, and that then has to be subjected to Environmental Impact Assessment.

(Mr Hardie) Yes.

8411. You are going to be adding significantly to the delay in getting Royal Assent to the Bill. Are you not?

(Mr Hardie) That is probably true, but I think the important thing is that without somehow taking forward the extension to Ebbsfleet it is unclear how what is, effectively, a strong potential part of the project would be taken forward. I must admit I find it difficult to address the technicalities of how this might be done, and I would have to ask Mr Cameron to help me answer this.

8412. **Sir Peter Soulsby:** Mr Elvin, do not spend too much time at this stage; I think we are more interested in the merits of the proposal, at this stage. I think it is sufficient for the Committee to know there are some options and that there are likely to be problems associated with that.

8413. **Mr Elvin:** Very well, sir. I am quite happy to do that.

⁴⁷ Crossrail Environmental Statement Volume 1, Table 4.4—Illustrative Journey Times and Time Savings with Crossrail, [http://billdocuments.crossrail.co.uk \(LINEWD-ES06-009\)](http://billdocuments.crossrail.co.uk (LINEWD-ES06-009)).

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8414. **Mr Cameron:** I should make plain that poor Mr Hardie was lumbered with those options in his evidence so that they were presented to the Committee straight away, but they are probably best dealt with by submission.

8415. **Mr Elvin:** I think that is Mr Cameron saying he wrote that and he does not want to be cross-examined!

8416. **Sir Peter Soulsby:** I think we are all agreed. Let us move on to the merits of the case, Mr Elvin.

8417. **Mr Elvin:** I am grateful. Can we then just look at the question of whether it can go as the first phase of Crossrail. You are effectively saying to the Committee you should recommend that this should take priority to every other element of the scheme, including the necessary increase in capacity to offset the problems with the London Underground through central London and going to the City of London. You are saying, effectively, it should take priority even over that. Are you not?

(Mr Hardie) I do not think I am saying that it should be the first section, but certainly—

8418. Within the first section, I think you said.

(Mr Hardie) Yes, I think there is a strong case for doing so.

8419. There is no depot in the South East link, is there? No Crossrail depot.

(Mr Hardie) No, but there is Slade Green.

8420. The depot that is proposed is at Romford.

(Mr Hardie) Yes.

8421. Therefore you could not build a South East link in isolation ahead of the others; there would be nowhere to turn the trains. If the link were going into central London to Liverpool Street there are no turnaround facilities and no depots, so you could not actually physically open the Bexley link ahead of the others because you would have to open substantial other additional items of infrastructure.

(Mr Hardie) I think one would need to have a clearer idea of the capacity at the Slade Green depot.

8422. Mr Berryman will tell the Committee that Slade Green would not be appropriate for a Crossrail depot. It does not have facilities for dual voltage electrification.

(Mr Hardie) But if the trains were provided with a third rail they would be able to get it.

8423. Mr Berryman is going to explain this rather than me take up time in cross-examination. Do you have any evidence to show the Committee why an extension to Ebbsfleet is so important that it ought to take priority, say, over Maidenhead to Paddington or Paddington through central London or the north east commuter line through to Liverpool Street? Have you any evidence to show why the Bexley link should be treated as more important?

(Mr Hardie) Certainly not in comparison to those. I think I would go back to the fact that the benefit cost ratio is about 2:1 and therefore falls in the high category in the appraisal criteria. It would remain to be seen how that stacked up against other projects within the wider public purse at the time the project was implemented.

8424. Exactly. It is a decision that has to be made at the time the project has had Royal Assent, has had its finances sorted out and the contracts are then let. You are asking the Committee to reach a judgment before any of the information that would go into having phased projects in practical reality is known.

(Mr Hardie) Not as baldly as that, sir.

8425. That is what it comes to.

(Mr Hardie) No. However, what I would not like to see is that the option of doing so at the time was precluded.

8426. **Mr Elvin:** I am going to make submissions to the Committee as to whether that is what Parliament ought to be doing. I will leave that to the Committee. Thank you.

Re-examined by **Mr Cameron**

8427. **Mr Cameron:** Just two points, please, Mr Hardie. Can you turn up page 7 of your bundle, please?⁴⁸ Can you just look at what you are actually asking for. The south-eastern branch of Crossrail should form part of the first phase of the construction of Crossrail.

(Mr Hardie) Yes.

8428. Are you asking for it to be the first phase or part of the first phase?

(Mr Hardie) No, part of the first phase.

8429. As far as the depots are concerned, you were asked about that. You were told that Mr Berryman will, in due course, say that Slade Green is not appropriate. If the line was extended to Ebbsfleet, would a depot become available to Crossrail on the south-east branch?

(Mr Hardie) It would depend on what was happening with other rolling stock at the time. Certainly, maybe, a depot would not be necessary; perhaps just some stabling sidings to house the service for the morning.

8430. Can I just ask you, again, to clarify this point: are you putting forward stabling or turnaround facilities at Slade Green as an alternative to existing facilities or as an addition to?

(Mr Hardie) I am not proposing additional stabling facilities, no.

⁴⁸ Committee Ref: A88, Actions to Consider (5) All Options (BEXYLB-32005A-007).

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8431. I am sorry. At the moment the scheme has stabling facilities. It has a depot proposed at Romford. If Slade Green became available would it be an alternative—ie in place of—or additional to? Would you have both or one or the other?

(Mr Hardie) You could have Romford and Slade Green.

8432. **Mr Cameron:** Thank you. I have no other questions, sir.

8433. **Sir Peter Soulsby:** Thank you, Mr Cameron.

The witness withdrew

8434. **Sir Peter Soulsby:** I think you are probably going to move on to call Mr Donovan in a few moments. It strikes me it is now seven minutes before we were due to break in any case and it would be probably be a convenient time to do so. I hope there will be coffee available a little earlier than was previously scheduled and I hope, in which case, we will be able to reconvene at twenty-two.

After a short break

8435. **Mr Elvin:** Sir, can I give you a little bit of happy news—and you will see why I say it is happy in a moment? We have had further discussions about the undertaking relating to the highway improvements, and you will recall what I said in April?

8436. **Sir Peter Soulsby:** Yes.

8437. **Mr Elvin:** We have given a revised form of words to Bexley, which is now acceptable to Bexley, so I hope that will avoid—and this is where the happiness comes in—your having to hear detailed traffic evidence. I will not give you the exact forms or words at the moment because I only have the second part here and I need to assemble the words, but I will read the undertaking out into the record when I have the other bit of paper.

8438. **Sir Peter Soulsby:** Thank you very much indeed, that is indeed good news. Mr Cameron.

8439. **Mr Cameron:** Sir, the next bit of happiness is that you will be able to hear Mr Donovan now!

Mr Christopher Donovan, Sworn

Examined by **Mr Cameron**

8440. **Mr Cameron:** Mr Donovan, can you introduce yourself to the Committee and tell them who you are and what your job is?

(Mr Donovan) Thank you. Good morning everybody, I hope I can live up to that! My name is Christopher Donovan; I am a local government officer of over 30 years standing and 20 years or so at a senior level. My current job as Assistant Director at Bexley covers, as well as Head of the Planning Service, the Lead Officer for Regeneration Traffic and Transport and, amongst other things, Economic Development Skills and Training.

8441. The purpose of your evidence today is to present a regeneration case for the extension to Ebbsfleet.

(Mr Donovan) That is correct.

8442. **Sir Peter Soulsby:** And the papers that we have in front of us are A90.⁴⁹

8443. **Mr Cameron:** Mr Donovan, can we turn up your exhibits and the aim of your evidence is set out at exhibit 2, and if you would like to read that out?⁵⁰

(Mr Donovan) To consider whether there are any adverse impacts on regeneration initiatives or a loss of regeneration opportunities as a result of the government's recent decision to terminate Crossrail at Abbey Wood.

8444. If we turn to page 3, where I think you show the original route running from Abbey Wood to Ebbsfleet.⁵¹

(Mr Donovan) That is correct.

8445. The orange part of the slides shows what?

(Mr Donovan) The orange part is the focus, if you like, of the areas of deprivation in this part of northwest Kent, Dartford, and into this part of southeast London; all of this is a sub-set of the Thames Gateway area as a whole, and in broad terms the regeneration priority areas are to the north of the boroughs along the south side of the river, so they tend to be sitting along the river.

8446. Number 7, the Bexley wards you identified and then a number of wards in Dartford.

(Mr Donovan) That is correct.

8447. If we turn over to page 4, what does that show us?⁵²

(Mr Donovan) What we have tried to do here on the next two or three slides is to show, using super output areas, which are basically just to try and drill down a little below ward areas, the areas where deprivation is at its most concentrated—and this is of an England-based comparison—so that the deeper the purple the more concentrated the wards, and as you can see from slide 4 that is an overall index and that is picking up the fact that in Bexley we are talking almost exclusively along wards along the river, apart from one or two right in the south, and in Dartford some of the main wards are also in the north of Dartford along the original Ebbsfleet route.

⁴⁹ Committee Ref: A90, London Borough of Bexley—Exhibits of Mr Christopher Donovan.

⁵⁰ Committee Ref: A90, Aim of Presentation (BEXYLB-32005C-002).

⁵¹ Committee Ref: A90, North Bexley and Dartford Crossrail Route (BEXYLB-32005C-003).

⁵² Committee Ref: A90, Deprivation with Bexley and Dartford—Deprivation by Super Output Areas (SOA) Index of Multiple Deprivation 2004 (BEXYLB-32005C-004).

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8448. Slide 5 is income ranking in England.⁵³

(Mr Donovan) These are showing effectively a similar kind of pattern on income relating and that is again the very dark green of the most deprived wards in England, and picking those up the pattern tends to be similar in reinforcing what was shown on the first slide.

8449. You say the most deprived, and if we look at the key we can see that it is in 25 per cent bands and the darkest falls within the category of 25 per cent of the most deprived in England.

(Mr Donovan) That is correct.

8450. Then slide 6, crime ranking in England.⁵⁴

(Mr Donovan) Not directly relating to regeneration in a sense, but another similar indicator showing again that similar pattern that where you are looking at the incidence of the 25 per cent incidence of crime in this area, and again you can see a pattern particularly on that one in the London end of it through Bexley and very much associated with that northern part and also into the northwest part of Dartford.

8451. Slide 7, ward level census data.⁵⁵ What does this show?

(Mr Donovan) It would be perfectly feasible to put absolutely acres of information in here so what all this is really doing is just selecting a few of the kind of indicators we look at and showing in the top half of the slide the comparisons between London and Bexley and the northern part of Bexley and in the lower part of the slide the same comparisons for Dartford in relation to its northern wards and Kent. I suppose if I were just picking out one to show you, if you look at the percentage of the working population qualified below NVQ2, which is effectively an indication of relatively low skills, then despite what you may think about Bexley as perceived to be a relatively prosperous out of London suburb, if you compare the London average of 38 per cent Bexley's overall average is only 53 and North Bexley wards are at 56. What that is showing is that 56 per cent of the population of North Bexley are only qualified to a level below NVQ2, compared to an overall London figure of 38 per cent. And the other indicators there show similar kinds of patterns. So we are dealing here with an area that is actually genuinely deprived.

8452. Turning from indicators of deprivation to your next slide, which is number 8, that is headed

“Accessibility Index”, and how does Bexley rate on this index for accessibility compared to other London boroughs?⁵⁶

(Mr Donovan) Not very well. In a sense this is the heart of the matter in many ways, that the lighter the area of the map the worse the accessibility index is and the plan clearly makes the point that coming down into Bexley accessibility is relatively low in comparison to other parts of Thames Gateway such as Barking and Dagenham, and even neighbouring Greenwich is better partly because of things like the DLR at Greenwich. Then if you come down below that to other parts of London it is showing overall that this part of southeast London is actually in accessibility terms, by London standards, quite poor.

8453. So Bexley rates on the accessibility index with a score of 55 compared to the East London average of 83 and the West London average of 96.

(Mr Donovan) That is correct.

8454. Is there any other borough that you have identified there with a lower accessibility index score?

(Mr Donovan) No, none there, and I am relatively sure that there are not many in London; Bexley is almost now the only borough left in London which does not have either a transit system or an underground station somewhere within its boundaries. So we are talking here about relatively very low accessibility.

8455. Turning to slide 9, the consequences for car use. What does slide 9 show?⁵⁷

(Mr Donovan) Exactly that point, that because of the relatively low accessibility of public transport then Bexley is forced into a position where the car has a very significant use. Even in, interestingly, the more deprived parts of Bexley you will see that actually the percentage of the working population travelling by car to work is actually higher than the average for Bexley as a whole. The reason for that is because Bexley as a whole will also include a lot of commuters into London who will actually be able to access the main rail network into it. But overall you will see there that the average for Outer London is 28.9 and Bexley is getting on for twice that. In Dartford, interestingly, the pattern there is that the North Dartford wards are actually very much the same as Kent as a whole, which would be quite surprising given that Dartford is a reasonably urban part of Kent and much of Kent is still rural, although people in Kent might say semi-rural, but basically there is a pattern there.

8456. What does slide 10 show?⁵⁸

⁵³ Committee Ref: A90, Deprivation with Bexley and Dartford—Deprivation by Super Output Areas (SOA) Income Ranking in England 2004 (BEXYLB-32005C-005).

⁵⁴ Committee Ref: A90, Deprivation with Bexley and Dartford—Deprivation by Super Output Areas (SOA) Crime Ranking in England 2004 (BEXYLB-32005C-006).

⁵⁵ Committee Ref: A90, Deprivation with Bexley and Dartford—Ward Level Census Data (BEXYLB-32005C-007).

⁵⁶ Committee Ref: A90, Existing Accessibility Index 2001 (BEXYLB-32005C-008).

⁵⁷ Committee Ref: A90, Existing Accessibility Bexley and Dartford—Travel to Work by Car/Van (BEXYLB-32005C-009).

⁵⁸ Committee Ref: A90, Existing Accessibility Mode of Transport by staff in Belvedere Employment Area (BEXYLB-32005C-010).

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(Mr Donovan) Ten drills down in a little bit more detail in the sense that here we are just talking about from a survey done in the Belvedere area that the Erith and Belvedere employment area is at the heart of that North Bexley area that I was showing you, and that is one of the largest employment concentrations in the whole of Thames Gateway, and there you will see that even now 70 per cent of the people employed there are having to use a car.

8457. If we then turn from accessibility and mode of transport used in planning and regeneration policy framework, I do not anticipate there is going to be a great deal of dispute about this so we can take this relatively quickly. Can you take us through the exhibits on regeneration policy framework?

(Mr Donovan) The first one, number 11, is really showing the whole of the Thames Gateway right up from Tower Hamlets in number 1, right the way through on the north and south side of the river, rather conveniently putting Bexley in outline to show that we are, as we kind of describe ourselves, at the heart of Thames Gateway.⁵⁹ It is showing where the priority areas are and it is indicating that a lot of them are along the river and that that is where the main focus for regeneration is likely to be in London and the southeast over the next 20 years or so. As a result of that in number 12 you can see that there are some quite large figures being suggested through the government's own analysis of how we will actually achieve up to 300,000 new jobs, mainly developing through brownfield land, because in a lot of the previous slides I have shown you a lot of that land is actually brownfield.⁶⁰ As it also says there in that extract, it is a strategic location but it will be very much tied in to major transport links as well.

8458. Page 13, we turn from jobs to homes.⁶¹

(Mr Donovan) Again the picture is extremely large and talking there of at least 120,000 homes. Could I make one extra point there? The key to that is the homes and employment together. If Thames Gateway is going to be sustainable it is actually being able to put those two things together, and we all know that if you have big homes and jobs the critical thing is the journey to work and the critical thing to that is the transport accessibility, and the slides that we have shown up to now in a sense make the point that the more public transport we can get into that Thames Corridor the more important it is, otherwise what will happen is that the jobs will still be there, the homes will still be there and we will be thrown back on the car again. I am sorry, that was a bit elaborate, but I think that point is fundamental.

8459. You have highlighted that the government recognises that transport links are critical to the development of the Gateway.

(Mr Donovan) Absolutely fundamental, and I think critical within that it is slightly implied that it has always been public transport links because that is the critical part of shifting the mode of transport.

8460. Slide 14.⁶²

(Mr Donovan) This is in a sense a detailed slide just showing North Bexley so there is nothing in there of contention, but obviously it will help if anybody needs to pick up on any detail. What it is showing there in the purple—again a little bit unknown to history—is that history has a lot of employment and those are employment areas that we are safeguarding and keeping and are filling up; they are not areas that are sitting there fallow and undeveloped, and particularly the Belvedere and employment area which is right in the heart of the slide in the middle there, on the river, is, as I said earlier, one of the largest concentrations of employment in the whole of the Thames Gateway, but access to it is still very much dependent at the moment on the car.

8461. You note in the box at the top of the page that there are in excess of 100 hectares of brownfield sites for development.

(Mr Donovan) Yes, and that gives enormous potential for anything up to 15,000 jobs and 7,000 jobs. Another thing I would like to emphasise is quality; that, yes, you can get development but the point about Thames Gateway is that it traditionally has been developed to some degree but the role that it has played has tended to be, if you like, the sink end of London—it has provided the power stations, it has provided the waste treatment plants. We will obviously still have an element of that but we need to improve the quality and again quality public transport is a critical element of that.

8462. The next slide number 15.⁶³

(Mr Donovan) Number 15 does a similar thing on the Kent side, in that this is the development framework for Kent Thameside, showing—I think everybody knows very well—that in the large development programme for northwest Kent that we already have major shopping facilities at Bluewater and we have a major business park at Crossways right up by the river. There is the proposal there in brown right in the middle for Eastern Quarry, which is going to be an absolutely huge development of housing. Then at the far end of that, to the right, is the Ebbsfleet International Station and all the development around that, and that Ebbsfleet link to the Royal Docks has always been seen in regeneration terms as, in a sense, the two really major drivers of change in Thames Gateway, and the great attraction of Crossrail, the enthusiasm was that it linked those two things together in a very important way.

⁵⁹ Committee Ref: A90.; Thames Gateway (BEXYLB-32005C-011).

⁶⁰ Committee Ref: A90, Sustainable Communities Plan—Brownfield Sites (BEXYLB-32005C-012).

⁶¹ Committee Ref: A90, Sustainable Communities Plan—Homes (BEXYLB-32005C-013).

⁶² Committee Ref: A90, Woolwich/Belvedere/Erith Zone of Change (BEXYLB-32005C-014).

⁶³ Committee Ref: A90.; Thameside Zone of Change (BEXYLB-32005C-015).

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8463. Can I ask you about the last bullet point on the page: Ebbsfleet 20,000 jobs and 6,000 homes significantly dependent on improved public transport links from South East London?

(Mr Donovan) Yes, I think the argument there would be that in order to ensure that the particular jobs are filled then you would need actually to bring people out from South East London to fill them and it is all about that sort of swapping and moving around and again, as I said earlier, if the public transport links are not there there will be an awful lot of people coming along the A2—people will still make that movement and a lot of it will be car—and obviously all the links getting to the main trunk road through South East London will be quite enormous. Thames Gateway has always been seen as about putting together employment and housing opportunities but not trying to pretend that everybody will live and work within a mile of each other, and that is why it is so important that all the different parts are linked together.

8464. If you do not get Crossrail to Ebbsfleet are there any other significant improvements planned to public transport linking Ebbsfleet and South East London?

(Mr Donovan) Not in public transport, not directly, no.

8465. Turning to a number of policies, the local transport plan for Kent, again if we can take these relatively briefly.⁶⁴ The main point you wish to draw to the attention of the Committee on that?

(Mr Donovan) I think the one that is highlighted there, really, that North West Kent is seen as absolutely critical. The Thames Gateway, picking up as seen as one of the growth areas, and that this is absolutely fundamental and that the growth will generate significant new demand for the movement of people and goods which must be met in sustainable ways, which is really reinforcing what I have been saying.

8466. You then produce an extract from the London Plan, which indicates support for Crossrail Line 1.⁶⁵ At the time the London Plan was published could we look at slide 18, shown as being Crossrail Line 1?⁶⁶

(Mr Donovan) Crossrail Line 1 is indeed the route that we are talking about right through South East London and out to Ebbsfleet. So the comment on slide 17 was in the light of that and that is what the London Plan was emphasising its support for.

8467. Can we go on to 19 and 20, one from the London Development Agency and 20 going back to the London Plan?⁶⁷

⁶⁴ Committee Ref: A90, Regional Policy Kent Thameside (BEXYLB-32005C-016).

⁶⁵ Committee Ref: A90, Regional Policy: Crossrail (BEXYLB-32005C-017).

⁶⁶ Committee Ref: A90, London Plan 2004, Proposed major rail transport schemes and development opportunities in London (BEXYLB-32005C-018).

⁶⁷ Committee Ref: A90, Regional Policy—Crossrail (BEXYLB-32005C-019 and -020).

(Mr Donovan) London Development Agency is reinforcing the point that the transport and the economy all link in together so the London Development Agency makes the point that the economic, social and environmental case for investment in London's transport, communications and other infrastructure is essential, and to ensure the delivery of projects critical to support London's growth of which they refer, amongst others, to Crossrail.

8468. If you go to slide 21, opportunity areas, what is the significance of this?⁶⁸

(Mr Donovan) The way that the Mayor has actually approached his London Plan is to actually look at the areas where there are significant opportunities for growth, and one of those is clearly Thames Gateway and he shows where those opportunities are, and it is absolutely essential that the ability to deliver employment and housing in those opportunity areas is met, and again underpinning that is the need to make sure that we have good links into them.

8469. If one looks at slide 22 we can see indicative estimates of growth, in particular in opportunity areas, and you have highlighted Belvedere/Erith and Thamesmead, and you have also highlighted at the bottom that improvements in accessibility through Crossrail 1 and the Thames Gateway Bridge will support regeneration and intensification.⁶⁹ As far as Belvedere/Erith is concerned, will that opportunity arise if Crossrail does not serve Belvedere Station, and Erith?

(Mr Donovan) I think the way I would answer that is there will obviously be some regeneration, there will obviously be new jobs in that area and it would be a little odd to suggest otherwise, but that the major opportunity, the opportunity that really drives the regeneration of that area and, as I have said there, to get significant intensification, is very much dependent on things like Crossrail actually coming through. I think that is one point, the intensification, and the other one is quality. We are looking also to change the role of the function of Thames Gateway and we want to have a range of jobs and the middle type of jobs, the quality jobs are always going to be under threat if we do not have things like good public transport there, and I think public transport accessibility, as I showed you earlier, is very poor in Bexley in relative terms and Crossrail was therefore seen as a major opportunity to change that.

8470. Slide 23.⁷⁰

(Mr Donovan) Is in a sense picking up the regional position in Kent. The development of the economy in Thames Gateway will be dynamic and widely based and the roles of the main economic locations

⁶⁸ Committee Ref: A90, London Plan February 2004 (BEXYLB-32005C-021).

⁶⁹ Committee Ref: A90, Opportunity Areas (BEXYLB-32005C-022).

⁷⁰ Committee Ref: A90, Regional Policy Kent Thameside Economic Growth & Development (BEXYLB-32005C-023).

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will be promoted and developed as follows: Ebbsfleet will be developed as a major office centre of more than 20,000 jobs linking directly to central London and other European capitals, drawing its workforce from Thameside and beyond, and the critical point there is reinforcing the point that we need to look across the whole of Thames Gateway as the potential to bring people in, and Crossrail really reinforces the linkage of Ebbsfleet into the rest of Thames Gateway—west of it.

8471. You then produce some extracts from Bexley policies and perhaps you would like to highlight the points to be derived from those slides?⁷¹

(Mr Donovan) These are from what are called our “G Policies”—and I will not bore you with the detail of that—and this is the Part 1 Strategic Policies within the Bexley Unitary Development Plan. We support the Thames Gateway initiative; we promote more sustainable transport choices; we are encouraging people to use public transport; and as a result of that we then go on, in Policy G22, to outline some of the specific things we are supporting, including Crossrail, which, at the time of writing this, which was at some time ago now, obviously we were picking up the reference to it as the Thames Gateway Metro proposal. And it was that fast Metro-like, Underground-like proposal that is of course so attractive, getting people through the thing quickly. And the linkage to Ebbsfleet and Stratford, as I said earlier, about making sure that places like Bexley are linked in to those really major growth generators in Thames Gateway.

8472. 25 is Bexley’s reaction to the announcement that Crossrail trains would terminate at Abbey Wood.⁷²

(Mr Donovan) It is in our latest regeneration framework that we have recently published, working through with the government on that. We reinforce the point that it still seems a critical part of our regeneration and that we will continue to lobby strongly for the development of Crossrail through the borough and on through to Ebbsfleet.

8473. What you are here for today.

(Mr Donovan) Yes, doing my best.

8474. Slide 26.⁷³ You said earlier that Bexley has a number of employment areas, particularly in the North Bexley wards.

(Mr Donovan) Yes.

8475. At 7.9 you identify those particular areas.

(Mr Donovan) Yes, those are the primary employment areas listed; originally a number of them were major manufacturing areas and we are still seeking to retain that, but we are actually

widening the base of them as well. You will see from that that all but one, Foots Cray, which is right down in the south of the borough, are all right in our regeneration heartland along Bexley Thameside.

8476. 27, back to economic development strategy.⁷⁴ You refer to significant congestion on the South Thames development route and your side note explains what the South Thames development route is, the main strategic road link through North Bexley. A solution to those problems is identified at the bottom of the page, which is to campaign for major public transport improvements to and within the employment areas?

(Mr Donovan) Yes, that is correct.

8477. Then slide 28.⁷⁵

(Mr Donovan) This is picking up on our recent work on regeneration and the overall strategy and the importance there, the potential for homes and more jobs and that new jobs will be created through the densification—that is a horrendous word and I apologise for that—of underused employment sites. In other words, we need to be making more use of our employment sites and really making sure that we have the accessibility, which is one of the critical elements that is improved.

8478. That was a specific reference to Erith, and if we turn over the page you are dealing there with Belvedere and with Erith.⁷⁶

(Mr Donovan) Yes, that is right. That is picking up the point there in relation to the Belvedere and Erith employment area and also including therein reference to the little bullet point with the circle, major public transport proposals, pressing for a Crossrail station. The reason that that refers to Belvedere is because this was a framework that is only looking at part of North Bexley but also the Bexley Transit Link which is trying to look for a supported bus link to the rail proposals so that you actually get an integrated public transport system, which, I think it would be fair to say, we really do not have in Bexley at the moment.

8479. You go on in the following slides to explain where the opportunities lie and initiatives that have already been taken in Belvedere and Erith, is that right?⁷⁷

(Mr Donovan) Yes. This is going back a little bit to the single regeneration budget which was absolutely critical to Bexley because it was the major regeneration programme that meant that you could get access to it wherever you were, so we worked quite hard to put together programmes which we have now taken forward into all sorts of other ways, and that is an aerial view there showing the extent of the Belvedere employment area.

⁷¹ Committee Ref: A90, Local Policy: Thames Gateway and Crossrail Policies G10 & G17 & G22 (BEXYLB-32005C-024).

⁷² Committee Ref: A90, Local Policy: Framework for Bexley 2005 (BEXYLB-32005C-025).

⁷³ Committee Ref: A90, Local Policy: Thames Gateway and Crossrail Policy G14 (BEXYLB-32005C-026).

⁷⁴ Committee Ref: A90, Development Opportunities—Better Transport Infrastructure (BEXYLB-32005C-027).

⁷⁵ Committee Ref: A90, Development Opportunities—Homes: Erith (BEXYLB-32005C-028).

⁷⁶ Committee Ref: A90, Development Opportunities—Homes: Belvedere and Erith (BEXYLB-32005C-029).

⁷⁷ Committee Ref: A90, Existing Regeneration Initiatives—Belvedere Employment Area (BEXYLB-32005C-030).

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8480. 31 is Erith town centre?⁷⁸

(Mr Donovan) Yes and that is sort of complementing that because we are doing a lot of town centre renewal as well and Erith is a good example of a riverside town that used to be very much employment driven—the employment areas used to come right up into the town centre. We did not think that was sustainable in the long-term future so we allowed a little bit of those to change to housing, which has had two major benefits. It has meant that we have separated the housing and employment out a little bit but we have also brought housing within the catchment of the town centre and you will see right in the middle of that picture to the north of the wharf, which has been refurbished, that is actually a Morrison's food store, which was brought in. It is kind of difficult to get the message across in a way, but Erith at that time had had no significant private investment whatsoever and we were able to bring in that, attract Morrison's in, and that is a sustainable regeneration. Erith has a station there already but the potential for a Crossrail-type link coming into Erith would really give that an enormous boost.

8481. Slide 32, as a result of those points you have just made why the need for Crossrail?⁷⁹

(Mr Donovan) Number one, to address the issue around poor accessibility. Bexley does not do well in accessibility in comparison to most of the other East London boroughs. Secondly, to help with the modal shift and away from the reliance on the car, which whilst a characteristic of suburban London there is certainly potential to change that. It picks up on national, regional and local strategies by providing more public transport but it is also a critical element of improving the image, and it is one area in which there is very strong support from both local residents and businesses for Crossrail. I cannot emphasise enough what an exciting opportunity Crossrail was seen when it was actually first put together and all the plans were coming out, and the idea of it coming right the way down through the regeneration of the north part of Bexley and picking up from the Docklands, coming across and then down towards Ebbsfleet was seen as a really good opportunity.

8482. Your last point was supported by local residents and businesses and slides 33 and 34 are indicators of that support?⁸⁰

(Mr Donovan) That is right. We have a Residents' Talkback Panel, which is a fixed panel where we ask them questions on all sorts of things affecting not just the council but Bexley in general and you will see from that that 99 per cent of the people attach priority to public transport, and that of those Crossrail was identified as the highest priority for 42 per cent of the people. You will also see that this picks up the 94 per cent seeking to improve Bexley's

rail network. So there is an enormous commitment to the idea of public transport in Bexley, and I am absolutely convinced that there would be real modal shifts if we get more of it in place.

8483. 34 is business support.

(Mr Donovan) 34, we also regularly deal with our businesses and you will see that that is a consultation that we carried out with businesses in the Belvedere area which in a sense, not surprisingly, have picked up, amongst a number of other things, improvements to public transport as being one of their key things. I would make one other point there, if I may, and that is that business traditionally have said two things about North Bexley: one is accessibility and the need to improve public and—in fairness—road transport; and the other one is image. I think that the reinforcing by solving the public transport problem the ability to improve the image is there.

8484. We then turn to a different subject, which is support from other local authorities.⁸¹ You are here on behalf of Bexley but of course what you are asking for is an extension to Ebbsfleet, which would extend the line through Dartford Borough and Kent County.

(Mr Donovan) Yes. So we have over the next few slides, the first one is a letter of support from Kent County. They indicate, as we show and blown up on slide 36, that Kent and Medway are talking there as to the formal structure plan authority. The formal position on Crossrail is that the two authorities will press government to implement the extension of Crossrail services to Ebbsfleet and Medway. It is noted that extension of Crossrail services into the Kent Thames Gateway area would provide a major stimulus to the attraction of business into Kent. Again, the Kent issue of trying to make sure that within Kent the western side of Kent benefits to some degree because they are acknowledging that there is quite a lot of economic activity around Canterbury and Ashford, which are on the east side of Kent. So that was the support from Kent.

8485. If you could go on to Gravesham.⁸²

(Mr Donovan) 37 and 38 were from Gravesham, which is the borough immediately to the east of Dartford and just to the east of Ebbsfleet Station, although the whole Ebbsfleet development sits within Dartford and Gravesham, so it too reaffirms its support for Crossrail, extending beyond Abbey Wood to Kent Thameside as an essential part of the regeneration of the area and provision of its transport infrastructure, and then urges the route to do it. They also indicate that they are seeking additional rail services through Kent Thameside to service the high levels of development proposed, in particular the 20,000 jobs around Ebbsfleet, and

⁷⁸ Committee Ref: A90, Existing Regeneration Initiatives 1—Erith Town Centre (BEXYLB-32005C-031).

⁷⁹ Committee Ref: A90, Need for Crossrail (BEXYLB-32005C-032).

⁸⁰ Committee Ref: A90, Need for Crossrail: Resident and Business Support (BEXYLB-32005C-033 and -034).

⁸¹ Committee Ref: A90, Need for Crossrail: Support from Kent County Council (BEXYLB-32005C-035 and -036).

⁸² Committee Ref: A90, Need for Crossrail: Support from Gravesham Borough Council (BEXYLB-32005C-037 and -038).

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they refer there to the constraint on the highway network and the improvements that they would be seeking to the North Kent Line.

8486. To be fair on Gravesham, their support is for an extension to Kent Thameside but they say at page 37 that the Ebbsfleet option of Crossrail has always meant the possibility of a terminus at Northfleet Station or running further east.

(Mr Donovan) Yes. Gravesham would like at least the alternative option of a terminus going a little bit further east into Gravesend.

8487. Dartford's position?

(Mr Donovan) Dartford, as set out on 39 and 40, there is a long letter set out on 39.⁸³ The bit that is blown up on page 40 is actually from the middle page of the three, and it says, "At its meeting on 23 September 2004 the Dartford Cabinet reiterated its support for Crossrail coming to Ebbsfleet and highlighted the need for Ebbsfleet to be included in the Hybrid Bill. In the event of phased delivery, the council pointed out that the Ebbsfleet brand offered the best prospects in terms of regeneration benefits."

8488. So those are the councils representing the areas to the east of Bexley. If we then turn to slide 41, the benefits of Crossrail, this is an extract from the Crossrail Business Case Summary, September 2003, when the Ebbsfleet extension was included in the proposals.⁸⁴

(Mr Donovan) Yes.

8489. If you look at that figure, 6.3, which identified areas of regeneration that benefit from Crossrail, if you cut the line at point nine, which is Abbey Wood, what impact does that have on the extent of the regeneration areas served by Crossrail?

(Mr Donovan) The regeneration area, as you can see, east of that is a fairly substantial part of the regeneration of Thames Gateway. That plan there shows obviously the Lee Valley as well, but of the Thames Gateway part the regeneration tends to be larger in areas south of the river than north, as it happens, as it gets further out, and the effect of stopping at point nine, which is Abbey Wood, would be to take out quite a lot of the regeneration priority areas which go back to the first few slides I showed you.

8490. You have highlighted on the right hand side, is that an extract from the Crossrail Business Case Summary?

(Mr Donovan) Yes.

8491. What does that show?

(Mr Donovan) It shows that Crossrail would enable or attract between 56,000 to 110,000 jobs as a result of the development activity and that that would mean 45,000 to 78,000 of these estimated jobs would

be enabled in the Thames Gateway itself. So we are talking there about the difference between the overall impact of jobs from Crossrail and the impact on Thames Gateway as a major regeneration priority.

8492. Page 42 is an extract from a Crossrail Business Case Working Paper and it shows increases in population—that is the catchment within 45 minutes of travel time—and average time savings, and you have highlighted Belvedere and Swanscombe, and what do they show?⁸⁵

(Mr Donovan) Belvedere is in North Bexley and Swanscombe is north of Ebbsfleet so it is in Dartford just north of Ebbsfleet, and that is showing that they have the largest potential increase in population within 45 minutes' travel time from the effects of Crossrail and they also show the largest potential travel time savings.

8493. Of course if Crossrail does not go to Belvedere or on to Ebbsfleet—

(Mr Donovan) Those would be lost and that would have, one would presume, a fairly significant impact on that original business case.

8494. If we go to page 43, we can see there the number of regeneration jobs created in the development areas attributable to Crossrail.⁸⁶ We are dealing here with regeneration areas. This is an unweighted figure taken from the Crossrail business case working paper, working paper 6.2, is that right?

(Mr Donovan) Yes.

8495. This was when Ebbsfleet was included. In terms of job increases in regeneration areas, what does it show?

(Mr Donovan) If you take this unweighted figure then of 31,000 potential new jobs in regeneration areas, 21,000 of them, over 21,000 of them, would be in a combination of Belvedere, Ebbsfleet and Swanscombe, which is in the part of the Crossrail route that would not be there. By far the biggest increases in employment in regeneration areas would not occur.

8496. So if one turns on to the weighted figure, and this is Crossrail's analysis, what does it show for Belvedere, Swanscombe and Ebbsfleet?⁸⁷

(Mr Donovan) There is a difference of pattern here. The weighting seems to be around applying a potential. The argument I think goes, and I say "I think" because this is clearly Crossrail logic, that in Swanscombe and Ebbsfleet, because that is at the heart of an area where there is a very large amount of housing going on, potentially they see that there

⁸³ Committee Ref: A90, Need for Crossrail: Support from Dartford Borough Council (BEXYLB-32005C-039 and -040).

⁸⁴ Committee Ref: A90, Benefits of Crossrail: Business Case Summary, September 2003 (BEXYLB-32005C-041).

⁸⁵ Committee Ref: A90, Crossrail Business Case Summary—Accessibility Changes to Key Development Areas (Opportunity Areas) with Crossrail (BEXYLB-32005C-042).

⁸⁶ Committee Ref: A90, Crossrail Business Case Working Paper—Increase in Employment (Unweighted) (BEXYLB-32005C-043).

⁸⁷ Committee Ref: A90, Crossrail Business Case Working Paper—Increase in Employment (Weighted) (BEXYLB-32005C-044).

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will be an even bigger figure on the weighted numbers of jobs in Swanscombe and Ebbsfleet than on the unweighted. In Belvedere it seems to be going the other way and suggesting that although the unweighted figure would be around about 10,000, in Belvedere that would drop. I think the argument there is around the potential for Belvedere. I am a little concerned in the sense that does not seem to be accepting that Belvedere itself would improve if things like Crossrail came to it. Even allowing for the figures as shown, even on that weighted figures, that is still showing that 20,000, which is over a quarter of the weighted increase in employment, would be lost in the regeneration area by not going on to Ebbsfleet on Crossrail's own analysis.

8497. **Mr Cameron:** Before we turn on to the next slide, I would like to look at the difference between taking the line to Abbey Wood and taking the line to Ebbsfleet on jobs in regeneration areas. What I am going to ask you to look at is a letter that Bexley received from Mr Anderson of Crossrail on 11 May, dated 11 May.

8498. **Sir Peter Soulsby:** This will be A91.⁸⁸

8499. **Mr Cameron:** Thank you, sir. Just on the jobs point, if we can, can I just ask you to look at Mr Anderson's letter and go to the last paragraph. You can see: "In addition to the above benefits . . .", these are proportionate in addition to the benefits set out in the tables, "an additional 2,900 jobs and 3,400 homes will be facilitated in areas within the Thames Gateway beyond Abbey Wood, as a result of commercial and residential development that could be attracted to these areas due to improved accessibility and the anticipation of the future extension of Crossrail services to Ebbsfleet". We can find out later what it meant by that last part of the sentence, the anticipation. I would like to ask you about the 2,900 jobs. Crossrail are now saying 2,900 jobs beyond Abbey Wood. How does that compare to what they were saying in 2003 when the line was going to Ebbsfleet, if we go back to your slide 44?⁸⁹ (**Mr Donovan**) If we are looking at the weighted figure they would there be suggesting that there would be 19,250 jobs in Belvedere and Swanscombe/Ebbsfleet attributable to Crossrail. Seemingly a much higher figure was being anticipated in 2003 than now.

8500. So if those two figures are comparable, and we do not know whether that is a weighted or unweighted figure in Mr Anderson's letter, the difference is 19,250 jobs anticipated in regeneration areas in 2003, now 2,900, so crude mathematics show the effect of cutting the line at Abbey Wood is 16,350 jobs no longer coming forward. Have I understood that correctly?

(**Mr Donovan**) That seems to be the logic.

8501. If we also have Mr Anderson's letter to hand, he deals with absolute increases in population and employment catchments with Crossrail percentage increases. At table two we have the percentage increases. Can we go back to your slide 42, just to give us some idea of the effect of stopping at Abbey Wood, and can we take Belvedere and the increase in population catchment within 45 minutes travel time. What was the proportionate increase predicted when the line was going to Ebbsfleet?

(**Mr Donovan**) 76 per cent.

8502. And now with it stopping at Abbey Wood?

(**Mr Donovan**) 23 per cent.

8503. Thank you. Sorry to interrupt you at slide 44. Can we go back to slide 45, please, and what does that show?⁹⁰

(**Mr Donovan**) This is just looking at Crossrail's own business case and making the point that one of the critical elements in any sustainable regeneration is the people who are benefiting from new jobs are the unemployed or people who previously had poor access to jobs. They have had a look at that and that shows if you look in Belvedere particularly a very high percentage of the jobs would be occupied by the unemployed and the economically inactive, that is 67 per cent there, the highlighted figure, which relates to the 1,529. That would be on the weighted figure that we looked at previously. It is a lower figure in Swanscombe/Ebbsfleet of 3 per cent, which I think reflects the idea of that area being a very significant housing growth area.

8504. So having got as an indicator the 16,350 job figure in mind, lost opportunity, can I ask you to go to slide 46 and the consequences of not extending to Ebbsfleet.⁹¹

(**Mr Donovan**) First, I will reiterate the point that there would be a considerable potential loss in new jobs. Secondly, the overall regeneration of Thames Gateway will not have the benefit from this very important transport improvement. It is likely, for the reasons I was explaining earlier, to undermine some of the aims of the Sustainable Communities Plan in relating jobs and where people live. It is not addressing identified business concerns and the particular congestion that exists in the road network in this area. Two-thirds of the jobs in regeneration areas are identified as being created by Crossrail, which was what we were just talking about. Loss of opportunity to better public transport access to 20,000 new jobs at Ebbsfleet from South East London. Emphasising that point, also the direct link between generating Royal Docks and generating Ebbsfleet would be lost. Housing opportunities enhanced by increased accessibility being reduce. Shall I move on to overall?

⁸⁸ Committee Ref: A91, CLRL to London Borough of LB Bexley, 11 May 2006 (SCN20060516-001).

⁸⁹ Committee Ref: A90, Crossrail Business Case Working Paper—Increase in Employment (Weighted) (BEXYLB-32005C-044).

⁹⁰ Committee Ref: A90, Take up of Employment by the Unemployed (BEXYLB-32005C-045).

⁹¹ Committee Ref: A90, Consequences of not extending to Ebbsfleet (BEXYLB-32005C-046).

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8505. Yes, please.

(Mr Donovan) Failure to support Crossrail will result in the loss of the benefits identified in Crossrail's own 2003 business case.

8506. Is there anything else you would wish to add before you are cross-examined?

(Mr Donovan) Just to emphasise the point that this was seen, and is seen, as a tremendous opportunity. We are not against Crossrail, we are saying "Crossrail, more please" for the reasons we have set out.

8507. **Mr Cameron:** Thank you.

8508. **Sir Peter Soulsby:** Thank you, Mr Cameron. Mr Elvin?

Cross-examined by **Mr Elvin**

8509. **Mr Elvin:** I hesitate to characterise you as the Oliver Twist of the Crossrail project asking for some more.

(Mr Donovan) Yes. He got it in the end.

8510. Only after a long delay. On a more serious note, on the estimates of employment, of housing and regeneration, there is no great difference between us in principle that extending Crossrail to Ebbsfleet would have beneficial effects for the areas you have identified and for your borough.

(Mr Donovan) Right.

8511. It certainly passed Montague and, as you know, was taken out of the scheme before the Bill for reasons unconnected with regeneration. I am not going to spend very long with you, you will be relieved to hear. I just want to question a couple of small points to put the matter in context for the Committee. You have already seen and referred to the letter from Mr Anderson. There will be regeneration benefits to Bexley, albeit somewhere in the order of 12 per cent of what they would be if there was an extension to Ebbsfleet, which will arise from the direct connection into Crossrail at Abbey Wood.

(Mr Donovan) Yes.

8512. It is not as if it is an all or nothing scenario because the interchange to Crossrail at Abbey Wood is about two and a half minutes across the platform, is it not?

(Mr Donovan) Yes. May I just add to that. We are pleased you have come to Abbey Wood but we have got a really significant need to uplift and improve regeneration in this part of the corridor down to Dartford where public transport accessibility is relatively poor. I think it is that lost opportunity that we are emphasising. Of course, you are right, there will be benefits from it coming from Abbey Wood that will benefit Bexley.

8513. We are not suggesting that Ebbsfleet is precluded in the future, just not as part of the Bill, as you understand.

(Mr Donovan) As I understand, yes.

8514. You are also aware that there will be significant saving times—I put this to Mr Hardie earlier—just as a result of the extension to Abbey Wood. Journeys from Abbey Wood into the Isle of Dogs and even so far as Paddington will be halved over what they currently are.

(Mr Donovan) I have no problem with that. The only thing I would add is what was not picked up in that discussion was the added time if you are at Belvedere and Erith waiting for a train there.

8515. The fact is that whatever the system is, depending when you turn up at the station, you are going to have to wait for a train. It is not introducing some new obstacle to travellers on the network, is it?

(Mr Donovan) No, but it is the difference between an overground type system with all of the perceptions there and a metro underground type system where you do not have to plan your journey in the sense you can turn up and there will be a train in the very foreseeable future. I take your point about interchange but in a sense when you get into Central London obviously there will be a lot of interchanging and this is quite an early interchange on the journey for the people of north Kent and Bexley.

8516. Can I just ask you this: you put forward some figures about transfer from road to public transport and the relative high reliance on the use of the car. One of the factors which will influence people's decisions in any event will be the improved journey times from Abbey Wood.

(Mr Donovan) Yes.

8517. And the fact that the interchange at Abbey Wood will be very simple, will it not?

(Mr Donovan) The rail interchange will be very simple.

8518. I speak from a degree of experience but I am not giving evidence so I am going to ask you the question. The journey to and from your borough by car into South London and Central London is a pretty difficult one, it is a very congested, heavily trafficked route, is it not?

(Mr Donovan) That would be more than reasonable.

8519. I did not think you were going to disagree. Therefore, the improved journey time from Abbey Wood, the halving of journey times on the train, will be a considerable incentive in any event to cause people to move from a heavily congested road network to the rail?

(Mr Donovan) Yes. The point I would make there is that is absolutely right but that is only one of the journeys in the sense that if we are going to be successful where we are we want to bring people outwards from London as well.

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8520. Understood. There is quite a lot of common ground between us, which is why I am keeping this short. It is also right, is it not, that with the massive amount of regeneration you are planning for Bexley in any event, and you have shown the Committee what is in the pipeline, you are going to be adding to the congestion on the roads and providing a further disincentive to the use of the car as opposed to the rail by virtue of your regeneration schemes.

(Mr Donovan) Partly I would say yes but I would also add the rider that future regeneration requires the public transport support for it to be successful and to be of quality. The problem is if you do not have the public transport you may get development but it may not be of the same quality you would get if you could have the accessibility that something like Crossrail would give you.

8521. There is no issue between us that an extension to Ebbsfleet would improve the quality of the service, however the intermediate position—

(Mr Donovan) I meant the quality of the regeneration itself.

8522. The intermediate position, however, brings about a significant improvement in circumstances and Ebbsfleet would be the icing on the cake.

(Mr Donovan) For Bexley I would have to say it is a little more than just the icing but I take the point. We are very happy that we have got a small cake but we would like a bigger one with icing.

8523. Understood. We seem to be stuck with food metaphors. I think it is because it is twenty to one. Just a very minor point finally. You relied upon the indicative plan in the London Plan as indicating the Mayor's approval, which shows Ebbsfleet. Of course, that was before the Bill scheme was finalised and deposited.

(Mr Donovan) Yes.

8524. It shows no extension to Maidenhead, does it?

(Mr Donovan) No.

8525. It also shows the abandoned link to Kingston.

(Mr Donovan) Yes. There is nothing in what the Mayor has said and the Mayor's commitment to Thames Gateway that would suggest when he revises his plan he will not reflect in some way or other the aspiration of a link to Ebbsfleet.

8526. **Mr Elvin:** Very well. Mr Donovan, I do not think I need trouble you or the Committee any further. Thank you very much.

8527. **Sir Peter Soulsby:** Thank you. Mr Cameron?

Re-examined by **Mr Cameron**

8528. **Mr Cameron:** One short point, please, Mr Donovan. You were asked about regeneration initiatives in north Bexley and you said that future regeneration in north Bexley requires public transport in particular to support the quality of the

development. Can you just explain to the Committee what difference it will make to those regeneration areas if they are served by Crossrail?

(Mr Donovan) Crossrail will give a very significant underpinning to what we are trying to achieve. For example, it will mean that much of London is accessible on a single train, the accessibility to key places like Heathrow will be improved and you will be able to attract a different type of development to complement a lot of what has gone there. On the employment side, we are looking to complement a lot of manufacturing industry with a business and office market to some degree and a Crossrail type link will help with that. In the north part of the area we have got quite a lot of small scale housing. We have got, which in a way is good, the cheapest house prices in London almost, bar everywhere except Barking and Dagenham. Although that is good news in one sense, it is also an indication in Bexley that it is not quite as successful as we may think. We have only got something like 49 houses in Bexley that are in the top council tax band. That needs to change, we need to be more balanced. In a way, a Crossrail type public transport infrastructure will help us with both employment and housing in terms of the quality of development that we will be able to attract.

8529. **Mr Cameron:** Thank you very much. Those are all my questions, sir.

The witness withdrew

8530. **Sir Peter Soulsby:** Mr Cameron, you indicated that you have a further witness to call.

8531. **Mr Cameron:** I have a further witness to call—Mr Hawkins—but in the light of the undertaking that Mr Elvin has indicated he may be able to give it may not be necessary to call Mr Hawkins. Can I invite Mr Elvin to give that undertaking, to read it into the transcript, and my instructions could then confirm it may not be necessary to call Mr Hawkins. I would like to put his bundle of documents in and point to one document which I referred to when Mr Hardie was giving evidence.

8532. **Mr Elvin:** I have got the relevant bits of paper here. The undertaking we propose is this: the Promoter agrees to continue discussions with the London Borough of Bexley, in consultation with the London Borough of Greenwich, with a view to agreeing the highway improvements that may be necessary to mitigate the impact of the Crossrail scheme associated with passengers arriving and departing from Abbey Wood station. The Promoter will fund reasonable transport measures that are agreed by the London Borough of Greenwich, the London Borough of Bexley and the Promoter to be reasonably necessary in order to mitigate the impact of the Crossrail project as a result of passengers arriving at and departing from Abbey Wood station. That is what we propose. Can I make it clear that in offering that undertaking it is anticipated that those discussions will be against the background of the transport system as it is and with regard to other

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future developments in the transport system, such as the Thames Gateway which only finished at inquiry on 6 May. So it will be against the background of both planned and existing highway measures.

8533. **Mr Cameron:** I am grateful for that. It will not be necessary to call Mr Hawkins to deal with traffic matters and capacity constraints in the vicinity of Abbey Wood, which probably is a cause for happiness; as I am sure Mr Donovan's evidence was. What I am asking is that the exhibits that Mr Hawkins would have presented are put into the Committee and the page that I referred to when Mr Hardie was giving evidence is page 25.⁹²

8534. **Sir Peter Soulsby:** This will be A92.

8535. **Mr Cameron:** What page 25 shows in the non-bold figures which appear in the boxes are the CLRL estimates of passenger numbers on Crossrail, as estimated by Crossrail in their 2003 business case, so you have an indication of their predicted usage and in bold the estimate in the Kent Thames-side model. That is the only slide I wish to draw attention to, sir. That would complete the evidence for Bexley.

8536. **Sir Peter Soulsby:** Thank you very much indeed. Mr Elvin, are you planning to call witnesses?

8537. **Mr Elvin:** I was going to call Mr Berryman relatively briefly just to explain to you the reason for the removal of Ebbsfleet from the scheme and one or two other matters that have arisen with Mr Hardie. I am quite happy to do that after lunch if that is convenient to you.

8538. **Sir Peter Soulsby:** If it is going to take more than 20 minutes I think it would be sensible to do it after lunch.

8539. **Mr Elvin:** I think it will probably take a little more than 20 minutes.

8540. **Sir Peter Soulsby:** I think it would be convenient in that case for us now to adjourn the Committee until 2.30 this afternoon.

8541. **Mr Elvin:** Sir, we shall easily finish during the course of the afternoon and we might have some time to kill before the six o'clock session.

After a short adjournment

8542. **Mr Elvin:** I will call Mr Berryman, sir. The Committee are well familiar with Mr Berryman.

Mr Keith Berryman, Recalled

Examined by **Mr Elvin**

8543. **Mr Elvin:** Mr Berryman, can you describe briefly to the Committee the reason why, notwithstanding the option consideration in

Montague, it was decided in 2004, after Montague, not to proceed for the time being with the Abbey Wood to Ebbsfleet element to the south-eastern part of Crossrail?

(Mr Berryman) Yes, during the same time as the Montague Report was being prepared—and, of course, you will appreciate that was an independent inquiry chaired by Sir Adrian Montague, it was going on in parallel to our own work—we were also doing timetable modelling for the timetable we developed up to that point, and it became very clear during the course of that modelling that the scheme we were proposing at that time, which was to send four trains on beyond Abbey Wood to Ebbsfleet, was going to lead to problems not only for the Crossrail service (that was my principal concern, of course) but, also, for the other services which operate down in that area of North Kent. During the Montague Review Sir Adrian's team also investigated this issue quite independently of us and suggested that going down to Ebbsfleet would seriously compromise the ability of Crossrail to run services that require frequency in the central area, and that was really—a combination of those two things—the reason why it was dropped from the scheme at that time.

8544. How important was it to provide a reliable and frequent service?

(Mr Berryman) It is very important to provide a reliable and frequent service. So what we concentrated on was improving the interchange between Crossrail trains and North Kent line trains at Abbey Wood so the journey would be, as far as practicable, seamless. I think we have already heard in evidence—and I think Mr Hardie agreed—that the five-minute frequency of Crossrail trains would mean that the average waiting time would be about two-and-a-half minutes for one of those trains going into London. Coming out of London, generally, through most of the day, there is a 15-minute service out from Abbey Wood to North Kent. There are parts of the day, particularly in the contra-peak, where that is not the case but most of the day it is a 15-minute service. Really, whether you are on a 15-minute service which you have to wait for at Abbey Wood, or a 15-minute service you have to wait for at Tottenham Court Road, it does not make much difference; you have still got a service every 15 minutes. From the operator's point of view, it is far better to have people waiting at Abbey Wood rather than having them wait at a deep-level, underground tube station.

8545. Mr Berryman, in the light of the undertaking we have given with regard to passive provision for the dual electrification, I am not going to ask any questions about that. Can I ask you, briefly, about the costs issue? Certain costs have been put forward today. What is your general view?

(Mr Berryman) Yes, I think the information was put forward on costs by Bexley based on our published information. We do not generally argue with that very much, but there is a bit of a mix-up between what was MPV costs (that is to say, discounted back

⁹² Committee Ref: A92, Effect on Crossrail on the station, changes in passenger flows (BEXYLB-32005B-026).

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to the present day) and what was costs assessed on fixed cost bases. Just to briefly run through the numbers, the costs for the original scheme—that is the scheme we established that does not work very well—to go out to Ebbsfleet would be about £83 million base costs. When we have added the contingency, which the Treasury requires us to add for this kind of project, that comes up to £120 million. That is at first quarter 2002 prices. The costs of the additional works from Crayford Creek to Dartford, which were alluded to this morning, as was said by Mr Hardie, is £95 million plus the Treasury's what they call "optimism bias", which brings it up to £136 million. The optimism bias is the sum that they add to counter the natural exuberance of people like ourselves who are promoting schemes, because they feel they tend to understate the costs. That, in total, brings the cost of a workable scheme that goes down to Ebbsfleet to around £256 million, at first quarter 2002 prices. That is quite a lot of money to pay for the service improvements that are required. It also has impacts on the project itself.

8546. That cost is not a cost which was assessed by Montague. As we have heard from the Bexley witnesses, at the time Montague assessed the option the four-line solution to the bottleneck was not an issue which had been considered.

(Mr Berryman) It certainly was not considered by Montague. I think it was probably at the very early stages of being considered by us but it was definitely not considered by Montague.

8547. If, as has been the case, the decision was made to drop to Ebbsfleet, why is it still proposed—although it is still only in draft—to safeguard the route to Ebbsfleet?

(Mr Berryman) Clearly, there are advantages to the Thames Gateway of having a through railway which goes down to service that Thames Gateway corridor. Probably the advantages are more psychological than real because the loss of journey time through having to make the interchange at Abbey Wood is actually relatively low. I think there is a psychological issue that you can get on to what will effectively be the London Transport underground-type map, and that has a positive impact on places, but I think it is, as I say, more in the perception than the reality. Having said that, North Kent line services are not the world's best and, irrespective of Crossrail, it is desirable to improve the layout of North Kent, and the safeguarding proposed would allow that to be done.

8548. Then, just to move to an issue raised by Bexley, which is the "all options consideration"—which is that whichever of their options, if any, is acceptable to the Committee, Crossrail should form part of the first phase of the construction of Crossrail and be brought into operation on the day that Crossrail first comes into operation—whatever "including it in the first phase" means, what Bexley is seeking is that on day one of Crossrail the south-east link should be there. What are your views about that suggestion?

(Mr Berryman) The first thing to say is that Crossrail is a very, very large project—very large indeed—and it is unlikely that we would bring it all into commission at one go; it would be a period of bringing sections into commission. Wherever the first section is, it needs to have access to a depot, because you need a depot for the commissioning of rolling stock and you need a depot for doing the servicing as you start to build up operating lines. The existing depot at Slade Green is not suitable as a depot for Crossrail, as it is already full, and therefore it is unlikely that the south-eastern branch could be brought into commission first. When I talk about bringing things into commission in stages, that does not necessarily mean a very long gap between stages; it could mean a few months, it could mean a longer period, and that will probably depend on the availability of funding at the time the line is being built.

8549. Is it possible at this stage, Mr Berryman, to say which, in strategic and construction terms, phase of Crossrail will be brought in first?

(Mr Berryman) It is very likely, as things stand at the moment—in fact, almost certain—to be the north-east branch which is brought in first. There are two reasons for this: first of all, that is where the depot site is proposed to be, and secondly the north-east branch is already electrified with a 25kv overhead system. It allows us to introduce the rolling stock gradually on that line before it is introduced into the tunnels, so we get running mileage before we start moving to a Crossrail service and we know the rolling stock is reliable.

8550. The position that Bexley should be favoured above the other branches of Crossrail and brought in on day one—is that a view you subscribe to?

(Mr Berryman) I feel I should say "they would say that, wouldn't they". Not really, no. I think that the bigger benefits actually come from the central section of the north-east branch; they are the things which give you the biggest hit straight away. Clearly, the south-east branch is quite strong, but I do not think it is not sufficiently strong to say it should have priority over other branches.

8551. **Mr Elvin:** Mr Berryman, unless there is anything I have missed out in outlining the position to the Committee, I have no further questions.

Cross-examined by **Mr Cameron**

8552. **Mr Cameron:** Mr Berryman, can I first of all check with you publicly, so to speak, that you are the only witness who is going to be giving evidence on behalf of the Promoter today?

(Mr Berryman) Certainly, unless you ask me some questions I cannot answer, in which case it may be necessary for someone else to assist, but, yes, that is the intention.

8553. The reason I ask that is that if I want to ask questions about the difference in the extent of the regeneration benefit—by the "difference" I mean

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what you get if you go to Abbey Wood and what you would get if you go to Ebbsfleet—are you the right person to answer those questions?

(Mr Berryman) Probably not, sir. It depends on the depth you want to go into.

8554. Can I start with those questions and then if you need to pass on to somebody else you can say so. Can we do that?

(Mr Berryman) Yes, by all means.

8555. There is a letter written by your colleague, Mr Anderson, (it is our document A91) of 11 May.⁹³ What Mr Anderson says, under: “Regeneration benefits arising from current Crossrail scheme” is this: “Analysis of the regeneration benefits accruing to areas in the Thames Gateway beyond Abbey Wood, based on the current Bill scheme, has been undertaken.” It focused on accessibility changes and consequent changes in population and employment catchments resulting from Crossrail, and the transport model CAPITAL was used. The same model was used, am I right in thinking, at the time that the 2003 business case was developed?

(Mr Berryman) It was certainly used for some analysis in that case, yes.

8556. And that analysis included analysis of the same indicators, namely population and employment increases, at 30 minutes or 45 minutes with the extension to Ebbsfleet. Were you aware of that?

(Mr Berryman) Yes, I was.

8557. I wonder whether you could just be given, for the moment, a copy of the working paper which is referred to by Mr Donovan in his evidence: working paper 6.2. This is a Crossrail paper, so it is your own paper, I think. If you would go to page 18, you have figures for population and employment within time-travel distances of 30 minutes and 45 minutes with Crossrail and that is with the extension to Ebbsfleet.⁹⁴

(Mr Berryman) That is correct, and this would be done using the CAPITAL model.

8558. These figures can provide one with a direct comparison with the figures produced by Mr Anderson in his letter dated 11 May 2006.

(Mr Berryman) I think you would have to ask Mr Anderson that question. I am not quite sure whether it is on the same basis.

8559. As far as Bexley and the Committee are concerned, we have one paper from Crossrail which has figures for population and employment from particular locations. I am going to take as an example Belvedere. You can have Belvedere with

and without the extension to Ebbsfleet, and make a direct comparison by having Mr Anderson’s A91 and the working paper, A93, one in each hand.

(Mr Berryman) I do not have Mr Anderson’s A91, I am afraid.⁹⁵

8560. If you look at Mr Anderson’s table 1—and you do have to do some mathematics—and you look at page 17 of the working paper—which seems to be the one page which does not have a number on it—you have base case without Crossrail, and then, if you go to the next page, page 18, you have with Crossrail.

(Mr Berryman) Yes.

8561. If you take one from the other, you get an indication of the difference that Crossrail made when it was running to Ebbsfleet.

(Mr Berryman) Yes, that is correct.

8562. **Mr Cameron:** With that as a principle, rather than spending a lot of time taking the Committee through this I have done a note to myself showing the differences, so to speak, which I am going to ask to be put on the screen, so that we can then look at that.⁹⁶

8563. **Sir Peter Soulsby:** We will get copies of that later. Perhaps you would read the figures out.

8564. **Mr Cameron:** The idea of this, sir, is to try to save time. If you go to the figures from Belvedere, which are taken as an example, and you look at the population increase which is used by Mr Anderson in his table 1, it is nought, but, if it had run to Ebbsfleet, you would get 11,711. That is taking the tables on pages 17 and 18 of the working paper, for 45 minutes. You can see the difference.

(Mr Berryman) Yes.

8565. It is the same for employment increase. So the difference is there. Mr Anderson had, for 45 minutes, population 62,982. The difference, if it went to Ebbsfleet: 207,661.

(Mr Berryman) I think that what is happening here is that there are three situations being considered. I think there is some confusion between what the impacts are. If there is no south-east branch at all, that is the figures that were used, and the base case without Crossrail. With Crossrail, in this example you have given me from the working paper, assumes that there is a through-service from Crossrail to these areas. If you take Belvedere, as you rightly say, it goes up from 607,000 for population within 60 minutes to over two million because of that connection, but the comparison there is being made between no branch to the South East at all and the through-service. There is a third case, which is the reality that we are providing, which is a branch of the South East with a high quality interchange at Abbey Wood. If you took the 2.66 million people from

⁹³ Committee Ref: A91, CLRL to London Borough of LB Bexley, 11 May 2006 (SCN20060516-002).

⁹⁴ Committee Ref: A93, Population and Employment Figures within time-travel distances with Crossrail with the extension to Ebbsfleet, Transport Model CAPITAL (SCN20060516-004).

⁹⁵ Committee Ref: A91, CLRL to London Borough of LB Bexley, 11 May 2006 (SCN20060516-001).

⁹⁶ Committee Ref: A93, Tables contained in David Anderson’s Letter to Stephen Burke (SCN20060516-006).

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Belvedere who would have employment within 60 minutes on the Crossrail scheme, we would now be saying that that 2.66 million people would have employment within 62 and a half minutes, because we are adding a two and a half minute penalty by making them change at Abbey Wood. So it is dangerous to compare no scheme, nothing at all south of the river, with a scheme which has through-running and you have to distinguish between that and a scheme which involves a modest time penalty for changing trains.

8566. We do have the figures. That is the entire point. Mr Anderson has given regeneration benefits arising from the Crossrail scheme. We can compare those with the benefit that would have been achieved if it had been run to Ebbsfleet. Those figures allow us to do that, do they not?

(Mr Berryman) It is hard to say exactly what he is comparing, to be absolutely honest. I think we would have to get him to explain it to you.

8567. That may be the right answer. Shall I just put the point to you and then you can comment. Mr Anderson is trying to show absolute increases in population and employment catchments which will arise if the line runs to Abbey Wood, and that takes account of the interchange penalty. The original business case showed the difference between with Crossrail and without when it did run to Belvedere. You have to compare the figures in my table, and you can see benefit accruing with the scheme at the moment as against the benefit that would have accrued with the original scheme.

(Mr Berryman) Yes. I think what you are suggesting is mathematical impossibility. You are saying that a two and a half minute difference in journey time makes a difference of hundreds of thousands of people within a 60-minute radius. That, frankly, is impossible, as I think common sense would tell us. I would be slightly unsure as to what David is trying to say he is comparing in this letter, but I feel confident that the majority of the benefits which are outlined in this working paper from 2003 would still accrue even with this modest interchange penalty.

8568. I will leave it there, Mr Berryman. I am comparing the figures for the two alternative cases, and, of course, it is not a two and a half minute penalty, is it? Even if two and a half minutes is the actual time of the interchange, as Mr Hardie said, for the purposes of the transport planning, you impose a penalty of five minutes to allow for the fact that you have to interchange.

(Mr Berryman) That is a tool which is used by transport planners in assessing demand. But this is not that. This is actually talking about journey times. It is not talking within what you are talking about, which is called “generalised journey time”, where there are penalties added for going upstairs and for adding interchanges and so on. This is talking about real time as measured by a clock. They are two different things.

8569. Based entirely on your evidence, Mr Anderson’s other point, the additional jobs, of course Mr Donovan has already made a comment upon that, so I am not going to ask him about that. Can I just ask you about the reason for the decision to stop the line at Abbey Wood. It was based on the key factor being described in the Information Paper as service unreliability.

(Mr Berryman) That is correct, yes.

8570. That problem is capable of being overcome by the engineering measures which include four-tracking Dartford to Slade Green, is that right?

(Mr Berryman) Yes. That is one of the issues. It might be worth taking a moment just to explain other issues. If we could look at Mr Hardie’s slide 23, I think it would be quite useful in that context.⁹⁷ On this slide you can see the arrangement of the lines between Dartford and London. There are three lines between Dartford and London. The top one, which is the one that goes to Abbey Wood also goes through Woolwich Arsenal. The middle one, which is marked as Barnehurst Station, is the one that goes through Bexley Heath. The southern one, to Crayford Station, goes through Bexley. The service pattern in this area is quite complicated. Some of the trains come along from the Barnehurst branch and go in a loop around to Abbey Wood and back into London. They are called “rounders”. There are various other combinations of service. Mr Hardie put up a slide this morning which demonstrated just how fiendishly complicated the area particularly around Dartford Junction is. In order to make our proposed four-tracking scheme work, it would involve a complete recasting of the timetable for the whole of North Kent. That is not something which would be undertaken lightly. It is something which would probably require many months, or years even, of negotiation with the relevant authorities. Anyone who is familiar with railway timetables will know how complicated they are. So it is not just a question of doing the physical work, it is also necessary to sort out in the long term the service patterns and how things would fit together. It is because those tasks are complicated—and Crossrail is already a very, very complicated project—that we felt it was better to make that a discreet, separate task to be done later, when Crossrail is up and running and has demonstrated its reliability.

8571. So problem identified, solution identified, but it then comes down to a question of cost and timing.

(Mr Berryman) It comes down to cost, timing and complexity. As I just said a moment ago, Crossrail is a very, very complex project. At some point you have to draw a line and say, “We are not going to do this for now. We might do it later but we are not going to do it now.” In this case, this is an area that is susceptible to that treatment because the arrangements at Abbey Wood are being designed so that it is easy to extend down to Ebbsfleet or more likely to Gravesend if necessary. As we said earlier on, the rolling stock design will be making passive

⁹⁷ Committee Ref: A88, Schematic of Existing Track Layout in Slade Green to Dartford Area (BEXYLB-32005A-023).

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provision for third rail power source, so it is something that can easily be done later and it is something that, if you do it now, it will just divert attention from the main part of the project and it will divert resources which are very scarce towards something which does not have to be done at this stage.

8572. I have noted down that. Could I ask you about timing. The Environmental Statement was produced in February 2005, is that right?

(Mr Berryman) It was published then, yes. Obviously it is a big document and it took a long time to prepare.

8573. No doubt it took a very long time to prepare and there was considerable preparation before publication in February 2005.

(Mr Berryman) Indeed.

8574. The Ebbsfleet extension we can tell from Information Paper A5, paragraph 4.1, was dropped in November 2004, is that right?

(Mr Berryman) Yes, that is about right.

8575. If you go to Mr Hardie's slide 13, we have your own Information Paper A5, paragraph 4.1: "The decision to terminate Crossrail trains on the south-east corridor at Abbey Wood rather than Ebbsfleet taken in November 2004 . . ." That is what you said.⁹⁸

(Mr Berryman) Yes. I thought it was a bit later. I seem to remember my Christmas holidays being messed up by it, but, if it is November, yes, it could have been. I must have had a long Christmas holiday that year.

8576. It means, whenever your Christmas holidays were, that a lot of work must have been done on assessing the environmental effects of the line from Abbey Wood to Ebbsfleet before that decision was taken, because it was only taken a couple of months—about three months, at the most—before the Environmental Statement was published.

(Mr Berryman) Yes, that was the time when the final decision was taken and you will appreciate that a decision like this requires ministerial approval and so on, but the idea had been kicked around for quite a long time before that, probably a period of five or six months at least.

8577. What it means is that if you suddenly have to prepare an Environmental Statement for the line from Abbey Wood to Ebbsfleet you would not be starting from scratch, would you?

(Mr Berryman) That is true, some background information is certainly collected.

8578. You may not be able to tell us this but if the background information was collected and indeed no doubt assembled, having been collected, has your

team given any thought as to how long it would now take to prepare an Environmental Statement based on that background information?

(Mr Berryman) Based on other examples where we have significant background information, which are in train at the moment, and the additional provisions which have just been completed, from kicking these things off to having something ready to print—that is not printing it but having it ready to print—probably takes about six or seven months. Can I just amplify that a little? The scheme that was dropped in November 2004 did not include the four-tracking of course, so all that stuff would have to be done from scratch.

8579. I would like to ask you now, bearing in mind the timing, if one looks at the options put forward by Bexley, bearing in mind the six to seven months—and these are Mr Hardie's slides 3, 4 and 5—Option A would require an Environmental Statement now, Option B would not so there would be no time penalty for Option B because that would have to be done at the time of any resolution before both Houses.⁹⁹

(Mr Berryman) Of course if that was the recommendation the order would have to be prepared subsequently to all these proceedings, I guess, so it would not have to be done now, no.

8580. Option C would have to be done now.¹⁰⁰ Option D would not have to be done now but if we bear in mind that six or seven months—and I appreciate that this may not have been considered by you before—if this Committee made this recommendation under Option D that the Secretary of State established powers, in effect the Secretary of State would procure somebody else to make an application for the Transport and Works Act Order because the Secretary of State is unlikely to apply for it himself—

(Mr Berryman) He could not really apply to himself, I do not suppose.

8581. Let us leave aside whether he could or he could not because that is not a question for us to debate now. But if they made that recommendation it would take six or seven months for an Environmental Statement, you say?

(Mr Berryman) Yes, at least that, I would say. Remember that there are a lot of other things that need to be done as well—land referencing and so on and so forth, and some further design work because what we have at the moment is a sufficiently high level to allow for a Safeguarding Direction to be made, but it is an insufficiently high level to allow the additional works to be properly assessed. So there is a sequence of things which would need to be done.

⁹⁸ Committee Ref: A88, CLRL Reasons for Terminating at Abbey Wood (2) Crossrail Information Paper A5 Abbey Wood to Ebbsfleet (BEXYLB-32005A-013).

⁹⁹ Committee Ref: A88, Options A and B for Select Committee (BEXYLB-32005A-003 and -004).

¹⁰⁰ Committee Ref: A88, Option C for Select Committee (BEXYLB-32005A-005).

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8582. We have a timing for the Environmental Statement and I appreciate that it is only indicative. Is there any reason why such an application could not be brought forward within a specified period following Royal Assent—say 12 months?

(Mr Berryman) There is no technical reason. Of course you would not get the order then because once you have brought the documentation forward there would no doubt be a public inquiry and the TWA process, as you know, I think, can be quite time consuming.

8583. It was the making the application that I was concerned with.

(Mr Berryman) There would certainly be nothing to prevent an application being made in that period, yes. Nothing I can see at the moment, anyway.

8584. In Mr Anderson's letter, A91, Mr Anderson says in his last sentence that one of the factors taken into account when assessing the number of additional jobs and homes that would be facilitated not only improved accessibility, but a second point, the anticipation of the future extension of Crossrail services to Ebbsfleet. Unless the Promoter is able to give some indication as to when that is likely to happen what is the basis for that anticipation?

(Mr Berryman) I think the fact that a Safeguarding Direction, if made, would be an indication of intention to do the work—although I agree not binding—and the fact that passive provision is being made in the works then being built to allow that are all factors that would point in that direction.

8585. No doubt the benefits to be derived from anticipation, which Mr Anderson had taken into account, would be greatly enhanced if a firm date was set, whether by including provision in the Bill or by indicating that an application for a Transport and Works Act order would be brought forward by the Secretary of State who had procured somebody else to make one, within a specified period either from now or from Royal Assent?

(Mr Berryman) Yes, I expect it would; that is human nature.

8586. You gave some further evidence on costs but I think that the position is shared between us, is it not, that the benefit to cost ratio is approximately 2:1 whether or not you include those additional costs?

(Mr Berryman) Yes, it is.

8587. And as far as the other element of your evidence was concerned, Mr Hardie's slide 7 of all options and phases . . .¹⁰¹

(Mr Berryman) We could not give that kind of undertaking; that would be too constraining on the construction commissioning process.

8588. At present you are anticipating and you said it is unlikely that Crossrail would be brought forward in one go; wherever the first section is it needs to have access to a depot—and you refer to Slade Green.

(Mr Berryman) As a negative, that Slade Green would not be suitable.

8589. But you then indicated the northeast branch was likely to come first. Are you able to give any indication as to how soon the southeast branch might follow after the central section, Paddington to Liverpool Street or Whitechapel?

(Mr Berryman) No, I would not. I think that would depend on the way that the funding was released for the scheme as a whole. It is not really a matter of engineering or design; it is a question of how quickly the government wished to proceed on the scheme.

8590. As you are quite understandably not able to give any indication or assurance, as far as Bexley is concerned they do not know when, if at all, the southeast branch will be brought into operation; that is their position, is it not?

(Mr Berryman) I think that is the position but I think that that is exactly identical to every other local authority on the route because the sequence of opening and commissioning the railway is not decided. We have a likely scenario in mind. It could be that this happens; it could be that this is the first bit to be brought into commission. I think it is unlikely but it is possible. But we certainly cannot give an undertaking to do that at this stage because that would be tying the hands of the builders and the contractors to an extent which just would not be acceptable.

8591. **Mr Cameron:** Thank you, those are all my questions.

8592. **Sir Peter Soulsby:** Mr Elvin?

8593. **Mr Elvin:** Sir, I have no re-examination.

The witness withdrew

8594. **Mr Elvin:** Sir, I am in your hands over this. I am quite happy to call Mr Anderson if you want any clarification, but I was not proposing to. I am quite happy to accept that the figures in his letter can be broadly compared with the other figures that you have seen, but I am quite happy to call him if you would like them explained.

8595. **Sir Peter Soulsby:** I do not think that the Committee does need to hear from Mr Anderson this afternoon. I think we have understood the points that have been put to us and have understood the interpretation of the figures we have heard.

8596. **Mr Elvin:** Can I just correct a question I put this morning? I said that the 2,900 was 12 per cent but it is actually 14.5 per cent of the benefit that you get with the Ebbsfleet extension. That was me trying to do it on the hoof, which is a bad idea.

8597. **Sir Peter Soulsby:** In that case, Mr Elvin, would you like to make your closing submission.

¹⁰¹ Committee Ref: A88, Actions to Consider (5) All Options (BEXYLB-32005A-007).

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8598. **Mr Elvin:** Thank you very much, sir. Sir, since, as you have just heard, the Ebbsfleet extension was removed only in 2004 it is apparent and indeed accepted that there would, of course, be benefits beyond Abbey Wood if there were an extension of Crossrail to Ebbsfleet. However, there are benefits in any event, as Mr Donovan accepted, and Mr Berryman has just explained to you, and, as I have said, Mr Anderson's figures show that you would still have some 14.5 per cent of the employment generated even without Crossrail going to Ebbsfleet, simply by having the high quality interchange at Abbey Wood, and you have heard about the simplicity and the ease of that. However, sir, as you will be aware from the mood of the debate in the House of Commons on 12 January made clear—and indeed the terms of the Instruction—it is important that this scheme is a manageable one, and you have heard a number of matters which add to the complexity if the scheme were to be extended at this stage. Mr Berryman has explained that to you and indeed it is a matter which was referred to in the debate specifically by the Secretary of State, and I will give you the Hansard reference—it is Hansard for 12 January, columns 451 to 453—and indeed it was an issue that had cross-party concern, that the scheme should be manageable and deliverable. Sir, I say this about what Mr Cameron proposes. Dress it up as he might his Options A to C are asking the Committee to go against the in principle approval of the Bill at the second reading. If there is one thing which is firmly entrenched in the practice of this House with regard to Hybrid Bills it is that the principle of the Bill is fixed in the second reading and is not open for debate before this Committee. What the House of Commons did do—and I explained this in opening—is to ask the Committee to consider whether or not a recommendation should be made with regard to bringing an extension to the termini both at Ebbsfleet and Reading, by virtue of a TWA order, and they asked you to do nothing other than that, and with respect Mr Cameron is inviting you to go beyond this in several respects. A violates the principle of the second reading, however you dress that up, and in my submission, there is no power in the Committee, given the instructions and the practice of the House on Hybrid Bills to ask the House effectively to re-debate the second reading, because that is what A requires you to recommend.

8599. So far as B and C are concerned, they also go much further than the Instruction, they ask you to tie down the Secretary of State or to recommend, because the Instruction is simple in its terms and it is simply asking for one of two things: should there be a recommendation to bring forward an extension order in due course or should there not be?

8600. Can I just draw attention to the fact also that, in my submission, option C would be unlawful. It would be a breach of European law to ask you to recommend that the principle of an extension should be accepted by the House because there has been no Environmental Impact Assessment for the Ebbsfleet extension and, therefore, without it no such in

principle approval could be made. That would be in breach of the Environmental Impact Assessments Directive and a breach of the Standing Orders of the House because of the requirements for EIA within the Standing Orders for Hybrid Bills.

8601. In my respectful submission, A to C, dressed up in whatever way Mr Cameron seeks to dress them up, are not options which are sensibly before the Committee and Mr Cameron effectively invites the Committee to waste its time by thinking about it, with respect to him.

8602. Option D, providing it is put in proper terms, would be open to the Committee, although I would suggest that if the Committee were going to make a recommendation, and the Committee knows our position on there being a solution, on the costs of the solution and on the benefits, that would best be phrased in terms of the Instruction. If the Committee thinks the recommendation ought to be made then it should make it in terms of the Instruction, that is the simplest and most appropriate way.

8603. So far as the all options, “bring us forward first, or among the first”, you heard from Mr Berryman that there is not a proper justification for that. Again, it goes against what the House has asked the Committee to report on. It goes well beyond the principle of the Bill and it goes well beyond the Instruction. In any event, there would be no justification and Mr Hardie was not really able to explain to the Committee what the justification was, other than the fact that he was representing Bexley and Bexley had their own concerns, as to why Bexley should be favoured above all others. You have heard from Mr Berryman as to what the likely first phase of the scheme is, a depot is needed and the depot is currently proposed at Romford, so the north-east section is that which is likely to begin first. There is no basis at the moment for either favouring Bexley over other parts of the scheme or for regarding it as such a priority that somehow some extra money then needs to be found for a new depot at Slade Green to make up for the fact that there might not otherwise be a depot ready for the south-eastern link. All of this comes down to my submission that if the Committee considers that there is a case for an extension to Ebbsfleet in due course then the appropriate way of dealing with that is by using the terms of Instruction No 3 and not in any other respect. Thank you, sir.

8604. **Sir Peter Soulsby:** Thank you, Mr Elvin. Mr Cameron?

8605. **Mr Cameron:** Sir, I am going to deal with merits and procedure, but I note that Mr Elvin did not respond on merits but on procedure.

8606. As far as merits are concerned, until November 2004 the line to Ebbsfleet formed part of the proposal. It was removed on grounds of adverse impact on service reliability. Those problems are

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capable of being resolved, that is accepted by the Promoter. The reason given for dropping the line from Abbey Wood to Ebbsfleet no longer holds good. As Mr Berryman told you, it could easily be done later. If it could easily be done later, why should it not be done now?

8607. As far as the benefit cost ratio is concerned, there is no dispute that the extension achieves a benefit cost ratio of approximately 2:1 which is better than the scheme as a whole and that, again, is not in dispute between the parties.

8608. The third point on the merits is regeneration benefits. As an example Mr Donovan's evidence is striking, and that is this: the business case of Crossrail produced in 2003 estimated that the number of jobs at Belvedere, Swanscombe/Ebbsfleet, directly attributable to Crossrail by their weighting would be 19,250 jobs. Mr Anderson's letter now provides an estimate of 2,900 jobs east of Abbey Wood. The effect on Crossrail's own figures of cutting the line at Abbey Wood is to lose the opportunity to create 16,350 jobs, which is a significant impact on an area in the South East with relatively high levels of deprivation. You also have an indication, and I accept it is a broad indication but based on Crossrail's own figures, of the differences in accessibility that would arise if you cut the line at Abbey Wood. It was an example relating to Belvedere. It is the note, as yet unnumbered, which I asked Mr Berryman about. I do not go back over that again save to point out that there is a significant difference in accessibility if you extend the line to Ebbsfleet.

8609. Those are the merits which are not disputed. The real issue, if it has such merits, is why not do it now? In my submission, that is the real issue for the Committee.

8610. I turn to procedure. As far as option A is concerned, Mr Elvin says that goes behind the Instruction given to this Committee by the House of Commons. The advantage of this option is that it would secure the extension in the Bill where, in my submission, it should have been found in the first place. There is a mechanism for achieving it, it is our option A, and I drew attention in opening to the two remarks made by Mr Liddell-Grainger when he was in the chair on Day 21. I remind you of the references but do not read it out: 5460 and 5521. It would be possible for this Committee to report back to the House with a recommendation that the Bill be amended. It would, of course, require consideration on the floor of the House and that would be a matter for the House of Commons as a whole, but it is not an impossibility.

8611. As far as option B is concerned, Mr Elvin submits that goes further than the Instruction. In my submission it does not. It is well preceded and the wording is taken directly from the Channel Tunnel Rail Link Act with appropriate amendments to reflect the fact that it is Crossrail and not Channel

Tunnel Rail Link. It would not require environmental assessment now, what it would do is give a fair wind to a Transport and Works Act order should it come forward with the disadvantage that it would have to be subject to resolution before both Houses of Parliament, not be on the Instruction preceded for a Hybrid Bill.

8612. As far as option C is concerned, Mr Elvin submits that this would be unlawful because of a failure to comply with the Environmental Impact Assessment Directive. I was careful in opening to point out that option C would have advantages over option B because Parliament could establish the principle of an extension from Abbey Wood to Ebbsfleet without having to come back for resolutions before both Houses. What I hope I made plain in opening, but if I did not I will make plain now, is that any concerns about environment assessment could be overcome by carrying out an environmental assessment, including the preparation for an environmental statement, and that could be put before the House before the Bill receives its consideration at third reading. That would overcome that problem. In terms of delay, Mr Berryman told you that it would take six to seven months, so the delay is not going to be great if you have to come back in the autumn anyway. I make plain that it is not just the preparation of the environmental statement, it is the environmental assessment which also includes consultation. In terms of delay, yes, there would be some delay but it is a price worth paying. That is how you would overcome Mr Elvin's concerns about it being unlawful.

8613. As far as option D is concerned, I do not disagree with Mr Elvin that it may be appropriate to frame this in the terms of Instruction No 3 if you were to make this recommendation, and that reads, the Committee may: "if it thinks appropriate to do so, hear the Petitioner and the Member in charge of the Bill on that issue for the purpose of reporting to the House whether there appears to be a case for such extension being the subject of an application for an order under the Transport and Works Act 1992." As you know, this is our least favoured option but if you are persuaded on the merits then this, I would submit, is the least that could be done to achieve this extension.

8614. Sir, I am going to suggest one further variation to that for you to consider. You could go further than merely to report that there is a case for such an extension because if you reported that nothing may happen. You could also indicate in your report that the Secretary of State should take steps to secure that an application be made within 12 months of Royal Assent. That would give some teeth to that recommendation. The 12 month period is not a figment of my imagination, it is the period which Mr Berryman has given in evidence as the time that it would take to prepare such an application because they have done a lot of the work already. 12 months from Royal Assent would give them more than

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enough time because they would have those 12 months plus any time from when this Committee reported to when the Bill went through the other House. Sir, that is option D with teeth, which I give you as a further alternative.

8615. As far as should the South East branch be within phase one, the concern that Bexley have is that they have already had much of the benefit from Crossrail taken away from them as a result of the decision made in November 2004 and they do not want to lose the rest of it. That is why, sir, they make the request that this area of London which suffers from greater deprivation than many other areas that will be served by Crossrail, not all, should not lose that benefit. That is why that request is made notwithstanding the difficulties pointed out by Mr Berryman.

8616. Sir, in conclusion, Bexley's case on the merits has not been refuted in any way. If you accept the case on merits the natural consequence is that something should be done about it. We have tried to put forward a number of options so that we do not just come to this Committee and say, "We have a good case, please do something about it", we are trying to be practical and helpful in saying, "This is what you can do about it". All options are available and I would ask you and your colleagues, sir, to consider them in the slightly confusing order A, C, B D and then what I probably inelegantly described as D with teeth, a variation on D.

8617. Those are my submissions, sir.

8618. **Sir Peter Soulsby:** Thank you very much indeed, Mr Cameron. I would just like to make two comments before we close the public session. Obviously it would be inappropriate of me, or indeed any other Member of the Committee, to make any comment on the merits of the Petition, but it might be helpful to say something about the procedural issues we have just had presented to us.

8619. Mr Cameron reminded us earlier of the comment Mr Liddell-Grainger had made at an earlier meeting about the facilities the Committee has to make a special report, and I just wanted to take this opportunity to reassure counsel and Petitioners that, of course, the Committee has very carefully studied our Instructions from the House and are well aware of the constraints imposed upon us. We have, of course, also studied the debate that led to those Instructions being given to us and, in doing so, have looked at what the House understood to be the meaning of that Instruction. It is perhaps worth reminding all present that the Secretary of State, in introducing the matter to the House, did say that the Committee will bear in mind that the one thing that would kill the Bill would be amendments that hugely add to its expense or so change it that the whole of its economics change. He also said that that does not preclude the Select Committee from considering possible variations, and if it heard representations relating to related other matters it would not be precluded from saying so to the House.

8620. Later in the debate the Minister, Mr Twigg, went on to say that the Secretary of State made it clear on several occasions that he expects the Select Committee to be able to consider representations about and objections to the route. If the Select committee believes the objections have merit it can report them to the House. He also said a little later that if the Select Committee thinks that it cannot consider any matter that it judges to have merit the Government are prepared to consider the terms of the Instruction, so that the House will have every opportunity to properly discuss the Bill.

8621. So I think, Mr Elvin, it is right to remind us of the constraints but it is clear from what was said in the debate that if the Committee do have a view on the merits of this, or indeed other Petitions, we do have some options for expressing them. I hope that is helpful.

8622. **Mr Hopkins:** I wonder if I might have some clarification on that, because Mr Elvin made a very strong case that extending to Ebbsfleet would undermine or override the principle of the Bill and the decision made on second reading. However, in other areas we have discussed possible variations for the route into central London and we have talked about extra stations and these were apparently not outside the principle of the decision taken on second reading. I just wonder is there a very clear dividing line between what is a matter of principle and what is not a matter of principle in changing the route or extending routes? If either or any one of you—

8623. **Sir Peter Soulsby:** I would suggest it might not be appropriate for us to pursue that at this stage. I do think, actually, that the Committee may well wish to consider this in private in the very near future. It was discussed at some length in the debate and, indeed, a number of Members did raise whether particular issues, Ebbsfleet and others, could be considered, and I think it would be helpful for us to look again at the Instructions and look at what the Minister said in response.

8624. **Mr Elvin:** Can I say briefly that I understand completely your desire for that discussion to be kept within the Committee in private session. Firstly, sir, I hope it has not been understood that I am suggesting to the Committee that it has no options; I merely say that the options really go in a particular way. Secondly, we will address this, if that will help, in a little more detail when we come to do our main closing.

8625. **Sir Peter Soulsby:** I am sure that will be helpful when we get to that, Mr Elvin. I did indicate in my earlier remarks that you were quite right, and indeed are quite right, to remind us.

8626. **Mr Elvin:** Thank you very much.

8627. **Sir Peter Soulsby:** In that case, we adjourn now until six o'clock.

Adjourned until 6 pm

The Petition of David Waterman et al

Ordered: that Counsel and Parties be called in.

The Petition of David Waterman

The Petition of I Waterman (Box Makers) Limited

The Petition of The A A Waterman Trust

The Petition of Alberon Securities Limited

The Petition of the Executor of A A Waterman

The Petition of the Trustees of I Waterman Pension Limited

Mr David Waterman appeared as Agent

8628. **Chairman:** Mr Waterman, will you be making six separate representations or one?

8629. **Mr Waterman:** I represent, as Director, Trustee and Executor, all together.

8630. **Chairman:** That is extremely helpful.

8631. **Mr Waterman:** And, probably, a lot quicker!

8632. **Chairman:** Mr Elvin, is it you or Mr Taylor?

8633. **Mr Elvin:** It is me. We are going to do a double act this evening but I will just introduce the various Petitions 55 to 60. Sir, the various, if I can call them that, Waterman Petitions all raise the same point: they relate to a group of properties which are owned and occupied variously by the Petitioners, and they are just off the Mile End Road in the East End.¹⁰² You can see the properties highlighted in a beige colour; they are properties in Redman's Road, London E1 and Assembly Passage. The basic complaint by the Petitioner is that the tunnels for Crossrail—and you can see them outlined and how they interact under the properties—will have an effect on the development or redevelopment potential of their properties. That is the basic concern.

8634. **Chairman:** Mr Waterman, would you like to open the case?

8635. **Mr Waterman:** Mr Chairman, and Committee Members, thank you very much for giving me this opportunity to speak. As the gentleman explained, collectively all these properties together actually form the site for I Waterman Box Makers, which is a manufacturing, as the name implies, box business. I see you have got one of my boxes here today!

8636. The principal issue is that this is a very old industrial area and the company has been there for a considerable period of time. Because of the density of residential around the area it actually is becoming increasingly difficult to operate as a manufacturing business in the existing area, and it has always been the view that the company, at the right time, would

actually want to move. Now, when this first came to light, first of all, we were told it was not going to happen but then it became absolutely clear that the two tunnels were going to be coming underneath the building. What it does immediately is put a shadow over the whole site in that whatever potential ability we have to move it would obviously reduce the overall value of the building, whether it is as an industrial site or as a potential residential redevelopment. If it is an industrial site for someone to eventually move into, they have got to buy into the fact that there could be potential issues of subsidence in the site and I think, probably, certainly at the moment, very big problems in terms of local disruption as a result of the overall Crossrail development.

8637. If this was to be a residential development I think it would probably become even more acute because, clearly, the Crossrail guidelines have stated that we would not be able to add any additional ways on to the site. Therefore, whatever potential developments were to take place it would have to be within the confines of what exists, which is simply just a two-storey building. Additionally, the costs incurred in this site would be greater as a result of the Crossrail development taking place.

8638. The problem that we face is that it has severely restricted the ability of us and the actual individual properties to be sold on the open market in the same way as adjoining properties that are not restrained in this way, other than from the point of view of the local disruption, because we are actually very close to what would be the new Whitechapel Station, which again does actually add, from a local traffic point of view, another quite considerable factor. In that particular tight area of London there is a huge amount of redevelopment going on, as we all know, for the sort of next seven or eight years.

8639. So, for our part, it is very much restricting the ability for us to move on from here. For us to move we can say: "Okay, we are an inner city company; we can move to some sort of far-away part of the country", but our business is very much a local business and we would have to find a local site, and to get the yield from the actual land we have to move locally, this will quite seriously restrict the ability. We have had numerous offers—we got one recently—which is, as far as we are concerned, considerably below what it should be, but then people turn round and say they have to take on board that there are certain constraints in terms of potential costs. At the moment, I think everybody accepts these are unknowns but there are potential issues that will arise as a result of the actual Crossrail development if it goes through.

¹⁰² Crossrail Ref: P82, Location of Petitioners David Waterman; I Waterman Ltd; The AA Waterman Trust; Alberon Securities Limited; Executor of AA Waterman; and Trustees of I Waterman Pension Limited (TOWHLB-5503-001).

8640. That is really the main issue. There is a side issue that we also have a problem from the point of view of not strictly monetary compensation in relation to that but the potential physical issue of

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compensation in relation to potential damages, whether that be from the point of view of subsidence of the building or if it be something from the point of view of denial of access to the site. By “denial of access” what I mean is if, at the end of the Mile End Road or the roads adjoining there were to be—and I know it is an unlikely scenario but it has happened on most major projects—suddenly a collapse in the road, my understanding of the compensation acts that relate to Crossrail is that it does not deal directly with consequential losses, it only deals directly with actual losses. In a sense, if a wall comes down it will rebuild the wall but if we have to relocate there would be no compensation for that fact. The same as if there was no access to our buildings, for reasons not directly related to our property, there would not be compensation provided unless the Government were prepared to actually underwrite some sort of denial of access cover.

8641. I have spoken to our insurers on this point and they say that this is something that the insurance market would not, in the normal sense, underwrite. Again, this is something that represents, on an ongoing basis, quite a considerable risk, albeit a small one—but it is out there. Those are, really, the main issues that we have on this project. We support the project over the long-term—very much so—but, clearly, as this is an industrial area it presents real problems from the point of view that, basically, it sticks us in a situation where we cannot really get out. That is why we say, from the compensation side, your response is not clear in terms of where compensation actually will come from, and in terms of what you consider to be reasonable compensation grounds.

8642. **Chairman:** Thank you.

8643. **Mr Elvin:** Sir, I have got no questions. We are going to rely on the Petition Response Document in all these cases. I am sure we will have submissions to make. Would you like to hear them now?

8644. **Chairman:** Yes, please.

8645. **Mr Elvin:** As the PRD makes clear, in the case of these particular Petitioners, to the extent that subsoil is being taken from them, of course, there will be compensation. So far as the concerns relating to access, IP (Information Paper) C7 sets out the position with regard to maintaining access to properties throughout the works.¹⁰³ Although access may be modified from time to time and adjusted, nonetheless, the guiding principle is that (this is paragraph 2.2) “a reasonable level of access to all property and land will be maintained throughout the construction period”. So that is the guiding principle. We respectfully say that is not a concern.

8646. So far as compensation is concerned, I have already made submissions to the Committee about the Compensation Code and they are set out in Information Papers C2 and C3.¹⁰⁴ It remains the case that if something disastrous happens, as Mr Waterman suggests, if there is negligence in the exercise of statutory powers, as the PRD says then there would be a claim available in negligence against those who discharged the statutory powers so carelessly.

8647. Finally, on the redevelopment point: it remains always an issue in planning, as I am sure at least some of the Members of the Select Committee will be familiar from dealings with planning matters in other contexts, that the development always has to take account of constraints which are created by other matters in the public interest in the vicinity of the development. You cannot just redevelop according to your wishes; you are always constrained by other factors. They might be historic buildings, it might be the residential amenity of neighbouring premises, it might be that you are putting too much traffic on to the highway. In this case, Parliament, of course, has taken the view in giving the Bill its second reading that there is a significant public interest in Crossrail proceeding and it is simply one of the constraints which will exist in reality when planning permission comes to be considered, if it is applied for in the near future, which the planning authority will have to take into account. Sir, those are my submissions.

8648. **Chairman:** Mr Waterman, is there anything you wish to add?

8649. **Mr Waterman:** Yes. The only comment I would add is on the point about reasonable access. That is a very, very open term. In terms of a business that has to operate on a daily basis, the issue of reasonable access is not something that can be optional. If you are not able to operate on a daily basis in terms of the commerciality of the real world, that will have huge implications for any functioning business that has to work. We are major suppliers to the food industry and we cannot just suddenly cut these people off and say, “I am really sorry but the roads will be shut for the next two weeks”, or if you do at what point does something kick in and say we have to deal with the situation. There was a recent fire in East London in a major art storage area and all the local businesses were shut down for virtually two weeks. These things do happen. You do not want to wish these things but they do happen. The reality is I want to know how does the compensation arise in that situation. I understand reasonable access is the ideal and the objective, but the question is what if?

8650. **Mr Elvin:** I have just checked with Mr Berryman and all that is happening in respect of the construction work so far as these premises are

¹⁰³ Crossrail Information Paper C7—Access to Residential and Commercial Property During Construction <http://billdocuments.crossrail.co.uk> (LINEWD-IPC7-001).

¹⁰⁴ Crossrail Information Paper C2 Operation of the National Compensation Code <http://billdocuments.crossrail.co.uk> (LINEWD-IPC2-001).

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concerned is that the tunnel boring machine will go under the property, there are no surface works planned. The only issue as to any impact on the property arises from sub-surface works so there should not be any interference with access.

8651. **Mr Waterman:** I was raising local issues because literally just around the corner is where the main station is being built and denial of access is not necessarily immediate denial of access but local denial of access. The roads are quite small in this particular area and, as you will have seen today if any of you have come from East London, the whole area has virtually been at gridlock. If you have a major issue where you have got a land structure that collapses or something significant occurs it becomes a major problem. That is the basis of my concern.

8652. **Chairman:** Thank you very much indeed, Mr Waterman. Mr Elvin, I wonder if it would be possible for Mr Berryman at some point to give us a note on the particular difficulties that Mr Waterman has elaborated?

8653. **Mr Elvin:** Would you like to hear from him very briefly now?

8654. **Chairman:** I do not think that is necessary. I think Mr Berryman might give us a note on it. We have Mr Waterman's own words on the issue in his petition.

8655. **Mr Elvin:** All I would say is, in fact, the PRD gives you our response which Mr Berryman would speak to. There are four or five paragraphs in each of the PRDs in the same form. Mr Berryman is quite happy to speak for two minutes and explain why there is not an access issue.

8656. **Chairman:** You do realise if Mr Berryman does speak then Mr Waterman has the opportunity to cross-examine.

8657. **Mr Elvin:** I am in your hands, sir.

8658. **Chairman:** Okay.

8659. **Mr Elvin:** You are happy to hear him?

8660. **Chairman:** Yes.

Mr Keith Berryman, Recalled

Examined by **Mr Elvin**

8661. **Mr Elvin:** The Committee is familiar with Mr Berryman. I just wanted to ask where the nearest Crossrail station was in relation to these premises?

(Mr Berryman) It is well off the plan that you see there.¹⁰⁵ In fact, if I can get my bearings correctly, it is on the other side of the Mile End Road and some distance, at least a couple of hundred metres, off the screen in that direction.

8662. Which station is it?

(Mr Berryman) It is Whitechapel.

8663. Can you just say as briefly as possible what your views are about the question of interference with local accessibility?

(Mr Berryman) There should not be any at all in this area. The roads around the area, as the Petitioner has said, are narrow and it is a busy area but our lorry route from Whitechapel Station is confined to the main roads in the area. We will no doubt be talking about Whitechapel Station later on. Our work site is basically in the car park of the Sainsbury's store which is on the north side of the main road there. The lorry route would be just along that main Mile End Road. The road is an extremely busy road, as I am sure you will appreciate, and the difference that our lorries will make to the total number of vehicles on that road is not hugely significant.

8664. **Mr Elvin:** Thank you, Mr Berryman. Would you wait there in case there are any questions?

8665. **Chairman:** Mr Waterman, would you like to ask some questions?

Cross-examined by **Mr Waterman**

8666. **Mr Waterman:** I would. Whilst on the face of it that does seem the correct answer, if we go back to the original drawing the reality is you only have access to Assembly Passage from one end. It is of very restricted width and very tight. You can get a car in but you could not get a commercial vehicle in. You have to get access through from Redman's Road end which now, with the various changes of routes, means you have to come in from the Cambridge Heath side which takes you right alongside where this proposed new station is going to be. That is why, and I agree this is a worst case scenario, there is the potential for issues to arise. I accept these sorts of issues could arise. As it was today, the Rotherhithe Tunnel has been shut and there was an issue with a crane over the Blackwall Tunnel and the whole area came to a standstill. These things will happen, we understand that, but my point is if there is a much more elongated issue in terms of some land issue so access becomes a problem, how is it proposed that these types of issues will be dealt with from the point of view of dealing with compensation because, to be honest, if we were to be denied access to our site for something like approximately two weeks we would be virtually out of business, it is as simple as that. We are working on a same day, next day delivery cycle. In our type of

¹⁰⁵ Crossrail Environmental Statement, Whitechapel Station—Construction Works and Impacts Map C8(ii) [http://billdocuments.crossrail.co.uk \(LINEWD-ES16-035\)](http://billdocuments.crossrail.co.uk (LINEWD-ES16-035)).

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field it is not an option just to say to your customer, “I am really, really sorry but we just cannot get board in and cannot deliver out”.

(Mr Berryman) I find it quite difficult to conceive of a situation such as the Petitioner has mentioned. The main access to our site, as I have already said, is by the Mile End Road and Cambridge Heath Road which is the immediate access. They are both main roads, both wide carriageways. They are both busy roads, of course, but, as I said earlier on, the volume of our traffic will not make a huge difference to the volume of traffic already there. I find it quite difficult to see how—I am sorry, I am struggling to think of a way in which we could materially affect the access to the premises of Mr Waterman, notwithstanding the comments he has made about the difficulties of the one-way system and so on, because our access is all on the other side of the very main road that runs there.

8667. Without going on because we could just carry on like this, the reality is it is quite well known that this part of the East End does have its major issues. Going forward there is an awful lot of building going on. The changes that are going on as we speak at the Royal London where there have been road changes have had an impact on the local traffic. It does not take a lot because the main Mile End Road of an evening is a nightmare most nights, and that is before any of this comes together. There are significant traffic problems in the area, that is undeniable. If you are working or living in the area it is a major problem. There was a day last week when the Rotherhithe Tunnel was shut, which is a major route across the Thames. Tonight there is just Tower Bridge that is open and the whole area is a complete mess. That is just on a one day basis. There always is the potential and historically if you look at major construction projects there are always risks where something unforeseen can happen. All I want to have is some peace of mind that if something were to happen it is not going to be the death knell for our company and somehow there is provision in place that will deal with that in some sort of workable and meaningful way.

(Mr Berryman) I am not sure what else I can say on this point. I fully accept that the East End is a congested area and traffic there is bad, it is a matter of common experience that is the case, but as to whether this particular project is any different from any other building project in the area, I cannot see how it is. Indeed, it should be better than most because we have a complex system of codes of construction practice, agreed traffic routes, liaisons with local authorities and so on, which perhaps smaller more routine projects do not need to do. Because this project has been authorised by this Bill and is the subject of an environmental assessment all of these things are taken into account to a much larger degree than they would be in a conventional building project.

8668. **Chairman:** Thank you very much indeed, Mr Berryman.

Re-examined by **Mr Elvin**

8669. **Mr Elvin:** Just for the Committee’s information, the traffic assessment in Volumes A to B of the Environmental Statement shows the lorry routes. If we can just show you that very briefly.¹⁰⁶

(Mr Berryman) I do not have my trusty pointer here, I am afraid.

8670. Perhaps if Mr Fry can zoom in a bit more so we can actually see it.

(Mr Berryman) There you can see the routes. We will be discussing these at length when we get on to Whitechapel Station. Beside the Blind Beggar pub, which is a very famous public house in the East End, Cambridge Heath Road runs up to the north and we have a lorry route into the main tunnelling site which is in the Sainsbury’s car park. We have another lorry route which runs up Brady Street and round the back of the Swanlea School which is marked in black, which will have a much smaller number of lorries. Then we have another route which goes along Durward Street which is a street to the south of Swanlea School. Those subsidiary routes of Brady Street and Swanlea School will have relatively smaller numbers of traffic but there will still be quite a few lorries. The biggest one will be up the Cambridge Heath Road into Sainsbury’s car park and back out in exactly the same way. All the traffic will be coming in from the east and going out to the east.

8671. **Mr Elvin:** Thank you.

Examined by the Committee

8672. **Sir Peter Soulsby:** The Petitioner may or may not be aware that we have had evidence on the issues of noise, subsidence and compensation and, of course, have explored these issues to some considerable extent. I wonder if you could say something to the Committee about the depth to which the tunnels will be dug beneath these particular properties and how that compares with other parts of the route.

(Mr Berryman) They are reasonably deep at this point. From memory I think they are about 25 metres, 75 feet, below ground level. They are a good depth down, which obviously has an impact on the noise generated.

8673. **Sir Peter Soulsby:** That is very helpful because that helps the Committee to compare the situation that Mr Waterman and these properties will be in as against the other evidence we have heard elsewhere.

8674. **Chairman:** Thank you very much, Mr Berryman. Mr Waterman, we will take into account your petition and what has been said at this meeting in due course. Thank you very much indeed.

¹⁰⁶ Crossrail Environmental Statement, Whitechapel Station—Transport and Access Map C8(iv) <http://billdocuments.crossrail.co.uk> (LINEWD-ES44-014).

The Petition of Gareth Pearce

The witness withdrew

8675. **Mr Waterman:** Thank you very much.

8676. **Chairman:** Can we move on to the petition of Ann-Marie Cousins?

8677. **Mr Elvin:** Miss or Mrs Cousins does not appear to be here. My position on that petition is simply to rely on the Petition Response Document and not to call any evidence. It is a property close to Abbey Wood Station where the line required for Crossrail— Perhaps if we could look at the petition responses. It requires the removal of a building in the garden that has been recently constructed and the Petition Response Document simply says since the property has to be acquired and demolished compensation will be provided.

8678. **Chairman:** Mr Elvin, because the Petitioner is not here I would prefer not to hear the case at all, but give it time to ascertain the reason for her non-attendance.

8679. **Mr Elvin:** I will introduce it again if the Petitioner turns up.

8680. **Chairman:** We will go on to the case of Gareth Pearce.

The Petition of Gareth Pearce

The Petitioner appeared in person.

8681. **Chairman:** Mr Elvin, would you like to make your submission?

8682. **Mr Elvin:** I do not have much to say by way of introduction. Mr Pearce's petition effectively asks the Committee to recommend against Crossrail altogether and to prefer instead a monorail system which he is promoting. We simply say it is well beyond the sort of issue which Parliament has entrusted to the Committee and it is well beyond the principle of the Bill. We have not taken a lot of these points and we are happy for him to say what he likes to the Committee but it really does go beyond the scope of the Committee's deliberations. Thank you.

8683. **Chairman:** Mr Pearce, can I just say at the outset that the Committee is entrusted and directed by Parliament itself to see this Bill through so we are in a difficult position, but you have every right to petition and you have asked for that opportunity, if you would like to make your case.

8684. **Mr Pearce:** Yes, I should like to make my case. Before any public transport system is built and before any public body decides upon the technology appropriate to that transport system, due process of statutory selection has to identify the candidate technologies that would be appropriate to that kind of project. The Promoter correctly identifies that Mono Metro, which incidentally is not a monorail system actually, it has two tracks and not one—

8685. **Mr Elvin:** I do apologise.

8686. **Mr Pearce:** Thank you very much. The Promoter identifies that Mono Metro is a candidate technology but says it is not a candidate for this particular project. I would submit, in fact, that it is very much a candidate for this project. The 1999 White Paper that called for a new regional metro is not actually what Crossrail is. I would like to draw your attention to the last page of the document I have given you.¹⁰⁷

8687. **Chairman:** A99.

8688. **Mr Pearce:** This is a scan of a 1994 map from London Regional Transport that sets out all the projects for London and here you find Crossrail in the same location as it is now. I would submit to the Committee that Crossrail is not a design response to the call for a new regional network, it is an old project that has been rolled out and is being steamrollered through government. There is a breach of due process here because the candidate technologies for this new regional metro have not been chosen. There are no statutory assessments that substantiate Crossrail as a 19th Century style railway. In that case, £300 million, which is what has been spent on Crossrail, has been illegally spent. Until the candidate technology is assessed following due process then we cannot proceed.

8689. I would like to say that the Promoter's response constitutes elements of a statutory assessment of their own technology and I would submit that if a statutory assessment is made of Mono Metro then the equivalent response to those claims can be put to the Committee. None of the evidence that has been submitted to Government about Mono Metro by Transport for London or Crossrail is engineer expert evidence, it is all evidence that is biased opinion. This has come through the newspapers and the Chairman of Transport for London's rail division. Mr Ian Brown claims that Mono Metro is an "anorak's dream". Mr Livingstone has reported to the London Regional Assembly that Mono Metro has been assessed but when questioned and asked for copies of that assessment Mr Livingstone was either unwilling or unable to disclose that vital piece of information.

8690. When Mr Richard Clements—I will not say whose constituent he is—wrote and asked for a copy of the statutory assessment to Mr Ian Brown, Mr Ian Brown wrote back saying that in fact Transport for London had never carried out any statutory assessment but they had delegated that task to Crossrail. With respect to the Committee, how on earth can a body like Transport for London, which has the responsibility for being impartial, delegate to a body that represents a railway company the statutory assessment of its main competitor.

¹⁰⁷ Committee Ref: A99, Projected London Regional Transport Plan 1994 (SCN20060516-007).

The Petition of Gareth Pearce

8691. I would like to set out some of the advantages of Mono Metro. First of all, it is railway technology, it is not new technology. There is a system that has been operating for over 100 years in Germany that uses a very similar system that is so similar, in fact, to Mono Metro that it does not constitute new technology. Mono Metro at the moment is going through a development process that will allow us to demonstrate the project within two years and within six years we could have a line between Hyde Park, Liverpool Street, Commercial Road, the Canary Wharf development and then up to Stratford and the Olympic Stadium operating before the Olympics opens in 2012.

8692. Tracks transport developed in Wales 200 years ago as railways and that whole configuration represents a technology that was at that time quite advanced but we have moved on a long way from that point and we are at the point where we could implement a significantly cheaper technology, which is Mono Metro, which has greater benefits to London than Crossrail.

8693. We have planned a 270 kilometre network and our partners have costed that project at about £8.4 billion. Our signalling partner, which is Alcatel, has calculated that we are able to move 20,000 passengers an hour in each direction whereas Crossrail claims 24,000 passengers an hour on 24 trains per hour through the tunnel but that was revised down by Sir Adrian Montague to 18 trains an hour. With respect, Mono Metro at the moment looks as if it can carry more passengers.

8694. Another great advantage of Mono Metro is that we can route around the Isle of Dogs which is the Manhattan-ising part of London at present. It is the only Manhattan-ising part of Europe that follows the American urbanisation model. This model is part of the economic process of expansion and development. With respect, in order to put up new skyscrapers—and there is pressure from North American developers to put new skyscrapers up—we need to put more bums on seats and in order to do that we need to feed more passengers into the development zone as well as move them around the development zone. If we implement Crossrail they will emerge at a point where they will have to walk quite a long way to the Millennium Quarter and Wood Wharf but with Mono Metro we are able to drop people off at suitable points. In addition, we are also able to locate stations along the Commercial Road, for example, to cause and catalyse urban regeneration.

8695. The negative comments that have been made about Mono Metro Limited have caused us a great deal of concern and problem. If we are not properly considered as a candidate technology then London will suffer because London needs a new regional metro and with respect, a single tunnel through from Paddington to Liverpool Street is not a regional metro. Even though you may grab rail lines either side and add to it, you are still reaching a very, very

small part of the London region, it is a very narrow corridor. There are very few stations that can generate parts of the East End, for example, that need regeneration. Mono Metro is able to be used in phases and so we are able to quickly start getting revenue with which to amortise the cost of construction of the project whereas with Crossrail you have to wait until the entire project is complete before you are able to start reaping revenue and paying off the enormous costs.

8696. **Chairman:** Can I just highlight one or two things. First of all, this Committee can only deal with the Crossrail Bill.

8697. **Mr Pearce:** Yes, I understand that.

8698. **Chairman:** We cannot change it for a monorail or what you are suggesting at all. In relation to Mr Livingstone and his pronouncement, and later TfL's contact with you, some of us on this Committee have tried to explain Mr Livingstone from one direction and another for a number of years and been unable to achieve that.

8699. **Mr Pearce:** Yes.

8700. **Chairman:** What I need from you is are you specifically and directly affected by the Bill? What do you want us to do? We cannot replace one with the other.

8701. **Mr Pearce:** First of all, what I want you to do is to be fair. I would like to invite the Select Committee to attend the afternoon session of the colloquium of experts for Mono Metro in Cardiff on 2 June so that you can ask the experts for Mono Metro directly and you can take then a balanced view on whether Crossrail is an illegal Bill and whether it should be halted through Parliament or whether you should take a second look and look at an alternative project that has been discriminated against right from the start.

8702. **Chairman:** Can I say, Mr Pearce, the Bill, as it stands, cannot be seen from this Committee as illegal. It has been presented with a Bill by Parliament itself and told to see the Bill through. We cannot judge in respect of that. We have no remit. It is outside of any responsibility that we have. As for attendance at a panel of experts meeting on 2 June, I think it is a little bit too late or near to the event for us to attend but what I am prepared to do is if you are prepared to send us the views of those experts then we will take that into consideration in the petition in the course of the Bill.

8703. **Mr Pearce:** Yes. I was going to come to that actually because we are in the process of producing our technical and commercial feasibility study for the project that will go together with the commercial feasibility for the line between Hyde Park and the Olympic Stadium that we are proposing to fund so that the Government would not have to fork out any money for this project. We would build it, fund it

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and lease it back to the London regional government. Yes, thank you very much, we will be submitting that document to you. Can I ask you if you will further have that document independently assessed as Crossrail was independently assessed by Sir Adrian Montague?

8704. **Chairman:** What we will do is we will receive any evidence and documentation which comes through and we will view it in the light of the responsibilities we have been given in relation to the Crossrail Bill. That is all we are entitled to do. If it comes out we will look at it, whether it has any relevance to the Bill and our responsibility is a matter which we will have to use our own judgment on.

8705. **Mr Pearce:** Will you go back to Parliament and will you inform Parliament of the legal situation that now exists, that Crossrail cannot substantiate its choice of technology because it is unable to disclose due process documents that are absolutely vital? We have been asking for this for a very long time, I am sorry it has come to this.

8706. **Chairman:** I am very grateful for the opportunity to clear this matter up. Sir, you are in Parliament, you are addressing Parliament.

8707. **Mr Pearce:** Yes.

8708. **Chairman:** This is Parliament.

8709. **Mr Pearce:** Yes but—

8710. **Chairman:** We, as I have said, will take any evidence, any submissions that any petitioner puts forward in due process and we will judge them in the light of the responsibility we have in relation to this Bill. I can guarantee that. Whether it comes up trumps for you or not is another matter entirely but we will read everything and judge everything in due course.

8711. **Mr Pearce:** Thank you very much.

8712. **Chairman:** Mr Elvin, would you like to add anything?

8713. **Mr Elvin:** Sir, no, I have already made my submissions about the principle of the Bill. Can I just make this absolutely clear: there is no breach of due process caused by the Bill. This is a Bill which has been duly committed to this Committee following the Standing Orders of the House. Of course, Parliament is the master of its own process, subject to any overriding principles of European law. The European law principles of environmental assessment have been followed and you have heard our position on that in opening. The only requirement with regard to alternatives in environmental assessment is to give an account of those alternatives which have been studied. There is no general requirement to consider all alternatives advanced. Those alternatives have been assessed and

they are contained within the alternative chapter of the Environmental Impact Assessment. So far, therefore, as due process is concerned, (a) Parliament has followed its own Standing Orders and committed this matter to Committee and (b) the Environmental Assessment has complied with the due requirements of European law. Therefore, there is no legal issue involved in this matter.

8714. **Chairman:** Thank you, Mr Pearce. We will now move on to the case of James Middleton. Mr Taylor?

The Petition of James Middleton.

The Petitioner appeared in Person.

8715. **Mr Taylor:** Mr Middleton is a resident of Olney in Buckinghamshire which is in the Milton Keynes South Midlands development area. In essence his petition raises concerns regarding the nature of the rail network to be provided by Crossrail. He contends that the project should be a wider strategic scheme covering the South East and East of England. He also raises concerns that it should not be a stopping metro operation but a regional express. Again, just as Mr Elvin mentioned in relation to the previous petition, we would raise issues concerning whether or not the petition actually goes beyond the scope of the principle of the Bill in proposing an entirely different project from that which is before the Committee. That sets the context for what Mr Middleton has to say.

8716. **Chairman:** The democratic process is a peculiar thing, Mr Taylor, I think we will proceed. Mr Middleton?

8717. **Mr Middleton:** Thank you, Sir. I would just like to get it straight, I have emailed what I am going to say to Sian Jones, Mr Walker and Kate Pasquale from the Promoter. As far as I know everyone has got a copy.

8718. My name is James Middleton. I live in 5 Crab Tree Close, Olney, Buckinghamshire. I am retired but I have many years of experience in transport planning. I have prepared my own drawings. I did do them on the dining room table but I think you have versions of them. Olney is between Northampton, Milton Keynes and Bedford.¹⁰⁸ It is at the very centre of the Government's huge Milton Keynes South Midlands development area.

8719. I am a strong supporter of Crossrail in principle but it should be a regional scheme covering the South East and East of England as well as London, not the slow London-only operation put forward by the Promoter. A regional scheme would serve a wide area, including my own stations of Milton Keynes and Northampton. I am very

¹⁰⁸ Committee Ref: A100, Proposed Route Plan of Alternative Regional Crossrail (SCN20060516-008).

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surprised the Promoter has not followed the successful Thameslink and Thameslink 2000 strategy.

8720. Thameslink goes from Kings Lynn to Brighton, a huge area, lots of stations, and it is basically the same scheme as Crossrail but in a north-south direction. They say we can do a big network, we can have 48 trains an hour running regionally, why can you not do it in the east-west direction. As my drawing shows the Promoter's scheme here from Maidenhead to Shenfield has got 35 stations, 48 trains in the rush hour going through the central tunnel. They cover a total of 1,308 miles, an average of 27 miles per train. Thameslink 2000 is going to have 168 stations, the same 48 trains an hour, they cover 4,226 miles, an average of 88 miles per train. More travellers, longer distances, and that makes a greater contribution to the cost of the central tunnels, much better fares.

8721. The catchment area of the Promoter's scheme is very much limited to the London suburbs which are accepted as mature developments rather than rapidly expanding like many of the towns: Milton Keynes, Colchester, Chelmsford, Reading, Aylesbury. More than half the trains, 28 out of 48, in Crossrail never get west of Paddington and this is a serious waste of expensive tunnelling. The Crossrail Promoter has had to withdraw trains to Kingston and Ebbsfleet at the last minute. In the business case 20,000 of the 36,000 passengers approaching Paddington from the west would have come from the Kingston branch so this reduction is a huge change in Crossrail at the last minute.

8722. My table 1 on page six of my report shows the rush hour services into Liverpool Street from Shenfield as they work at the moment.¹⁰⁹ There is a train every two minutes, stopping, semi-fast, fast trains. Six slow trains go from Shenfield and a further six go into London from Gidea Park which is about seven miles nearer London than Shenfield. There is not one train at the moment that leaves Shenfield and stops at all stations to Liverpool Street. The trains from Shenfield miss out the last few stations and those stations are served by the trains from Gidea Park. Stopping trains take about 41 minutes compared with 27 minutes for the semi-fast trains from Shenfield into London.

8723. The Crossrail Promoter intends to impose a 12 slow, all stations, trains per hour service into London from Shenfield annexing the slow lines entirely. With the extra stations that they have to stop at as part of the system these are going to take about 20 minutes longer than the existing semi-fast trains into Liverpool Street. There is absolutely no incentive for people to change to Crossrail at Shenfield. Everyone will continue to Liverpool Street passing three or four Crossrail trains on the way and make a change there.

8724. At present around 60 per cent of the passengers arriving at Liverpool Street in the rush hour go onward on foot to their destinations rather than interchanging on to the Underground. This is a big number. I think it is the highest percentage of any station in London. People get off the train and go on foot to work in the City obviously. As the Crossrail Promoter says it will only be used by local users so we can expect 60 per cent of the people going into London on Crossrail from the Shenfield direction will get off at Liverpool Street and walk to wherever they work. Obviously some transfer to Crossrail will take place at Liverpool Street but generally, given that London Underground serves a far wider choice of destinations than Crossrail, a lot of people still go on to London Underground.

8725. Giving priority to certain trains can disrupt everyone else. The only sensible way for busy lines to be operated is for Network Rail to signal the trains and operate to the benefit of all on a fair timetable. We in Milton Keynes and Northampton have suffered from this where the West Coast Mainline upgrade has given Virgin control of the fast lines and hard luck to everyone who does not want to go to Manchester or Scotland. The people in Milton Keynes and Northampton have really suffered from dividing types of trains on to separate tracks.

8726. Really the Promoter's Crossrail scheme will attract the minimum of potential users over minimal distances and will create difficulties in operations. It does seem strange or ridiculous that after Crossrail is built someone going from Southend over here to Reading would still go into Liverpool Street, naturally enough, it is faster, and then get the train from Paddington to go to Reading. He would only possibly use Crossrail for the four miles from Liverpool Street to Paddington.

8727. So relief to Central London termini and the Underground will be very limited. The business case for Crossrail stresses the need for provision of efficient and reliable travel across a wide geographical area but Crossrail covers a narrow area and will create problems for the train users rather than efficient and reliable travel.

8728. Private sector consortia have tabled two alternative schemes: Superlink, a more expensive scheme, and London Regional Metro. The Crossrail Promoter accepts that London Regional Metro is not significantly different from its scheme as the central tunnel sections are largely the same. The opportunity is there to develop regional rather than local services, straight away, and indeed the Promoter's initial investigations showed that Regional Crossrail generated more income and more transfer to public transport.

8729. My drawing shows Regional Crossrail.¹¹⁰ Basically the network would include everything the Promoter includes except it will go out to Reading,

¹⁰⁹ Committee Ref: A100, Trains into London from Shenfield 0700-0800 weekdays (LINEWD-2705-006).

¹¹⁰ Committee Ref: A100, Proposed Route Plan of Alternative Regional Crossrail (SCN20060516-008).

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Aylesbury, Northampton and Milton Keynes on one side and on the other side Cambridge, Stansted, Ipswich, Clacton, Southend. It is basically the same scheme but making much more effective use of the rail network on each side.

8730. A typical regional Crossrail scheme would have 111 stations, 48 trains, 3,452 miles and about 72 miles per train. Looking at the diagram shows how Thameslink 2000 and Regional Crossrail provide a good match. It would be a similar order of cost to the Promoter's scheme. It would use the same central tunnel sections but make far more effective use of the high quality rail lines into the capital.

8731. Regional Crossrail would be fully integrated into the national rail network, to the advantage of everyone. With more users travelling longer distances there would be far greater contributions to all the project costs and maximum relief to stations such as Paddington, Euston, Marylebone and Liverpool Street and the London Underground network. Passengers would have everything to gain by using Crossrail for all or a significant part of their journey, maximising revenue and maximising relief to the other parts of the rail and Underground network.

8732. The regions would have excellent access to all parts of London and good connections between their regional centres. Good connection between their regional centres. Places such as Northampton, Milton Keynes, Aylesbury, Reading, Cambridge, Ipswich, Colchester, Chelmsford, Ashford, Dartford, Brighton and Guildford are all linked, as are the London airports. This is exactly what the regional assemblies want, and London is just as well served as with the Promoter's scheme.

8733. The Government priority development areas and regeneration areas, such as Thames Gateway, Milton Keynes South Midlands, Peterborough-Cambridge-Stansted-M11 corridor and Ashford, are all in the Regional Crossrail—Thameslink 2000. Thames Gateway is better served by Regional Crossrail and the Lee Valley, a priority area for London, would also be served.

8734. Looking at the Promoter's response, the Promoter has sent me a book with their response.¹¹¹ Firstly they say by limiting the number of branches and operating on segregated tracks an efficient and reliable service would be provided. Spreading the service over numerous routes would increase the risk of importing delays.

8735. Now obviously it has to be accepted that this would be true at times but there are issues which work the other way. In my view the Promoter has over-emphasised the importance of this single issue in order to keep Crossrail as a London only project.

8736. Thameslink 2000 will operate regionally and the rail industry is happily promoting this scheme. The Government is investing billions in rail maintenance, signalling and new trains to deal with the very problems the Promoter is concerned about. By 2015 the railway should be reliable and punctual.

8737. With Crossrail operating on a segregated basis on the mainlines into London then Crossrail and the remaining service will suffer as the current flexibility will be lost. Trains would be barred from switching between lines so any problems would be magnified. In addition, we have all been on Underground stations where a failed train has brought the whole network to paralysis and this will happen with the Promoter's scheme whereas a wider network and flexible operations would minimise the effect of the problems and a stream of trains would still go through the central tunnels.

8738. Secondly, the Promoter says that by creating numerous opportunities for connection and interchange with other services and other modes Crossrail will provide improved transport over a wide area of the South East.

8739. I have shown that the Promoter's Crossrail will attract minimal usage and is not attractive to many of those travelling from outside London itself. Regional Crossrail will be infinitely better, much better interchange and relief to central termini and congested Underground lines.

8740. The Promoter says Crossrail will link Thames Gateway, Docklands, the City, Stratford, the West End and Heathrow. It will also serve the western and eastern suburbs, both of which are expected to see major traffic growth over the next 10 years.

8741. A Regional Crossrail will do all this, plus better links to Thames Gateway, serve the huge Milton Keynes South Midlands area at Aylesbury, Milton Keynes and Northampton, serve Cambridge, Stansted, M11 and the Lea Valley. Regional Crossrail is infinitely better in serving the Government's wider development aspirations. The regions surrounding London are where rail is really growing, for example there is a 50 per cent growth in rail use in the East of England between 1995 and 2002, a huge growth.

8742. In the response the Promoter did reject the Aylesbury line which would form part of any regional Crossrail. Their conclusions were that it performed strongly on transport, economic efficiency and reliability. In other words, it attracted a lot of passengers and gave a significant positive economic benefit and would be reliable. It was not selected because of adverse contractual impacts on the Chiltern Line franchise and the Metronet PPP. It seems a strange logic really that the rail network has to be fossilised for years and sound projects rejected to suit contracts that should be there to improve the

¹¹¹ Crossrail Ref: P82, Promoter's Response to the Petition of James Middleton, p7 (LINEWD-2702-007).

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railway. Crossrail would be improved in every way if some of the trains terminating at Paddington went to Aylesbury.

8743. The Promoter says that to change now would mean major delays. These can be limited as the most difficult part of the scheme is unchanged and there has already been a lot of work done looking at alternatives. I do not see regional Crossrail as an extension of the scheme but rather a more effective joining of Crossrail into the national rail network. In many ways it would simplify the project with trains terminating and being stabled where they currently are, rather than having to provide extensive new facilities. If billions of pounds are going to be spent, it is vital to get the scheme right.

8744. Coming to my conclusions. Crossrail is a once in a generation opportunity that must not be wasted. There must be something wrong if Network Rail, the custodian and operator of the national rail network, is an objector rather than an enthusiastic promoter of Crossrail. The train operators, British Airports Authority, the South East and East of England Regional Assemblies all want Crossrail but they do not want the Promoter's scheme.

8745. Regional Crossrail will be more attractive to investors. Given the investment going into London prior to the Olympics, a further London-only scheme straight afterwards would not be well received. A Regional Crossrail would have much greater support.

8746. I hope the Committee will look carefully at the Regional option for Crossrail. At little extra cost, and by using existing lines, many more passengers travelling far more miles will use Crossrail and contribute to the costs. The maximum possible relief will be afforded to the London Rail network and central termini and the London Underground. The project would give the greatest possible support to the Government's development plans, the development of the regions and the aspirations to reduce greenhouse gases. It would truly cross the capital and connect the UK.

8747. My table 2, page 7, shows how the train indicator boards would be if you turn up at Farringdon in 2015.¹¹² The top board is what you would see for 15 minutes of Thameslink services. It looks excellent. Turn up, a range of destinations to the north and south. Crossrail looks pathetic when compared with Regional Crossrail. If you are going to spend billions of pounds you should not turn up and say four of the six trains go to Paddington, it is hopeless.

8748. I have gone to the trouble of petitioning the Committee myself as to get Crossrail to Milton Keynes and Northampton means a bit of a change of strategy. At my age I may never see the scheme

finished but it is vital to ensure that the right scheme goes forward. The more I looked into the issue the more convinced I became that Regional Crossrail was the right project and best met the Government's wider objectives.

8749. I would like to thank the Committee for listening to my petition and also Sian Jones and her colleagues for helping me through the petition process. Thank you.

8750. **Chairman:** Mr Taylor?

8751. **Mr Taylor:** Thank you, Sir. I was not proposing to ask questions or indeed call a witness but just to make submissions. To begin with, it is plain that Mr Middleton is asking for a different scheme to come forward and the present scheme to be dropped. The Promoter would respectfully suggest that goes against the principle of the Bill established by Second Reading, although obviously that is a matter for the Committee to consider. So far as the points made regarding the decision to go with a regional metro type network as opposed to a regional express network, that matter was considered in the year 2000 when the then shadow strategic rail authority carried out the London East-West study, LEWS I think we all know it as by now.¹¹³ It was that study which led to the current planning and development work for Crossrail. The study investigated which of those two service types would be most suited for operating on Crossrail and concluded that the regional metro type service pattern should be favoured over the regional express pattern for a range of reasons, including the much poorer service reliability which would be achieved with the regional express service pattern due to the high level of interrun with other rail services. The Committee will be aware that more information on that decision is set out in chapter six of the Crossrail Environmental Statement published in February last year.

8752. In addition the Promoters produced an information paper, A1, the development of the Crossrail route which again explains the reasoning which led to the selection of the current route.¹¹⁴ In brief and rather brutal summary the wider ranging alternatives that were considered did not appear rightly to generate sufficient traffic and/or have technical problems which would be difficult and extensive to overcome leading to a poor cost benefit ratio.

8753. By limiting the number of branches served and operating wherever possible on segregated tracks the Promoter expects to provide an efficient and reliable service. Spreading the service over numerous routes would increase the risk of importing delays from other lines on to the busy central section of Crossrail with consequent disruption to Crossrail's own

¹¹² Committee Ref: A100, Farringdon 2015—Typical train indicator boards for 15 minutes in peak hours (LINEWD-2705-007).

¹¹³ London East-West Study, Strategic Rail Authority, November 2000, www.crossrail.co.uk

¹¹⁴ Crossrail Information Paper A1—Development of the Crossrail Route <http://billdocuments.crossrail.co.uk>

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services. By creating a large number of opportunities for connection and interchange with other services and other modes of transport Crossrail will provide improved transport over a wide area of the South East.

8754. Crossrail will, of course, link with the regeneration areas to the east of London and it will link to the important commuter stations to the west and, of course, to Heathrow Airport to the west. In essence it serves London's western and eastern suburbs, both of which are expected to see major traffic growth over the next 10 years.

8755. After a long period of design studies and consultation the Promoter has concluded that the present Crossrail scheme is the best way of giving significant benefits to the largest possible number of people at a proportionate cost and by a means which is technically feasible.

8756. Unless there is anything else I can help the Committee with, those are my submissions.

8757. **Chairman:** Mr Middleton, do you want the last word, albeit very brief?

8758. **Mr Middleton:** Yes. I dealt with those points in my submission. Basically if they can do it for Thameslink why not do it for Crossrail? Really I feel that there is far too much London influence in this. We have a Mayor of London who has a very strong transport authority whereas the regions to the South East and East of England are fairly vague, they have nothing like the clout. The fact that the shadow strategic rail authority decided this was the best scheme, even having accepted it has a higher income, does not mean anything. Strategic rail authorities have come and gone since then, they have been abandoned for whatever reason.

8759. I realise I missed out one of my paragraphs. If I could just say our traveller now from Southend to Reading on Regional Crossrail would make the journey in one go or we would have a simple get off the train at Bond Street, get on the next one and go off to Reading. For people like me in Milton Keynes, Northampton and Aylesbury, instead of just being dumped at Euston or Marylebone, we would be able to get direct to the West End, pop off at Paddington go to Heathrow, the City, Canary Wharf, Eurostar. I would hope and perhaps go so far as to say if I was on the Committee I would want to be convinced that if we are going to spend billions of pounds the strategy is right.

8760. The regional scheme, I feel they are winding up their objections to regional or Thameslink type operations to suit the Mayor of London who wants to control the trains and keep them within the M25 and stopping everywhere. It is a very different approach. A regional scheme is not any bigger, in fact it is smaller, you do not have to mess around at Shenfield, all the trains terminate at Southend or Northampton where there are lots of places for them to turn around and park overnight. It is very much just a connection to Liverpool Street and Paddington which has been proved in the past. I think really when you look at the Promoter's reasons for objecting to going to Aylesbury, say, they are very poor reasons.

8761. I just hope the Committee will be convinced that the strategy is right and I do not think it is a huge delay. If you are going to spend billions of pounds, get it right not get it quick is the thing. Thank you.

8762. **Chairman:** Thank you very much indeed, Mr Middleton. What I can say is we will take whatever is contained in the petition and we will consider it along with all other views in the course of our decision on the Bill.

8763. I just want to leave you with no illusions. First of all, the Committee has a responsibility on Crossrail which is that Parliament—which has given us the responsibility to look at this—has deemed this a good Bill and we have to see it through. We cannot stop Crossrail if it goes ahead, that is the first thing.

8764. The second thing is that the ends are already there, both ends of it. We can, it is true to say, twiddle around with it, we can add a few stations, we cannot take them away, but do not go away with the wrong impression. To move from 35 to 111 is a hell of a lot of messing around. I am not quite sure whether that is in the remit of this Committee or indeed whether Parliament will go along with it. We will read your evidence and we will read the petition and we will take it into consideration. Thank you very much.

8765. Can I just ask once again is Ann-Marie Cousins here? (No response) The Clerks will be asked to contact her, if she gives no good reason for not appearing then we will take her petition in writing and move on.

8766. Thank you very much, ladies and gentlemen. We will resume this Committee at 10 o'clock in this room tomorrow

Wednesday 17 May 2006

Before:

Mr Alan Meale, in the Chair

Mr Brian Binley
Kelvin Hopkins

John Pugh

Ordered: that Counsel and Parties be called in.

Mr David Elvin QC appeared on behalf of the Promoter.

The Petition of Ferrotec (UK) Limited.

Mr Alastair Lewis appeared on behalf of the Petitioner.

Sharpe Pritchard appeared as Agent.

8767. **Chairman:** Today we are going to listen to the Petitions for LA 21 Traffic and Transport Group, Iron Mountain (UK) Limited, Alternative Mail and Parcels Limited and Ferrotec (UK) Limited. We are going to start with Ferrotec (UK) Limited. Can I, first of all, as usual, inform the Committee that I will be suspending the Committee at 11.45 or thereabouts so that people can get some refreshments in the upper waiting hall down the corridor and for Members to leave the Committee so that they might get down for Question Time. We will then, this afternoon, resume in this Committee room at 2.30.

8768. Can I, first, before I call Ferrotec, ask whether LA 21 Traffic and Transport Group are here yet? No. Mr Elvin, could you give us an introduction.

8769. **Mr Elvin:** Thank you, sir. We have returned to Woolwich from Ebbsfleet yesterday. Ferrotec occupy premises close to the proposed intervention shaft for emergency and ventilation purposes at Arsenal Way, which is just to the east of the historic Arsenal site, part of the Arsenal regeneration area. Perhaps Mr Fry could focus in on the shaft in the Environmental Statement.¹ That is required for health and safety reasons and will be explained to you by Mr Berryman in due course.

8770. The issue has been a difficult one because there are a number of firms that are located in the vicinity of the shaft and it appears that there is little option but to displace some business occupiers regardless of where the shaft goes; if it goes in one location it displaces Petitioner AMP and if it goes in another it displaces Ferrotec. The decision that has been made is that there are reasons, which Mr Berryman will explain, why it was thought preferable to try and accommodate AMP, who have a lot of HGV traffic

and whose car park would be almost completely rendered inoperable by the shaft, and that Ferrotec, unfortunately, are displaced.

8771. If I can show you an aerial photograph of the site, which is at page 426 of volume 3 of the Environmental Statement, you can see Arsenal Way and the Plumstead Road, and that is the general location, just north of the Plumstead Road, where the shaft has to go for safety reasons.² There is a limited scope for locating those shafts; they have to be at a certain spacing which, again, Mr Berryman will explain to you. The position with Ferrotec, as I say, is an unfortunate one. The location which has been selected for the shaft will block the access to Ferrotec's car park, but there seems little option but to block one of the occupiers. Ferrotec will therefore be in a position where it is likely to be able to claim compensation both for any land take from its site and, certainly, for disturbance from its premises. That is the position and Ferrotec are, understandably, unhappy. However, as I say, there seemed to be little option but to displace one of the occupiers.

8772. I ought to say, because there is an issue that may be in the Committee's minds, that if a station were to take place at Woolwich—and that, of course, was debated last week—there would still be the need for some form of shaft because this would be the eastern end of the station. So the issue does not go away completely even if the Committee recommend that a Woolwich station should be provided. If the Committee needs to see it I think I have got a plan somewhere and can show you that. Thank you.

8773. **Chairman:** Mr Lewis?

8774. **Mr Lewis:** First of all, could I just hand round bundles of exhibits. Sir, the Petition before you raises a number of detailed issues about the effect of the Crossrail works on Ferrotec's business, but the main issue, as Mr Elvin has just said, on which everything else hinges and on which Ferrotec wish to address you, is the location of the Arsenal Way intervention and access shaft. As mentioned by Mr Elvin, the Bill allows for the shaft to be constructed in the car park to the front of Ferrotec's building,

¹ Crossrail Ref: P83, Arsenal Way shaft: Project Works and Impacts, Environmental Statement Map SE5 (ii) (LINEWD-ES17-118).

² Crossrail Ref: P83, Aerial Photograph of Arsenal Way shaft, Environmental Statement, Volume 3, p 426 (LINEWD-ES14-80).

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and using the photograph which is there on display I just wondered if a laser pointer could just show where Ferrotec's building is. It is there.

8775. **Chairman:** Just for the record, could I list these documents as A102?³

8776. **Mr Lewis:** Sir, I wonder if you could turn to page 2 in our bundle of exhibits, which shows a number of other photographs. I wonder if they could be put on the screen. Sir, there is another aerial photograph at the top left-hand corner, and you will see there there is a red spot.⁴ That indicates the intended location of the ventilation shaft as proposed originally in the Bill. As you will learn as we go on, sir, that is intended to be moved, to my client's detriment, in front of their premises and away from their neighbours.

8777. Sir, the original design presented difficulties for all four businesses fronting the car park area. In recognition of that Crossrail carried out some studies to try to see if there were other ways of designing the shaft so as to meet the concerns of the Petitioners. Various options were considered and, naturally, options which were good news for one Petitioner were bad news for the other. However, there were options which worked either way and the report concluded that they were feasible in engineering terms and did not add significantly to the expense of the original option. Once those options were put forward further work was done by Crossrail to explain which was preferred. It is clear from very recent correspondence, in the last two weeks, that Crossrail appear to have taken, at least, an in principle decision, as Mr Elvin says, that the shaft should be located to the advantage of Ferrotec's neighbours and to the disadvantage of Ferrotec, to the extent that Ferrotec would probably have to be displaced from their premises.

8778. Sir, in short, the reason that Ferrotec are here today is to try to persuade the Committee that there is no need for them to be relocated. Sir, if you could turn to the last page in the bundle of the exhibits, page 52, this explains the options which the Petitioner puts forward.⁵ Sir, given what Mr Elvin said in his opening, I was under the misapprehension that construction of the Woolwich station would actually obviate the need for a shaft here at all. I had been led to understand that simply by listening to the end of the case for Woolwich station. I think there was discussion about the costs and I am sure somebody said that the saving in not building the shaft had been taken into account in the overall discussion as to the costs of building Woolwich station. I was clearly wrong in my interpretation of what was said then, and that is something, perhaps, we might be able to investigate with Mr Berryman later.

³ Committee Ref: A102 Ferrotec (UK) Limited exhibits.

⁴ Committee Ref: A102, Aerial View of Shaft Location (GRCHLB-33105-002).

⁵ Committee Ref: A102, Ferrotec (UK) Limited—Desired Options (GRCHLB-33105-052).

8779. Clearly, Option 1 was certainly our preferred option, if my understanding had been correct, in that we would fully support the case for the Woolwich station. It may well be that the construction of the Woolwich station might result in the need for the shaft to be located somewhere else apart from where it is now. We will learn later, sir, that there are requirements from Her Majesty's Railway Inspectorate about the minimum distance between intervention shafts. It may well be that the construction of the Woolwich station could result in these shafts being able to be moved away from our client's car park.

8780. Sir, Option 2 is that the proposed Arsenal Way shaft be located to the west of Arsenal Way on another existing car park, with any necessary additional provision having to be promoted by the Promoters. Sir, if you go back to page 2 of the exhibits and look at that aerial photograph again, our clients are there, their next-door neighbours, AMP, are there, that road there is the Arsenal Way and, sir, this area here is a very large car park, I assume, servicing this area here. The idea we are putting to the Committee is that perhaps the shaft could be located a short distance from here to just here on the corner of this car park without the need to obviously demolish any buildings but in a very large car park which Mr Aukett can describe to you when he gives evidence.

8781. Sir, Option 3, going back to page 52 of the exhibits, "The proposed Arsenal Way shaft" (this is if neither Option 1 or 2 is taken) "to be relocated within the current limits, but further to the west so that Ferrotec's business can continue." I refer in that option to a drawing to which I shall take the Committee later. I will now introduce Mr Aukett to give evidence about Ferrotec and what they do.

Mr Bryan Aukett, Sworn

Examined by **Mr Lewis**

8782. **Mr Lewis:** Firstly, Mr Aukett, could you introduce yourself to the Committee?

(Mr Aukett) Yes, certainly. My name is Bryan Aukett and I am the Finance Director of Ferrotec (UK) Limited. I have held that position for some seven years and I am a Chartered Accountant.

8783. Could you now explain to the Committee who Ferrotec are and what they do?

(Mr Aukett) Yes. Ferrotec is a small to medium-sized high-tech engineering company operating out of a factory warehouse unit number 3 IO Centre, Royal Arsenal Estate, Woolwich. Page 2, I think, is the aerial photograph. I think it has already been shown where we operate from. We own a leasehold interest in this property. Our principal business is the design, manufacture, testing, assembly and repair of specialist equipment used by customers to manufacture products in the vacuum environment. Vacuum chambers are specialised vessels that can maintain a suitable process environment in which

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thin film, micro-electronics, optics and other materials can be manufactured. Our main products include feedthroughs and drivethroughs and these units enable the rotation and power to be transmitted from outside the vacuum chamber to inside the vacuum chamber, using a variety of highly specialised magnetic fluid seals.

8784. Sir, we have put in as our first document a brochure from the company. Mr Aukett, perhaps, you can just show the Committee one or two of the items which are in that brochure which are manufactured in the UK. You need not read out the full description but just point to a couple of examples.

(Mr Aukett) In the brochure *Making the Difference* the fluids that we use are on the left—ferrofluids. It is a fluid that comprises magnetic particles which can either flow like water or, when you apply an electrical current to them, you can change the whole format of them and they can actually go solid so it becomes a solid metal. We use these types of fluid as a seal in the units that we use. The next thing is the rotary vacuum feedthrough. The photograph here is not really a very good indication, but we have got some photographs that actually show these units in better form. The feedthroughs do not have power; you attach a power unit to them—a motor or something like that; the drivethroughs actually have an electric motor attached to them. A product that we are developing at the moment and have just started marketing is the electron beam evaporator, and we have just designed one and it has just come into manufacture.

8785. It is up on the screen now.⁶

(Mr Aukett) Yes, okay. These are just a few of the type of feedthroughs that we manufacture. Effectively, they are just for the transmission of either rotary power or ordinary power straight through to the vacuum chambers so that processes can actually be undertaken within a vacuum chamber. They can be very small units, as you can see at the bottom of the picture, or they can actually be very large, weighing up to several tonnes. Depending on their usage they either have a short life or they can have a very long life. The units are made to very high tolerances and they are assembled in a clean room. We produce both bespoke and stock units and solutions. Most of our products are exported, the main markets being Europe, the USA and the Far East.

8786. Could you just tell us what sort of industries use these types of drivethroughs?

(Mr Aukett) Certainly. It is mainly high-tech industries. The sort of things that they use them for is manufacturing silicon chips, so you would get one feedthrough which actually moves the platform with the chips on around—it rotates them—and then you will have another feedthrough in the chamber that actually allows either electron beams or other processes to be worked on those chips. Other things

that they use them for are grinding high quality optical lenses and, basically, all sorts of high-tech industries—the nuclear industry, optical industry and micro-electronics industry use vacuum chambers for specialist processes. We provide the ability for them to work on these materials within the vacuum chambers.

8787. Sir, I think pages 4 and 5 of the exhibits show closer photographs of the feedthroughs. These, presumably, are the larger type.

(Mr Aukett) Yes. This would be quite a large unit, probably weighing more than a tonne. Most of the manufacture is done by local subcontractors and we test, assemble and then pack and export the units out of Unit 3.⁷

8788. Can you give an indication to the Committee of the success of the business, please?

(Mr Aukett) It has been a number of years in development. As I say, I joined the company some eight years ago. It has been in existence for about 15 years, and we have only, for the last couple of years, become profitable. So, therefore, there has been many, many years of research, development, investment and hard work in bringing the company to the state it is in now. We employ some 15 people and a large number of those live locally. The rest, apart from myself, are within easy reach of Woolwich. Most of the employees have been with the company for many years, and because of their specialist skills they would be very difficult to locate. On the occasions that we have had a change of staff, we have had the utmost difficulty in recruiting the right sort of engineer or member of staff to join us.

8789. Do you have a high staff turnover?

(Mr Aukett) No, we have a very low staff turnover, and thank goodness because that would make our development, our growth and progress quite difficult.

8790. If we can move on to the premises themselves—

8791. **Kelvin Hopkins:** You say you use subcontractors to do much of the manufacturing there, is that local?

(Mr Aukett) Yes, it is mainly local.

8792. How many other people would that employ?

(Mr Aukett) Probably 30 or more, I would have thought. We have just started using a Chinese company for manufacturing where there are very long runs involved but most of our work is bespoke work where we do not design a specific unit for a customer and we have that built locally.

8793. **Mr Lewis:** When did you move to the premises?

(Mr Aukett) We have three units in Battersea, that is where the business started and we vacated those because the area was not conducive to transport

⁶ Committee Ref: A102, Ferrotec (UK) Limited—rotary vacuum feedthroughs (GRCHLB-33105-003 and 004).

⁷ Committee Ref: A102, Ferrotec (UK) Limited—Unit 3 (GRCHLB-33105-006).

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particularly. We vacated those in October 2002. We have a 15-year lease at the IO Centre of which there is currently 10 and a half years remaining. Our current annual rent is approximately £55,000 and we are paying service and maintenance charges of around £4,300 a year, our lease benefits from the provisions of the Landlord and Tenants Act.

8794. That means you can renew it at the end of this time?

(Mr Aukett) That is right. That was a very important factor for us. Unit 3 is ideally suited for us, being the right size, there is room for growth, the cost, the set-up, the image, location and particularly the assess ability of transport—we get quite a few customers coming in through City Airport—and also for staff. When we moved from Battersea—and I think this is very relevant—we were well over a year trying to find suitable premises, and what we found was there were very, very few premises in the Greater London area that were ideally suited to us. Number 3 we have found to be absolutely ideal.

8795. Why did it take you over a year to move there?

(Mr Aukett) It was just finding the right location because obviously for a small company it was a very big step to take and we wanted just the right type of premises that we knew we could grow into over the next 10 or 15 years or so.

8796. Connected to that, perhaps you can describe the requirements that you need both internally and externally for your premises?

(Mr Aukett) We determined that we needed a warehouse space of around 6,000 square feet in which we could carry out the manufacturing processes, assembly work, testing, stockholding, quality control, environmental issues and clean room facilities.

8797. Can you explain what clean room facilities are?

(Mr Aukett) They are areas where basically you have an air-conditioning unit that filters all the air going into the room. You go through a trapdoor arrangement, and operatives in there wear complete overalls so that all operations undertaken in the clean room are protected from dust and are totally clean. We find with a lot of the equipment we make, because of the high tolerances and so on, they have to be cleaned and then assembled in a totally dust-free quiet area, hence the need for a facility to accommodate this. It is a room within a room.

8798. Perhaps we can go back to the bundle and start with the photograph on page 7. Can you describe to the Committee what we see on numbers 7, 8, 9 and 10?⁸

(Mr Aukett) This is a test unit which is just outside of the clean room. We use that for testing the operation of the smaller feedthroughs.

8799. Number 8?

(Mr Aukett) This is the clean room in which there are various test items and places for assembly of the equipment. There is a feedthrough which is being assembled, you can see it under the plastic to the left there.

8800. Number 9, please?

(Mr Aukett) This is a test area where right in front of us are a couple of feedthrough units which are undergoing long-term tests. The testing equipment is shown on the forefront in the right of the picture.

8801. If we can now bring up page 6 of the exhibits, please. Can you describe to the Committee your external requirements, which, of course, are very important in the context of the evidence today because I think if we look at page 6, we are not just looking at where your premises are but where the work site and ventilation shaft would be if the less favourable proposals were implemented.⁹

(Mr Aukett) This is the front of unit 3. The main reception area is on the right, so that is the main entrance to the property. Just to the left of the main entrance, on the ground floor, is the design area. Above that, the large window area and just to the left of it, is the administration area. You have a mezzanine floor there, so there are two floors there, in fact. About where the drainpipe is, to the left of it, are all the warehouse, manufacturing and assembly areas. You can see here that there is a large door, that is where all the equipment, materials and units are delivered and where the finished units are shipped out. Because most of the units are shipped abroad, they are generally packed in wooden crates which are considerably bigger than the actual units are themselves. They can be from a few square feet in size up to units 10 feet by six feet.

8802. What size lorries do you use?

(Mr Aukett) We have anything from small vans up to 20 tonne lorries which need access to these doors. Of course, if we do not have access to the warehouse, then effectively our business cannot operate because we can neither take deliveries nor can we deliver outwards to our customers.

8803. Your parking requirement?

(Mr Aukett) Generally there are staff cars of between eight to 10 and customer cars may be one, two or three a day. We need an area certainly that will accommodate between 10 and 12 cars, which we have at the moment.

8804. Moving on to the Crossrail proposals themselves, please, paragraph 18?

(Mr Aukett) We have considered the proposals in detail, and in principle we do support the Cross London Rail Link. I think it is a very important addition to London. We would not like to feel that we would interfere with this in anyway. Basically, we are very concerned at the potential impact of the proposed works on our business and we really fear

⁸ Committee Ref: A102, Ferrotec (UK) Limited—various Ferrotec processes (GRCHLB-33105-007 to 009).

⁹ Committee Ref: A102, Ferrotec (UK) Limited—Unit 3 (GRCHLB-33105-006).

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that everything we have seen to date could close our business down. We have expressed our views to Crossrail, and as a result they commissioned a Mott MacDonald Report on alternative site arrangements. It is clear to us that there are alternatives to the Crossrail proposals, but I am not an engineer. I just feel that they have not fully explored the alternatives and they have not considered or evaluated those alternatives.

8805. Now we are going to move on to the alternative options. I should mention, as Mr Aukett has just said, he is not an engineer and neither am I. I, therefore, will need to lead, to some degree, Mr Aukett's evidence, and hopefully that will not raise too many objections from Mr Elvin. I am glad to hear that Mr Berryman is here to put us right if we get it wrong. Please bear in mind that we are not here as engineers, we are just here interpreting what we have seen. As I have already said, we thought the best option for us would have been a station at Woolwich but that may not be the case, and we are looking forward to hearing what Mr Berryman has to say on that. The next best option, as I have already said in my opening, would be for the shaft to be resited some 120 metres to the west. It will then be in a large car park area, which I believe Mr Aukett may be able to describe. Is it over-used, under-used?

(Mr Aukett) It is fairly well used. There are now a lot of people using the Royal Arsenal site and most days the car park is fairly full. I am sure there are alternative areas for parking should the Crossrail shaft be moved 120 yards to the west. The main benefit, as far as I see it, is that it would not disturb any businesses at all were it to be moved 120 metres to the west.

8806. If we can have number 2 back on the screen again to remind the Committee where it is we are contemplating.¹⁰ Again, Ferrotec, A and B is here, Arsenal Way is there and this is the big car park which Mr Aukett has been describing. We are effectively asking the Committee if they could at least ask the Promoters to reconsider whether the shaft could be moved 120 metres to the west of its current intended location.

8807. **Chairman:** Can you tell us where that would be?

8808. **Mr Lewis:** Approximately here, sir. Ferrotec is here and this is the car park we are talking about. Obviously we are asking if it could not be moved as far to the east, which is in that direction, as possible, not interfering with the roads but being put in that car park somewhere. Ferrotec of course completely understands that safety must come first in the design of the railway. I am sure Mr Aukett will confirm that.
(Mr Aukett) Absolutely.

8809. It must take priority over the interests of property owners in many cases. Ferrotec does not dispute the need for a shaft in the general location, but it is not convinced at all by the explanation so far

¹⁰ Committee Ref: A102, Aerial View of Shaft Location (GRCHLB-33105-002).

given about the way the western option, as I call it, in the car park is not achievable. Can I refer you to page 12 of the exhibit, which is an extract from the Promoter's response to Ferrotec's Petition. I would like to read out paragraph 6 which is under the heading "Alternative Positions to Consider".¹¹ "The Promoter has undertaken a review into the feasibility of moving the shaft to the west of Arsenal Way. The current location of the shaft is a kilometre from the portal at Plumstead, so if the shaft was located on the area of land to the west side of Arsenal Way this distance would increase to about 1120 metres. Such an increase would require the approval of HMRI or LFEPA. The review therefore concluded that repositioning the shaft on the west side of Arsenal Way would not be advisable".

8810. Can I then take you to pages 23 to 29. You will see on page 23—this is a document headed 'Crossrail Outline Proposals and Design Principles'—that this is a Crossrail document.¹² My understanding of what it is in its whole—this is an extract from it—is this is an outline description of the proposed scheme which was produced back in February last year when the Bill was first submitted or relevant. It was sent to Her Majesty's Railway Inspectorate for their general approval as to the system overall. I would like to take you to paragraph 7.3, which is on page 25, which deals with emergency and intervention shafts.¹³ That is what we are talking about at Arsenal. I will read out that paragraph for you: "Shafts will be provided along the route of the Central Area tunnels for ventilation and emergency access purpose. These are shown in figure 4 and 5". I am afraid I do not have those: "Intervention points, eg shafts, platform ends and tunnel portals will be provided such that in general the distance between them does not exceed 1km. An exception to this is Fisher Street located 1.17 km west of the west end of Farringdon platform. Entry points at street level will be signed, provided with plan boxes and secure doors with standard or Gerda keys." The point I wanted to raise here, which is in Crossrail's general description given to HMRI, was that in paragraph 7.32 they make it clear that the general idea is that there will be one-kilometre distances between the shafts, with one exception at Fisher Street, which I remember because I was on a minibus and we saw it when we did a tour around Camden and Westminster earlier on in the proceedings.

8811. I would like to go to pages 30 to 36 of the exhibits. On page 30 you will see the heading.¹⁴ This is a document produced by the Health and Safety Executive which is responsible for Her Majesty's Railway Inspectorate. I would like to take you to

¹¹ Committee Ref: A102, Alternative positions considered (GRCHLB-33105-012).

¹² Committee Ref: A102, Outline Proposals and Design Principles (GRCHLB-33105-023).

¹³ Committee Ref: A102, Emergency Intervention Shafts (GRCHLB-33105-025).

¹⁴ Committee Ref: A102, Railway Safety Principles and Guidance—Part 2 Section A: Guidance on the infrastructure (GRCHLB-33105-030).

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paragraph 51A.¹⁵ This, as I understand it to be, is a general document setting out guidance to railway operators about health safety requirements on the railways. Paragraph 51 deals with those with that general guidance in relation to access points. Paragraph 51 says: “Factors to consider about access point” and I am only going to read paragraph (a): “Emergency access points to a tunnel should be provided at distances determined by the ability of the fire brigade to penetrate effectively into the first zone. The emergency access points may be tunnel portal points, stations or intermediate shafts with stairways”. Sir, crucially the note in italics says: “Current practice indicates that distance between access points should be in the order of 1 km where there are twin single-bore tunnels with adequate intermediate cross-passages. In other circumstances this distance may need to be reduced”.

8812. Sir, I will then take you on to page 37 and refer you to that briefly.¹⁶ This is LFEPA’s response to the first document which I brought to your attention, ie, Crossrail’s outline description of the scheme, including the mention of the Fisher Street shaft. You will see from that letter that LFEPA are broadly happy. I have not seen any documents to confirm this, but my understanding, from correspondence with Crossrail, is that Her Majesty’s Railway Inspectorate were broadly content with Crossrail’s outline description proposals, including Fisher Street shaft, no objection in principle to the outline proposals from HMRI. The reason I obviously draw this to your attention is that there obviously has been seen to be some scope for flexibility in the HMRI guidance relating to the one-kilometre distance between intervention points.

8813. If I could then take you to page 20 of the exhibits, which is a letter from Crossrail to me, dated 15 May, I will read out the first three paragraphs, which is a response to my query as to whether or not the one kilometre guidance is in any way fixed.¹⁷ “Crossrail has followed and adhered to the Railway Safety Principles and Guidance Part 2A given by Her Majesty’s Railway Inspectorate (HMRI) and guidance from London Fire and Emergency Planning Authority (LFEPA) in a consistent manner along the route. The link to the HMRI guidance is copied below for your ease of reference. The only exception is at Fisher Street where the distance is 1.198km”, which I think is a little further than was first intended in the Crossrail outline proposals, “and where the positioning is affected by central London land constraints. I attach a copy of the Crossrail Outline Proposals and Design Principles which was submitted to the HMRI and LFEPA”, and that, sir, is the document I have just referred you to, “on the basis of which we received a letter of ‘no objection to concept’. This effectively

means that these bodies are satisfied with our outline design. Copies of the letters are also enclosed for your information. Please note that none of the ‘items of detail’ referred to in the HMRI letter relates to Arsenal Way shaft. As we have said previously and as noted in your email, the shaft cannot be located west of Arsenal Way because it would not be compliant with the 1 kilometre rule”, and I would dispute that word as it seems to me that it is only guidance from HMRI, “but, most importantly, it would compromise the safety of passengers and the emergency services should an incident occur.”

8814. Sir, if that is right and there is a requirement for intervention shafts exactly one kilometre apart from each other to ensure absolutely the safety and security of passengers, then I think Mr Aukett would hold up his hands and say, “Well, so be it”, but we are not convinced at all that there is not any flexibility, particularly given the position as regards Fisher Street. Sir, that is the type of scepticism which we have and hopefully Mr Berryman will be able to explain to us why the same flexibility that we have at Fisher Street cannot be used here where the movement to the west would be 120 metres from the one kilometre distance, whereas at Fisher Street it is 198, so we are talking about a smaller variation than is proposed at Fisher Street. Sir, that deals with our Arsenal Way west direction. Mr Aukett, could you now just briefly tell the Committee about the other options which have also been considered by Crossrail and discussed very late with us?

(*Mr Aukett*) Sir, Crossrail have made, following that Mott MacDonald report, two suggestions. The first one was that the site was reorganised so that more of it was in front of AMP and that was, I think, proposal B which is more suitable for us. The other proposal was in fact that most of the site was in our car park which would completely prevent access to our premises and that was proposal A and obviously that proposal would be totally unacceptable to us because effectively it would close down our business.

8815. If I could take you, first of all, to page 48 of the exhibits, which is a plan showing what Mr Aukett referred to as “proposal A”, I believe, and that is the proposal which would be disadvantageous to Ferrotec.¹⁸ The shaded area to the right-hand side, I believe, is a potential worksite area and you see that it takes up the whole of the car park area right up to the very front of the Ferrotec building. Page 49 shows an option which I believe, Mr Aukett, would be acceptable to Ferrotec.¹⁹

(*Mr Aukett*) Yes, that would be acceptable to us.

8816. It is tight, is it not, because of the worksite boundary, which is that line of dots? I think that is the worksite boundary which impinges into the

¹⁵ Committee Ref: A102, Guidance on the infrastructure, Access Points, Para 51(a) (GRCHLB-33105-032).

¹⁶ Committee Ref: A102, Correspondence from LFEPA to CLRL, 22 February 2005 (GRCHLB-33105-037).

¹⁷ Committee Ref: A102, Correspondence from CLRL to Mr Alastair Lewis, 15 May 2006 (GRCHLB-33105-020).

¹⁸ Committee Ref: A102, Arsenal Way shaft—alternate worksite layout using IO centre units 1 to 3 (GRCHLB-33105-048).

¹⁹ Committee Ref: A102, Arsenal Way shaft—alternate worksite layout using AMP Worldwide warehouse (GRCHLB-33105-049).

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roadway down into your premises, but vehicles could get through there, as is your understanding, if that option were taken?

(Mr Aukett) Yes.

8817. Sir, the proposals were relayed to Ferrotec in a report which begins at page 42 of the document commissioned for Crossrail and prepared by Mott MacDonald.²⁰ I will just read, if I may, from page 43, an extract from the executive summary.²¹ “In response to Petitions from Alternative Mail and Parcels (AMP) & Daniel Albert . . . and Ferrotec UK Limited . . . this report was implemented to examine the impact on the above businesses who are adjacent to the proposed Arsenal Way shaft. This was achieved by: rearranging the worksite layout for the current design of Arsenal Way shaft; and investigating alternative shaft designs to accommodate AMP Worldwide. Exploration of the worksite layout options highlights the difficulty in achieving a satisfactory solution for all of the adjacent businesses. Therefore, two alternative worksite layouts have been developed: one which assumes that the tenants of Units 1 to 3 of the IO Centre are temporarily displaced; and one which assumes that AMP Worldwide are temporarily displaced. Two viable worksite layouts have been developed on this basis and are presented within this report. Both of these layouts have staged worksite boundaries in comparison with the present scheme which has a single worksite boundary for the entire duration of the works.”

8818. I will now take you to page 45, the same reference in the same document.²² Sir, it concludes in simple terms that the two options or the options put forward in this document do not increase substantially or significantly programme and cost, project risk or health and safety. Sir, page 46 shows the conclusions in this first report and I will read out the relevant parts.²³ It is the third paragraph down. “Whilst both worksite layouts require some minor modification to the construction programme, the overall impact on the programme, cost and risk for Arsenal Way shaft is not considered to be significant. The worksite layouts shown have been based on several assumptions about the operation of the units. Discussion with all of the affected tenants will confirm whether or not the assumptions are valid and, therefore, whether or not the alternative worksite layouts really improve the situation for these tenants.”

²⁰ Committee Ref: A102, Mott MacDonald Study of Layouts at Arsenal Way shaft (GRCHLB-33105-042).

²¹ Committee Ref: A102, Mott MacDonald Study of Layouts at Arsenal Way shaft, Executive Summary (GRCHLB-33105-042).

²² Committee Ref: A102, Mott MacDonald Study of Layouts at Arsenal Way shaft, Executive Summary (GRCHLB-33105-045).

²³ Committee Ref: A102, Mott MacDonald Study of Layouts at Arsenal Way shaft, Conclusions and Recommendations (GRCHLB-33105-046).

8819. Sir, after this report was received, it then becomes apparent that Crossrail did some further detailed work into deciding whether or not either the Ferrotec side of the car park or the AMP side of the car park should be used in its totality, therefore, freeing up either of the two neighbours completely from any effects of Crossrail at all. Sir, on page 15, you will see an email which was sent by me to Crossrail asking whether any further options were being considered to assist Ferrotec.²⁴ On page 18 is Crossrail’s response.²⁵ “Upon receipt of Petitions from your client and the other Petitioner in the area, Alternative Mail and Parcel, Cross London Rail Links Ltd reassessed the site with a view to limiting its impact on the businesses. It became evident that it would not be possible to develop a proposal that suited both petitioning parties. A solution which maintained the operation of one precluded the existence of the other. Further studies were then carried out which considered the implications of keeping one party and relocating the other. This was followed by further assessments that considered the engineering, property and architectural implications. The results from these assessments made it clear that it would be significantly more difficult, disruptive and costly for AMP to relocate due to the size, nature and operation of their business. By contrast, it would be a relatively more straightforward task to facilitate the relocation of the smaller businesses in the IO Centre, including Ferrotec. Based on the above, CLRL considers that it would be preferable to pursue a shaft and worksite design that would enable AMP to remain on site and are in negotiation with AMP for that purpose. In the event that we are unable to do so, we would then, as a fallback option, pursue an alternative shaft and worksite design which would enable your client and the other tenants of the IO Centre to remain on site. In that respect, I have enclosed a copy of the counterpart study that examined the option of keeping your client on site and relocating AMP for your consideration.” First of all, Mr Aukett, was that the first that you had seen of this report mentioned in this letter?

(Mr Aukett) Yes, sir, it is the first time I had seen the report mentioned.

8820. What was your reaction to this letter?

(Mr Aukett) Extreme surprise because at no time had there been any detailed discussions with ourselves or any evaluation of the costs of our business closing and moving, so I was very surprised, yes.

8821. I expressed my surprise in the following letter on page 19 and the response to that letter is on pages 20 and 21 where Crossrail say that they had found it

²⁴ Committee Ref: A102, Correspondence from Mr Alastair Lewis to Crossrail, 4 May 2006 (GRCHLB-33105-015).

²⁵ Committee Ref: A102, Correspondence from Crossrail to Mr Alastair Lewis, 11 May 2006 (GRCHLB-33105-018).

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difficult contacting your company.²⁶ Could you perhaps just explain your understanding of the position with regard to that?

(Mr Aukett) Yes, we have a December year end and obviously January and February are very difficult months for us for reporting requirements and so on. I believe there may have been some missed phone calls, but, by and large, I do not think any particular effort has been made to communicate with us. It is unfortunate that we were using the same professional advisers as AMP because we thought that a combined effort would be in both companies' favour. At a late date those professional advisers were not prepared to continue to act for us due to the conflict of interest, so we had to ask Sharpe Pritchard to represent us in this situation, so I can see that there is some reason for a breakdown in communication over a period of time. However, what I do find very difficult to understand is that a decision had been made, if you like, a done deal behind our backs without actually contacting us and explaining what is going on. It was made very clear at the meeting that we had with the Crossrail representatives, which is minuted, that the first point of call would be myself co-ordinating the Ferrotec Petition. I note that no correspondence has actually been specifically addressed to me and it is to Dr Doug Brooks, who is the Managing Director. The other aspect of it is that we were passing all papers that we received to our professional advisers at the time and we were of course relying on their response and their guidance as to how to deal with this situation.

8822. The report which considered the option which would have assisted Ferrotec, I think, was dated March 2006, yet Ferrotec never received it until I asked whether there had been any studies done this month.

(Mr Aukett) Yes, that is right.

8823. Mr Aukett, could you now just explain to the Committee why the operational reasons, particularly vehicular access, for not taking option A are pretty much the same as they might be for AMP in terms of your vehicular access requirements?

(Mr Aukett) Yes, it is basically that, without access to the premises, we would not be able to carry on our business and it seems that option A would completely close down the business.

8824. Could you give an idea to the Committee of how you would estimate this? Again you are not a valuer, but can you give an idea, based on your experience of your move from Battersea, of the sort of costs you think would be involved in having to relocate the business?

(Mr Aukett) We would estimate that it would probably be in the region of £½ million to move because we have obviously moved forward since our move from Battersea. The business has expanded and I think, as we stand at the moment, the total

costs of such a relocation would be in the region of £½ million, but I think, most importantly, because of the problems that we had in finding suitable premises previously, we would need at least a year's notice to enable us to facilitate such a move, and we cannot guarantee even then that we would be successful.

8825. So you would need at least one year's notice, you think?

(Mr Aukett) Yes, I would have thought so, sir.

8826. Sir, that is all the evidence I was going to ask from Mr Aukett.

Cross-examined by **Mr Elvin**

8827. **Mr Elvin:** Mr Aukett, I hear what you say about your concerns. Who is Dr Brooks?

(Mr Aukett) He is the Managing Director of Ferrotec UK Limited.

8828. Just so the Committee do not get the wrong idea, can you turn up page 22 of your bundle of exhibits, that is, A102.²⁷ It is an email. This was originally sent on 23 March and it was corrected on 24 March, sent to Dr Brooks and to you, saying that the study was complete and that Crossrail "would like to share the outcome with you as agreed at our meeting on 22 December", and asking you to contact them. No response was received to that. Why not?

(Mr Aukett) Dr Brooks was actually away at the time and the email address that was used for me was not one that I had given to them, it is not my usual email address, and regrettably I had not been able to access that email address.

8829. When did Dr Brooks return?

(Mr Aukett) Without having my diary, I am not aware.

8830. Before the end of March?

(Mr Aukett) I am sorry, I am not able to answer that.

8831. Was he in the premises in April?

(Mr Aukett) Yes.

8832. So you could at least have responded in April, could you not?

(Mr Aukett) As I have already said, we were referring all matters to our professional advisers and we were relying on them to advise us how to deal with the situation.

8833. Well, Mr Aukett, it is only right that the Committee should see that Crossrail was not simply sitting back and not attempting to contact you.

²⁶ Committee Ref: A102, Correspondence from Mr Alastair Lewis to Crossrail, 12 May 2006 (GRCHLB-33105-019).

²⁷ Committee Ref: A102, Correspondence from Crossrail to Dr Brooks (GRCHLB-33105-022).

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(Mr Aukett) Well, I do not think, with due respect, sir, that one email would be sufficient in a situation like this. We are extremely busy, we run a very tight, lean ship and I apologise that this may have been overlooked.

8834. Well, Ms Akinyemi, who is the Petition Negotiator for Crossrail, is sitting behind me and she tells me that both you and Dr Brooks were phoned on multiple occasions and did not return calls.

(Mr Aukett) I would dispute that, sir. I have not received any calls from Yemi.

8835. **Chairman:** Mr Elvin, I think you have made your point.

8836. **Mr Elvin:** I am moving on, sir. Mr Aukett, the difficulty, so far as Ferrotec is concerned, with the solution which has been finally put forward by Crossrail is not a permanent difficulty, although it is a difficulty which arises for a substantial period of time. The fact is that it is the construction works which prevent access to your car park, is it not? It is not a permanent loss of the car park.

(Mr Aukett) Yes, that is correct, sir. As far as I understand it, we would be prevented from using our premises for possibly a three-year period, maybe more.

8837. What we have on the screen is from the report that you received and part of it is in your bundle.²⁸ This would be the final configuration of the intervention shaft and, in the final form, it would allow access back into the car park, would it not?

(Mr Aukett) I believe so, but, as I say, I am not a technical expert on this. I can only be guided by our professional advisers.

8838. Have you had meetings with your landlord recently because you are seeking to renew your lease? Is that right?

(Mr Aukett) It is only the normal rollover of the lease, yes.

8839. Have you asked the landlord whether it is possible to make temporary arrangements to allow you to have your delivery vehicles visiting some other part of the site which would enable you to remain in operation?

(Mr Aukett) That point was mentioned, but it would be extremely difficult to facilitate that. There are no other available sites on the Royal Arsenal estate, as far as we are advised, and effectively, if the site is right up to our front door, we cannot access the building.

8840. The car park we can see with the yellow line going through it at the bottom of the photograph, the yellow line being the line of the Crossrail tunnels. That, as I understand it, is a general car park which

is available for a number of organisations and individuals and indeed some people park there and cross the road to the town centre. Is that right?

(Mr Aukett) As far as I am aware, sir, yes, that is correct.

8841. Would any of that be available to you on the short-term basis of two to three years while construction works are in operation?

(Mr Aukett) I am not aware as to whether that would be possible. Obviously for staff parking that would be perhaps possible, but, as far as access for lorries for deliveries, supplies and for sales is concerned, it would be totally inappropriate, in my opinion.

8842. How many lorries visit the premises during the week?

(Mr Aukett) We have, on average, two to three lorries a day.

8843. And vehicles smaller than lorries, but larger than cars, ie, vans?

(Mr Aukett) Yes, it is a combination of vans and lorries, sir.

8844. I just want to be absolutely clear. You have investigated the possibility of using dropping-off points close to the premises even if not in the car park?

(Mr Aukett) We have thought about the position and we have made some enquiries, but our understanding is that we would still be unable to access our premises, and some of the items being delivered and some being taken away from the warehouse would be of such a size that it would be impossible to facilitate their movement.

8845. How much of the premises that have the arrow pointed at them are actually occupied by Ferrotec?

(Mr Aukett) Just Unit 3. That is at the far end.

8846. It is about a quarter of that building, is it?

(Mr Aukett) It is probably half of the building. The other two units are relatively small.

8847. Does it extend all the way across to the rear car park?

(Mr Aukett) No, it does not. If it did, there may be a possibility of having access there, but that is another company that operates from the back of the building.

8848. Have you investigated that possibility?

(Mr Aukett) The company concerned, I am almost certain, would not be in the slightest bit interested, but no, we have not.

8849. Can we then come on to the question of relocation. Your company moved here about seven years ago. It would be possible, would it, therefore, with sufficient time to relocate elsewhere without disrupting the business to the extent that it would close?

²⁸ Committee Ref: A102, Mott MacDonald Study of Layouts at Arsenal Way shaft, Figure 4.11, Option 6 (SCN-20060517-003).

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(Mr Aukett) Sir, we moved here just over four years ago. There was considerable disruption at that time. We were unprofitable. We have worked very hard to turn that round and we are now just profitable. I think it would be disastrous if we were to relocate again in the near future.

8850. Is there anything specific to your business which requires a location here?

(Mr Aukett) It is very central for both staff and the professional team of engineers, but it is also a very convenient location for transport.

8851. But have you at this stage looked at the availability of alternative premises? Have you instructed property agents to see how feasible a move would be?

(Mr Aukett) Not at this time, sir, because we obviously need to see whether it is possible for Crossrail to facilitate or to accommodate our requirements. Under these schemes there could be a possibility that we can stay where we are which is infinitely preferable for us.

8852. Can I ask you just to confirm the number of those that you employ who are local to Woolwich?

(Mr Aukett) It is approximately half of the 15, I would think.

8853. If I can put to you what I understand to be the position at AMP, that compares with some 80 out of 100 employees using the AMP premises.

(Mr Aukett) The difference between ourselves and AMP is, I believe, that they are mainly unskilled workers, whereas ours are skilled technicians, highly trained people.

8854. Thank you very much.

8855. **Mr Lewis:** I have no further questions.

8856. **Chairman:** Thank you very much indeed, Mr Aukett.

(Mr Aukett) Thank you for letting me present the Petition, sir.

The witness withdrew

8857. **Mr Elvin:** Sir, if it is convenient, I recall Mr Berryman.

Mr Keith Berryman, recalled

Examined by **Mr Elvin**

8858. **Mr Elvin:** Mr Berryman, I do not need to introduce you. Can I go straight to the issue of the emergency intervention shafts and can we firstly look at the likely configuration of such a shaft and can you explain very briefly to the Committee,

perhaps it is a statement of the obvious, as to how the shafts function and their primary use. Perhaps we can put up please our Exhibit 33104B-50.²⁹

(Mr Berryman) Well, there are two uses for shafts in emergency situations. The first is to allow access for the fire brigade and other emergency services to the tunnel. The idea is that firemen or ambulance people would run down the stairs and then have access along the tunnel, using one of the two walkways which are there. In addition to that, in some of the areas where stations are wide apart, the shaft would also be used for evacuation. Clearly using a shaft like this for evacuation is not something that the fire brigade would undertake lightly because making people walk up 30 metres of stairs is a big job, but where the stations are far apart, and this is more common in the East End of London, some of the shafts are used for evacuation. The rule that we followed is that intervention shafts should be at maximum centres of one kilometre and evacuation shafts should be at maximum centres of two kilometres. This particular shaft at Arsenal Way combines both functions. In addition, the shafts are used as ventilation shafts. This is to prevent the necessity of digging additional shafts just for ventilation, so we combine, in this particular one, all three functions of ventilation, intervention and evacuation.

8859. The one-kilometre spacing, and Mr Lewis referred the Committee to the HSE guidelines, why is it one kilometre? What is the rationale behind it?

(Mr Berryman) The rationale is that it is the distance which a fireman wearing breathing apparatus can safely enter into a tunnel of about half a kilometre without risk to his life and having the ability to get out again when an incident occurs. It is mentioned, as the Petitioner said, in the railway guidance notes from HMRI. It is also a requirement in the emerging specification for the European interoperability specification which we will be complying with in this case.

8860. We can see from the diagram that has been put up that the shaft is linked, at the basement level, to the tunnels.

(Mr Berryman) Yes, that is correct.

8861. How important is it that the shaft is located in close proximity to the tunnels?

(Mr Berryman) It is very important and the reason is that the distance that a fireman has to travel is added to the distance between the shafts. For example, if you have a shaft which is 30 metres off line, the total distance which would then be allowed between the locations of the shafts would be reduced from one kilometre to 970 metres, so it has the impact of reducing the length between shafts. It is also very much not preferred by the fire brigade because of what one could call the “discontinuity of the route” to get down to the tunnels. In addition, we provide lifts at these locations for the movement of

²⁹ Crossrail Ref: A83, Mott MacDonald structure section of Arsenal Way shaft, Escape, EIP and vent (GRCHLB-33104B-050).

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equipment and, in an emergency, the movement of casualties. These are obviously more difficult to do if you have got an offset and you have to provide two lifts at different levels.

8862. I have put up a plan which is a slightly easier-to-read version of the plan on page 13 of Exhibit A102 from the Petitioner.³⁰ Can you just explain what the constraints are on the movement of the Arsenal Way shaft by reference to this plan please? **(Mr Berryman)** Indeed. The spacing between the shafts, as I said, needs to be one kilometre from shaft to shaft or from shaft to portal and this shaft lies between the Warren Lane shaft and the Plumstead portal. The Warren Lane shaft itself is fixed by the distance across the River Thames and is pretty inflexible, it cannot be moved very much. What that means is that we have a window which is one kilometre from Plumstead and one kilometre from Warren Lane and that window is shown on the plan there. The location of the shaft which is shown immediately to the west of the western boundary of that site was one of the earlier iterations of where the shaft should be and we have moved it slightly from there, but that shows you the distance from the Plumstead portal and we really cannot go very much further to the west without it falling foul of our own standards.

8863. The suggestion, I think, from Mr Lewis was that the shaft could in fact move further into the Arsenal Way site, moving towards the top left-hand side of the west of the picture, and he drew attention to the public car park that is facing the town centre of Woolwich closer to the historic Arsenal site.

(Mr Berryman) Yes.

8864. What is your position on that, please?

(Mr Berryman) That would make the distance from the intervention shaft to the Plumstead portal up to 1.12, 120 metres roughly, so it would be outside our own guidelines. In fact it is stronger than guidelines; it is a standard.

8865. Comparison was made with reference to there being some flexibility with Fisher Street.

(Mr Berryman) Yes, that is right. Fisher Street is the exception to this.

8866. And the distance to Fisher Street, I think in the letter of 15 May that was shown, was said to be 1.198 kilometres.

(Mr Berryman) Yes, that is about right.

8867. Can we just look at Fisher Street, please. It is in the Environmental Statement, volume 2 and it is page 138.³¹

(Mr Berryman) 139, I think.

8868. Can we go to 138, first?

(Mr Berryman) While we are waiting for that, can I make some comments about the Fisher Street shaft?

8869. Yes.

(Mr Berryman) The Fisher Street shaft, as you will be aware, is actually inside a listed building and that might give you an idea of how difficult we found it to find an appropriate site in the area of Fisher Street. It really is very difficult.

8870. We can see from the plan, at the top of that page, that it is sandwiched between Kingsway, Red Lion Street and Red Lion Square, which is just to the right—to the east. What are the constraints on Fisher Street if you moved to the one-kilometre location?

(Mr Berryman) If you moved to the one-kilometre location you would be on the southern boundary of Red Lion Square, which of course contains quite a number of listed buildings and, I think, from memory, is a conservation area as well, and it would be extremely difficult to locate a potential site in that area. We spent a considerable time looking for sites in that area and it was only with great difficulty and, really, by taking the Fire Brigade to show them the problem that we were able to get them to understand the difficulty of finding shafts in that area. That is why, after a long period of discussion—the letter of no objection rather states it as if it is a casual thing but it is obviously the result of a very long series of meetings—they agreed to the relaxation of the standard in this area.

8871. Therefore, to confirm the situation of Fisher Street with the situation of Arsenal Way?

(Mr Berryman) It is not really a valid comparison because the built-up nature of the area around Fisher Street and the heritage nature of the buildings in that area would make the position of a shaft there very difficult. As I said, the only way we could do it is actually to knock a little out of a listed building and put it there, and we do not undertake that kind of thing casually.

8872. Can I then just ask you to clarify the position on what would happen if a Woolwich station were required and constructed? Reference was made last week to there not being a need for an intervention shaft. What is actually required if a station is built at Woolwich?

(Mr Berryman) If a station was to be built at Woolwich the eastern end of the station would be shown in the plan there just outside the AMP premises.³² It would not be an intervention shaft as such; in fact, it would be a significantly more elaborate structure; it would be the escape stairs and ventilation structure for the station, which would be probably twice as big as an ordinary intervention

³⁰ Committee Ref: A102, Arsenal Way shaft, 1 km intervention rule sketch, July 2005 (SCN-20060517-004).

³¹ Crossrail Ref: P83, Fisher Street shaft—Environmental Statement, Volume 2, Chapter 2, P138/9 (LINEWD-ES10-114).

³² Committee Ref: A102, Woolwich Station Construction Site in Relationship to AMP Premises (SCN- 20060517-005).

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shaft. So there would still be a shaft in the area irrespective of whether Woolwich station is built or not.

8873. But that would be part of the station structure rather than a free-standing shaft?

(Mr Berryman) That is correct.

8874. I suppose, from Ferrotec's point of view, that would present them with an option because it would not impinge on their car park.

(Mr Berryman) That is correct. It would, on the other hand, severely impinge on the AMP premises next door.

8875. Can I just ask about AMP and why the selection, therefore, was made between the various potential locations that were shown in the options report?

(Mr Berryman) There were, basically, three main options, with a number of sub-options that were looked at. One is the one which is selected, which is shown here, which severely affects the Ferrotec car park—indeed, more or less takes it away. The other option would have the same impact on AMP, the premises next door. There was a third option we looked at, which is kind of halfway between but that closes both of them down so we did not think that was a very good one. So we are really faced with a choice between which is the least bad: taking the AMP car park or taking the Ferrotec car park?

8876. **Chairman:** What goods do AMP—

(Mr Berryman) AMP is a courier and mail service. I think it stands for Alternative Mail Provider.

8877. Do they have a lot of lorry movements?

(Mr Berryman) They do have a lot of lorry movements—articulated lorries.

8878. **Mr Elvin:** What is the nature of the building? What is its status so far as that company is concerned?

(Mr Berryman) I understand they have a 99-year lease on it. It is a building which has been significantly modified, as I understand it. I have to say I have not actually seen inside it myself but I understand it has been significantly modified to accommodate their particular operation. They allegedly employ some 140 people working there.

8879. Do they operate a courier or mail service from there? Is it one of many buildings or is it an important building to them?

(Mr Berryman) I think it is their headquarters, as far as I am aware. It certainly serves the whole of south London.

8880. I have been passed a note. I am not sure if Mr Lewis minds, but it suggests to me that they have a 999-year lease, not a 99-year lease.

(Mr Berryman) When it gets beyond 20 I kind of lose interest!

8881. So the selection was made, therefore, on the basis of a view about comparative impacts between the two businesses.

(Mr Berryman) Yes. It is unfortunate, but one of the businesses is going to suffer significant impact. The decision was made on the grounds that I have just described: the length of the lease and the number of people there.

8882. We have heard from Ferrotec about the construction period. What is your understanding of the period for disruption of the car park and access to Ferrotec?

(Mr Berryman) It would be about two-and-a-half years. We cannot say, at this stage, exactly when because, obviously, there will be issues about when the project starts, but it would be about two-and-a-half years, as suggested by the Petitioner.

8883. **Mr Elvin:** Thank you, Mr Berryman. Would you wait there, please?

Cross-examined by **Mr Lewis**

8884. **Mr Lewis:** Mr Berryman, beginning with the last point first, the two-and-a-half year disruption, can you confirm that effectively during those two-and-a-half years, in your view, Ferrotec really would not be able to continue at the premises simply because you need to take the whole of the front of the car park right up to the front of their premises?

(Mr Berryman) They certainly would not be able to use the car park in front of their premises. Whether it would be possible to make deliveries by other routes, providing some sort of walkway into the building, I am not sure, but certainly a substantial part of the car park would need to be taken—the overwhelming majority of it.

8885. Can I just bring back up on the screen, please, page 12 from our exhibits, which is the extract from the Promoter's response to the Petition.³³ I will just read out again what it says, Mr Berryman. It says, and you can confirm, that moving the shaft to the west of the Arsenal Way would increase the distance to 1120 metres, and then it says: "Such an increase would require the approval of HMRI or the LFEP. The review therefore concluded that repositioning the shaft on the west side of Arsenal Way would not be advisable." HMRI final approval to the whole Crossrail scheme is required for all, or nearly all, parts of the railway at the design stage.

(Mr Berryman) If only it were so. The HMRI is very reluctant to give positive approval to things. What they do is they issue what they call letters of no objection, which indicates that they are reasonably content with the design work that they have seen. They do not actually positively approve things.

³³ Committee Ref: A102, Alternative positions considered (GRCHLB-33105-012).

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8886. The HMRI guidance document, which we have put up earlier, is merely that; it is guidance. You mentioned the word “standards” for, I think, Crossrail’s own documentation, but the HMRI guidance is just that, is it not?

(Mr Berryman) When I say that HMRI do not approve things, they do not approve things at the design stage. What they do do is approve the railway before it is opened. In fact, you cannot open a railway without HMRI approval. Failure to follow their guidelines is something which would lead to extreme difficulty, if not impossibility, in opening a railway, so we would not fail to follow their guidelines unless we really negotiated with them and made sure they were absolutely comfortable.

8887. So the guidance, therefore, assists the Promoter in the initial outline design, which is in the plans before this Committee.

(Mr Berryman) Yes, I think that is a fair comment. It is not mandatory, as has been evidenced by the negotiations we have had with them on Fisher Street, but you have to have a very, very good reason for not complying with it.

8888. There would be no point in putting in the Bill something which would never get the approval of HMRI. Is that fair?

(Mr Berryman) I think that would be a fair comment, yes.

8889. That does not preclude including provision for matters which may be marginal.

(Mr Berryman) I think with anything which goes against the guidelines issued by HMRI, one would have to be very confident that they understood the reasons for that and they would not be minded to disapprove it later. It is not something that we would lightly do. The reason for the guidelines being issued by HMRI is entirely to prevent that kind of thing happening.

8890. I would like to go back to the HMRI guidance, if we can. It is on page 32 of our documents.³⁴ I will just read again: “Note: Current practice indicates that distances between access points should be in the order of 1 km where there are twin single-bore tunnels with adequate intermediate cross-passages. In other circumstances this distance may need to be reduced.” First (this is an obvious point but can you confirm), there are indeed twin single-bore tunnels at this location?

(Mr Berryman) There are.

8891. Help me on this because I am not sure: are there adequate intermediate cross-passages as well?

(Mr Berryman) There are.

8892. Do you agree that this note does not say that every single intervention tunnel must be exactly one kilometre from the nearest access point?

(Mr Berryman) That does not say that exactly. The indication to me, on reading that note, is that you can reduce it if you like but one kilometre ought to be what you should be aiming for.

8893. It does not say that you need to be exact, and that is borne out by the location of the Fisher Street shaft.

(Mr Berryman) That is true, but of course, as I have explained already, the agreement of the location of the Fisher Street shaft was something which took a long time to negotiate and agree with the Fire Brigade, in particular.

8894. I understand the property constraints in that area but it is a different sort of area from where we are discussing. Have LFEPAs or the HMRI been asked at all about the possibility of locating the shaft here to the west of Arsenal Way?

(Mr Berryman) No, they have not been specifically asked, but we have raised the same issue at a number of other locations. There is another location on which evidence will be given later to the Committee at Hanbury Street in the Whitechapel area, where issues of shaft location were critical. We have had many negotiations with the Fire Brigade and HMRI about this point of distance and it is something that they are very strong on and will only contemplate relaxation if there are very, very good reasons for doing so.

8895. As we know, we are not claiming at all to be engineering experts and, importantly, we are in no way trying to lighten the importance of the safety of the railway, but we are interested to know why one kilometre is the magic figure. You mentioned it was because it is the distance that the firemen have to walk to get to particular incidents, but it is a conveniently round figure and I am just wondering if you knew if there had been any investigation background. Where did that figure actually come from? Is it from experience?

(Mr Berryman) It is an empirical figure that has been used for many years. I think it was based on tests done with breathing apparatus. It is a round figure, as you say, and round figures are always suspicious in engineering terms, but I guess it is one of those things on which it is difficult to be absolutely scientific about. It is, to some extent, a judgment, heavily influenced by the Fire Brigade. They often try and suggest in schemes (and a good example is the Jubilee Line Extension) that the shafts should be closer together—in fact on the Jubilee Line they are I think their position since the events of 7 July last year has hardened on the necessity to have shafts no further apart than they would like.

8896. **Chairman:** So it is a standard rather than just guidelines?

(Mr Berryman) It is treated as a standard. There is another standard which is not quoted here which has not actually come into play yet. There is a thing called the European Interoperability Directive, which we have some knowledge of because a

³⁴ Committee Ref: A102, Guidance on the infrastructure, Access Points, Para 51(a) (GRCHLB-33105-032).

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member of my team is on the drafting committee for it. That, also, has got the same requirement in it of one-kilometre spacing for access tunnels.

8897. The reason I ask is I remember on the Channel Tunnel Rail Link they adapted some kind of standard for strengthening inside the tunnel. Is that correct?

(Mr Berryman) That is correct, yes. Of course, that is a slightly different situation to this railway. The Fire Brigade take the view, from the beginning of this project, that that would not be appropriate for this scheme.

8898. **Mr Lewis:** Finally on the western option, Mr Berryman, just taking you back to the Promoter's Response (if we can put up page 12, please), you might understand why Ferrotec saw that rather brief response as being an indication of Crossrail saying: "Well, it is outside the guidance/standards, whichever it is to be called; therefore we are just not going to bother asking HMRI or LFEPA to look into this further."³⁵

(Mr Berryman) Yes, I agree the wording is a bit unfortunate but, as I say, this is almost our number one issue with HMRI and the Fire Brigade—the location and specific details of the shafts. Although I am not aware that this has specifically been made an issue of, we know that very well.

8899. Can I just remind you of an earlier case which I was involved in, involving Maryland station? Newham's case, you will remember, (and it was a very short statement because most things were agreed satisfactorily) was that in effect Crossrail agreed that at Maryland station, where the problem was that trains were not intending to stop there at all because the platforms were too short, both parties agreed that the platforms could not be lengthened because of physical constraints in the area, and an undertaking was given by Crossrail that, despite that, they would take further the matter with HMRI, despite, I assume, guidance being placed on selective door opening, which is the solution to that problem. It is probably not something which, in principle, you would expect HMRI necessarily to approve but maybe they could be convinced to do so, which is effectively what we are asking here.

(Mr Berryman) I think what happened there is that in the period between doing the design work and getting to the point we got to a couple of weeks ago, HMRI have actually changed their minds on selective door opening because of some experience on southern region's new trains project where a sophisticated system of GIS satellite location and making sure the right door was open at the right stations has been proved to be effective. So HMRI, irrespective of any action by us, had already changed their view on that point. That was why we were able to give that undertaking that we would investigate and if possible carry that option out.

8900. But would Crossrail be prepared to investigate further with HMRI the possibility of moving to the west of Arsenal Way?

(Mr Berryman) I really do not think there would be any point. As I say, the guidance is quite clear. There are no extenuating circumstances which I can think of which are to the same scale as the problems which resulted in the Fisher Street decision. If anything, since the events of 7 July last year, the position of the state authorities has hardened significantly on giving relaxation to the standards. I really do not think there would be any future in further investigation.

8901. I have just four remaining questions on the AMP versus Ferrotec issue. Mr Berryman, has a detailed survey of the business requirements of Ferrotec been carried out or has just the survey of AMP's requirements been carried out or neither.

(Mr Berryman) I would say a superficial survey of AMP's requirements were carried out, but I would not call them detailed. It is basically just about the numbers of people there and so on.

8902. Mr Elvin asked Mr Aukett this question and I am going to ask it of you. Has any work gone into investigating the availability of alternative properties, meeting the different needs of Ferrotec and even AMP as well?

(Mr Berryman) We have not done any work on that, no.

8903. Can you understand why Ferrotec might be unconvinced of AMP's needs, which may amount to a large warehouse and large turning area and it might be easier to be met than Ferrotec's who need clean, dust-free and quiet premises to ensure that they can carry out their product development and test it?

(Mr Berryman) At the risk of shooting myself in the foot for future cases, being next to a construction site for a shaft is not going to be a clean, quiet, dust-free environment to the standards that they are talking about. It will be dust free, of course, but it probably will not be as quiet as it would be if we were there.

8904. Finally on this subject, would Ferrotec's suspicions be correct in that it is the comparative costs of moving AMP, borne out by the fact that you said they have a 999-year lease as opposed to our much shorter lease, that may well have been the deciding factor rather than the actual convenience of the party in principle deciding that Ferrotec should be the unlucky party?

(Mr Berryman) Cost is always an issue and of course that is a big factor.

8905. One final point on Woolwich. Can you confirm that, in fact, if Woolwich were constructed, Ferrotec would presumably be contained?

(Mr Berryman) Ferrotec would be in a similar position as they are now.

8906. There are no worksite implications as far as that structure outside the AMP premises? Would the worksite need to spill into Ferrotec's car park?

³⁵ Committee Ref: A102, Alternative positions considered (GRCHLB-33105-012).

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(Mr Berryman) It depends on how much of the other car park we take. I do not think we are at a sufficiently detailed design stage to say about one way or the other, but I think the very strong likelihood is that Ferrotec would not be affected.

Re-examined by **Mr Elvin**

8907. **Mr Elvin:** Can I put up the constraints map, please.³⁶ Does it follow—we have got the one-kilometre window that you described to the Committee earlier—that the location for an intervention shaft, were it moved to the west, would necessarily be closer than at Fisher Street?

(Mr Berryman) Can you repeat the question?

8908. It was suggested at an earlier stage that it might be only 1.12 kilometres, whereas Fisher Street is 1.9, I think.

(Mr Berryman) It is 1.19.

8909. Does it necessarily follow, however, that it will only be 1.12 kilometres?

(Mr Berryman) It would depend on the detailed design and the exact position of the shaft and where you could put it in. It may also depend on what is in the ground just there. That would certainly be the closest it could be.

8910. In terms of the fact that it would still come up in the middle of a car park, would it avoid disruption to other users and occupiers in the locality?

(Mr Berryman) No, it would not avoid disruption, it would still need to be a worksite and there would still need to be some space taken.

8911. Do you know what the function of the car park is to the west?

(Mr Berryman) I understand it is a multi-user car park and it is used by industrial units. I do not know the name of the building, but it is the old Woolwich Arsenal buildings. There is also an element of it used by people who just park over across the road.

8912. In terms of those, it would disrupt more than a single user?

(Mr Berryman) Yes, it would.

8913. This is the last question. A comparison was made between the change in approach to selected door opening at Maryland and the possible relaxation of standards here. To what extent are the two comparable in terms of the safety issues they arose?

(Mr Berryman) They are not directly comparable because the rules about selective door opening were not about selective door opening, they were about the length of platforms. The rules were that the platform had to be longer than the train that pulled into it. This goes back to the days of slam doors where people could just open a door and step out into space if there was no platform there. It had taken some time for the regulations to catch up with

modern technology. The use of sliding doors, GPS train positioning and other things of that nature gave a technological safe answer to the problem of not having a platform outside the door when you get off the train. It was that change which led to the acceptance by HMRI that selective door opening was a feasible and safe thing to do. It was a change in technology rather than any relaxation of safety rules or anything which led to that change. There is nothing comparable in the area of tunnel safety.

8914. Thank you very much, Mr Berryman. I do not know if the Committee have questions.

The witness withdrew

8915. **Chairman:** Do you have any other witnesses?

8916. **Mr Elvin:** No

8917. **Chairman:** Would you like to make your closing statement?

8918. **Mr Elvin:** I will. Sir, the position on Ferrotec is very straightforward. Mr Berryman has explained to you the nature of the standard which is applicable and why it narrows the options. The suggestion by Ferrotec that the standard could be relaxed to the extent of moving away from both AMP and Ferrotec does not have Mr Berryman's support. He explained to you the difficulty and the amount of effort it took to persuade the fire brigade before 7 July last year to agree to the Fisher Street shaft being outside the normal standard. He has also explained to you that the location of Fisher Street is particularly constrained and is not really comparable with the current situation. His clear view is that the sort of relaxation which Mr Lewis was suggesting, which would benefit Ferrotec, would not be likely to be granted. The comparison that was being drawn in safety terms between relaxation of SDO at Maryland and on the safety requirements for firemen getting to and from fires simply is not a valid comparison.

8919. It is quite clear that changes in technology are not going to alter the fact that firemen have to get down shafts and go along tunnels and they have to have a reasonable distance so that both vertically and horizontally they are not going too far in order to both assist and then find safety afterwards. The difficulties, of course, of 7 July last year have rather underlined these issues so far as the fire brigade are concerned. Therefore, the issue is a difficult one. Do we disrupt one business or another? AMP is a more substantial business, it employs more people, quite clearly, and it employs more local people. I do not think the fact that they may be unskilled has got anything to do with the fact. There are unfortunate consequences whichever course of action is taken and we suggest that although it has been a difficult decision, the decision that has been taken is a sensible one.

³⁶ Committee Ref: A102, Arsenal Way shaft, 1 km intervention rule sketch, July 2005 (SCN-20060517-004).

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8920. We do not adopt the view that this will all be solved by the station of Woolwich because, as you know, we do not support the station of Woolwich, and we have made our position clear on that. That would itself involve a significant impact on AMP. For the reasons I have suggested, based fundamentally on safety requirements and on making a different decision between the impacts on two businesses, we respectfully suggest that the Ferrotec Petition should not be supported by the Committee.

8921. **Mr Lewis:** Ferrotec believe that Crossrail should reconsider their options for the Arsenal shaft. They do not believe that Crossrail have taken anywhere near enough care to consider viable alternatives to protect the continuity of their business, the requirements of which have been spelled out by Mr Aukett and which I do not need to describe again.

8922. I need not say much about the Woolwich Station option as I am sure you have heard enough already last week. However, the Arsenal shaft issue was understandably not dwelt on much by Greenwich when they presented their case. All I would say is if the Committee needs another reason to say “yes” to Woolwich then this case provides one.

8923. I deal next with the western option, and I would stress once more that Ferrotec recognise that safety must be paramount. Sir, the Promoter’s response to the Petition on this issue, which I will not read again, is, to put it at its highest, inadequate. Sir, every bit of this new railway will require the approval of HMRI, as Mr Berryman said, before it comes into operation. The response simply did not make sense, and Mr Berryman confirmed the drafting was rather unfortunate. Sir, my guess is that what the Promoters meant to say in their response was that the approval of HMRI will be required and their guidance says that the access points should be at one-kilometre intervals and no more. I would suggest that such a response is not good enough either for two reasons. First, we have the example of Fisher Street where Crossrail are planning a shaft which is actually further from the magic one-kilometre mark than the western Arsenal shaft would be. That must suggest that HMRI’s guidance is not always followed rigidly. Indeed, when you read the guidance on page 32 of our documents, it does not say that all access points must be exactly one kilometre apart, there is flexibility.

8924. Secondly, the response seems to suggest that the Promoter simply could not be bothered even to ask HMRI whether the western shaft is acceptable. Sir, you have seen nothing to suggest that the question has been put specifically, and there is nothing to suggest that HMRI would definitely say

“no”. I am referring you to the example of Maryland Station again where an entirely different approach has been taken and Crossrail have agreed to take reasonable steps to obtain HMRI’s agreement to selective door opening.

8925. Sir, for all those reasons, if the Committee does not accept Greenwich’s case for Woolwich Station, Ferrotec would ask that the Promoter be required to include the necessary powers for the western alternative in the Bill and implement it subject to HMRI and LFEPA approval, which the Promoter should make all reasonable efforts to obtain. If it does not, then there is always the current fallback in the Bill.

8926. Turning briefly to the situation as between Crossrail’s choice of whether to use a Ferrotec-friendly or an AMP-friendly option, I would urge you to consider Ferrotec’s real concerns about the disruption that a move would have on their business. You have heard how it took a year to find the current premises. There has been no hard evidence put to you about the relevant inconvenience to be suffered by the neighbours, and Ferrotec’s suspicion is that in the end the decision boils down to cost.

8927. Ferrotec would urge that at least the Promoters be required to rethink their preliminary decision and, in that respect, Ferrotec would be quite prepared to discuss with the Promoters what their concerns are in greater detail so that perhaps a more reasonable decision could be made in the event that Crossrail do actually have to choose between the two Petitioners. That is all I wanted to say.

8928. **Chairman:** That concludes the case for the Petition for Ferrotec UK Limited. Can I now ask again if the LA21 Traffic and Transport Group is present? Can it be noted that we have called for them twice and they have not appeared. Therefore it can be viewed as heard by the Committee. We have one other Petition, Alternative Mail and Parcels Limited. Are they present and do they wish to make a presentation?

8929. **Mr Elvin:** Sir, there is a gentleman here from AMP, but the situation with AMP has been resolved by agreement.

8930. **Chairman:** Can I say, that concludes all of today’s hearing. There is just one announcement. Next Tuesday we will be making a visit to the site between Whitechapel and Hanbury Street. With all cases in the past, if there are any Petitioners connected to those Petitioners, they may join us on route. If they wish to find out the details they should contact the clerks about that. Finally, for all those people who have long journeys home or whatever there are refreshments at the end of the corridor if you would like to partake. Thank you.

Thursday 18 May 2006

Before:

Mr Alan Meale, in the Chair

Mr Brian Binley
Mrs Siân C James

John Pugh

Ordered: That Counsel and Parties be called in.

8931. Chairman: Good morning, everyone. Today we will be hearing the Petitions of D B Investments and the Reverend Christopher Burke. Could I just say to the people who are present that we will be suspending the Committee at around 11.30 this morning so that people may, if they wish, go along to the upper corridor to have refreshments—for 15 minutes or so, just to give a break to the Committee.

8932. Could I ask: Is there anybody here for D B Investments? (No response) Could it be noted that their name has been called. We will move on to the second Petitioner, Reverend Christopher Mark Burke.

The Petition of the Reverend Christopher Mark Burke.

Mr Timothy Mould appeared on behalf of the Promoter.

Mr Stephen Richards appeared as Agent.

8933. **Chairman:** Before I ask Mr Burke to proceed, could I ask counsel to summarise.

8934. **Mr Mould:** Yes, of course, sir. I will set the scene, as it were.

8935. Reverend Burke is the vicar of the church of St Dunstan's and All Saints. We are just in the vicinity of Stepney Green, the area of open space we can see on the screen.¹ We can see the two Crossrail running tunnels. Just to the west of the church and its grounds, the running tunnels diverge, with the Shenfield branch, the two running tunnels, going off to the North East and the Abbey Wood branch running down towards the Isle of Dogs and the river and underneath the river.

8936. As far as the work is concerned, in addition to the twin-bore tunnel creation underground, in the way we have described to you, there are to be twin shafts to serve the functions of ventilation and emergency access within Stepney Green itself, and then, immediately to the west of the junctions of the central section and where the running tunnels diverge, caverns are to be dug underground to enable the junctions themselves to be formed.

8937. That is a very brief outline of what is proposed in this location. At Stepney Green, the depth of the rails on the eastbound tunnel is about 28 metres underground and on the westbound the depth is about 36 or 27 metres underground.

8938. May I turn then to St Dunstan's church itself, whose footprint can be seen just to the east of where the tunnels diverge.² It is a large medieval parish church and our heritage advisers Alan Baxter & Associates tell us that this is the most important surviving medieval church in East London—famous, they say, for its monuments. Its fame is attested to by the experience of children in the nursery everywhere who sing of course of the bells of Stepney, and the bells of Stepney are the bells, as I understand it, of this church. That is a neat way of expressing its value.

8939. I think it is right to say that in the olden days it used to be the rural parish church of Stepney and the church for East Middlesex, so that gives some sense of its historic importance. Its importance and value are properly reflected in the fact that it is listed as a Grade I listed building. You will know that that listing is enjoyed by only the top few per cent of listed buildings generally.

8940. There is no issue, therefore, as you would expect, between ourselves and the Petitioner as to the very high value of this building and its associated structures as a historic structure.

8941. May I turn briefly to the impact of the works. We have embarked upon careful assessment of the value of the church and its associated buildings as heritage structures, and of the possible impact, particularly in terms of settlement risk, of the construction of the underground works which I drew to your attention upon the integrity and fabric of the building. We have identified that the building lies within the 10 mm settlement contour, and, as you will recall from the presentation given to you by Professor Mair towards the beginning of the Committee's sittings, that means that the building is one which carries at least a risk of settlement impacts from the works.

¹ Crossrail Ref: P86, Location Map of the church of St Dunstan's and All Saints, Stepney (TOWHLB-30903-001).

² Crossrail Ref: P86, Church of St Dunstan's and All Saints, Stepney High Street, view and location (TOWHLB-30904C-001).

The Petition of Reverend Christopher Burke

8942. May I say straight away that the Promoter's commitment is to avoid any such impacts being brought to bear upon the church from the construction of the Crossrail scheme, or to reduce their effects so that those effects are negligible, because there can be no doubt that the scheme must be constructed in such a way as to secure the preservation of this building so that future generations can enjoy it, just as others have enjoyed it in the past and do so today.

8943. That is not an issue, therefore. The question we have to address is how we are to achieve that and to minimise and to control any risk of settlement impact. As you know, sir, we have a detailed process for assessing, monitoring and providing for the avoidance and the control of settlement impact. We have explained that to you in evidence from Professor Mair and also from time to time during the hearing of other Petitions. Suffice to say that that process pays particular and detailed attention to the assessment, monitoring and protection of listed buildings, of which this is a prime example, and that process is well underway in relation to St Dunstan's Church.

8944. We have carried out the Stage 3 first iteration assessment, which has involved heritage assessment by Alan Baxter & Associates and an engineering assessment by Mott MacDonald, our engineering consultants. We have placed that in the exhibits which are before you, beginning at exhibit 04C009.³ That process will continue now to the further stages of the assessment, refining and attending to the particular features of the structure that are sensitive to settlement effects, particularly the tower, and making appropriate provision to protect those features and the structure as a whole through the refinement of tunnelling methods and the tunnelling process as it passes in this vicinity. In practice, we expect that to avoid any residual settlement impacts being caused, on the basis of our experience and our assessment, but, to the extent that it is necessary to carry out protective works above ground, then such works can and will be carried out and provision can be made for those; for example, if there is a need to brace the tower or matters of that kind. That can be provided through the settlement process and through the construction phase itself.

8945. All of those matters we have in mind. They would fall within the scope of the process and the design, both in terms of the assessment and monitoring of the design that we propose for structures of this kind, and we have set that out in our material to the Petitioner.

8946. That is by way of a brief overview. There are perhaps two other points to make at this stage. Firstly, one other matter that has been raised by the Petitioner is the presence of plague pits in the vicinity of the church. That is something which gives rise to understandable concerns when there is any risk of

groundbreaking being required which might interfere with underground features of that kind. We do not propose works that would break into those pits. The only residual risk that might arise is if, inadvertently, because we are working relatively close to them in relation to the shafts that are proposed in Stepney Green, we do interfere with those. Suffice to say that there are provisions which we can bring to bear to monitor the presence of those pits and their extent and to take the necessary remedial action to control any risk of the breakout of pathogens that might be present within those pits. We have procedures in place which will enable us to achieve that, again based on experience and advice.

8947. The other matter I should mention is that we have been in close consultation with the Petitioner over the last two years or so, seeking to embrace his concerns, particularly in relation to potential settlement impact; to explain our procedures to him; to explain the measures that we would expect to bring to bear in order to achieve our joint concern to secure the preservation of this building. We would expect to continue to involve him as a consultee in the process of developing the detailed assessment and making provision for the preservation of the church as the scheme progresses through to detailed design and ultimately through to the construction phase. We have provided to you in documentary form some of the letters and meeting minutes which reflect that process of consultation.

8948. Sir, that is all I need to say to you in opening.

8949. **Mr Binley:** Mr Mould, a letter I have from the Reverend dated 16 May states: "The Church identified the issue of the plague pit which is located somewhere in the vicinity . . ." That is a vague phrase. Are you telling us now that you know exactly where they are and consequently can deal with them?

8950. **Mr Mould:** We have a reasonable idea of the presence of these pits. In so far as any works to be associated with the church are concerned, those works are underground and are well below to which these pits are likely to have been dug. I mentioned that we are talking about works of the order of 28 to 37 metres below ground. I think it is inconceivable that those pits would have got down to anything like that level.

8951. As I said to you earlier, the residual concern identified by our Environmental Statement is that, in relation to the construction of the surface structures (that is to say, the shafts on Stepney Green itself), whilst we do not propose to break ground at the points where we understand the extent of the pits to be, because we cannot be absolutely sure as to their full extent there is that residual risk that we may do so. It is for that reason that we are committed to a regime of non-intrusive monitoring in order to ensure that, if that risk eventuates, we can take the necessary action to avoid any harm resulting from that effect.

³ Crossrail Ref: P86, Engineering Assessment by Mott MacDonald (TOWHLB-30904C-009).

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8952. **Mr Richards:** Sir, if it assists the Committee, we are happy with the Promoter's responses concerning the ongoing monitoring of plague pits.

8953. **Mr Mould:** Sir, unless there is anything else, I will give way.

8954. **Chairman:** Possibly Reverend Burke knows the exact area where the pits are. Reverend Burke, would you like to make your case?

8955. **Reverend Burke:** Certainly. Good morning and thank you for inviting us to speak before you. As you may have gathered, this is a fairly low budget affair, so if I make any errors in my presentation I ask for your patience with me.

8956. I am Chris Burke. I am the rector of St Dunstan's Church, and, as such, I am a freehold beneficed incumbent. That means that I have the freehold of the church and the land around it, and even the railings that circumnavigate the outside of the churchyard. I am not in a position to sell it to you for property development though! I am charged with its preservation and looking after its best interests as an historic and significant building, as well as a worshipping centre in the heart of a developing community.

8957. St Dunstan's, as you will have picked up in the Petition, is a very old and historic church, founded originally in 952 by St Dunstan himself. He did not presume then to name it St Dunstan, instead naming it the Parish of All Saints, and it then became St Dunstan's in the 12th Century, with the two names being reunited later, I think in the 18th Century. Parts of the building, I am told by one of my churchwardens, are much older than the Tower of London, a fact which gives people a great source of pride. We have a 15th century nave and a 13th Century chancel which includes a triple sedilia and contains the remains of one Henry Colet who was twice Lord Mayor of London. Some of the stonework in the church dates back to the 11th Century.

8958. The current church community is lively and viable and there are services taking place in the church every single day. But it is not tremendously well resourced. The church is located in a community which is in receipt of major New Deal for Community renewal funding, and in some respects the church has had to rely heavily on resourcing funds from outside. The church community is struggling to maintain and to slowly restore and repair parts of our building. We have re-roofed the church over the last 20 years or so and that has cost us many hundreds of thousands of pounds and taken a great deal of effort and energy by local people.

8959. I stand before you today having taken a modest amount of legal advice and that advice has been offered to us free of charge by those who have been able to work with us and advise us. Neither

myself nor the church community are opposed to Crossrail in principle, and we have welcomed the meetings that we have been able to broker with Crossrail, staff and advisers during 2004. The presentation in 2004 by Professor Mair of Cambridge University—to which reference has been made already—left me—as I guess he probably left you—as one of the most knowledgeable people in the country when it comes to tunnelling methodology. I know everything there is to know about pressure tunnelling and those great big machines as they pass through the ground. We felt, however, that the examples he used in his presentation to us and the models he offered, whilst very helpful, were not able to be related directly to the unique and distinctive context and challenges of our church building. He called upon an office block in Elephant and Castle and another church, without demonstrating that they were made in particularly the same way or face the particular impact that we are fearful of when it comes to tunnelling, as you can see from the drawings that were shown, so close to our building on so many sides and perspectives.

8960. We therefore continue to remain very concerned in a number of areas, and these areas are shared with our inspecting architect Julian Harrap, who is a very experienced and well respected conservation specialist. I think you may have before you a letter which confirms an email which he or one of his staff sent highlighting the practice's concerns about the impact of the Crossrail tunnelling. He draws to mind the fact that the church falls within the zone of zero to 0.01 mm of possible movement when the tunnelling is taken. That might not seem like an awful lot, but the movement is likely to be absorbed on all sides by the building fabric. That could lead to cracking within the mortar joints, or fracture of the stonework, due to the nature of the differential movement experienced by the whole building, as if the building were moving across itself.

8961. The existing structure is particularly prone to movement due to the nature of its medieval construction. That is the thing which concerns us most. The masonry walls consist of random rubble which is not brought to courses. It is constructed on shallow or minimal foundations. As yet, we are not convinced we know the nature of the foundations that exist beneath the building, especially beneath the tower, which, as has been alluded to, houses our very grand bells. The bells are very, very heavy, as is a lot of the concrete work at the top of the tower, and—although this is hearsay and you may not want to hear it—people are amazed that the tower is able to cope with that particular weight at the top, given that there is no clarity about the nature of the foundations at the bottom.

8962. Underpinning the foundations—which might be seen as a way of protection—our architect advises us would be an expensive task and may not anyway solve the problems experienced by differential movements across the whole building. Movement in the north-west corner of the 15th Century church

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tower has already been detected. If you were to walk up the tower's spiral staircase, you would see those little bits of kind of tell-tale glass cemented to the wall, which would suggest that there has been movement. Our architect has told us that this has been due to gradual ground movement over the last 200 years.

8963. Hockley and Dawson, specialists in conservation work and our structural engineers, have stated that the configuration of the branching tunnels is likely to make this particular movement we are already experiencing much worse. Recent conservation work on the tower, which has taken place over this last winter, has highlighted that the general condition of the stonework forming the walls is poor. The stone used is a mixture of soft Reigate and Kentish ragstone which is particularly soft by nature and is currently scaling. If you walk around the bottom of the tower, you can see bits of the scaling that has dropped off and flaked to the ground. I and the church are therefore very concerned about the impact of the tunnelling process on what seems to me to be a unique and really quite delicate historic building.

8964. We have had some discussion earlier about the location of the plague pits which are located somewhere in the vicinity of the churchyard. Our architects are particularly concerned at the impact of that on the building, in that of course it makes the subsoil of a very uncertain nature because we do not quite know what exists beneath it. There is a concern about the impact of that upon the nature of the ground beneath—in fact, the whole churchyard, as you might expect, is full of bodies.

8965. We are also concerned about who would pay for the surveyors and any agreed remedial works. Our structural engineer has stated that the church could appoint an independent tunnelling expert who would be best at advising us at the likely impact of the tunnelling and be able to monitor the effect of the tunnelling upon our building. This would be an expense which I put to you the church would find it very difficult to have to bear. Our reason for coming to you this morning is to reiterate that, whilst we recognise the importance of the Crossrail development and we do value the impact that will make upon our community and upon the whole of the East End, we ask again whether the route of the tunnelling could be amended to take account of the risk of damage to what is a priceless historic and unique Grade I listed building.

8966. Whilst we are aware that there is always a cost implication to such a move, given the possible consequences, we think it is a question well worth asking and, from your point of view, well worth considering. We have never really had a clear and convincing answer as to why that would not be a possible solution. If it does transpire that that is not possible, we should like to think that the church might be afforded the opportunity to engage independent experts to monitor the impact of the

tunnelling on this unique building for a reasonable period of time, the cost of which we believe ought rightly to be borne by the Crossrail developers.

8967. The current proposals seem to use to be quite short term and place a heavy burden of cost and responsibility upon the church community that we would find it difficult to support. At the very least, we would wish to see the building treated as though, from the Promoter's point of view, it were in category 3, especially given the very real nature and danger of lasting damage to one of the only medieval buildings surviving in East London.

8968. This may seem a bit like a David versus Goliath action, but we believe our requests are reasonable in the circumstances. I hope that members of the Committee would view them sympathetically and thank you for allowing me to speak to you. I will hand over now to Stephen Richards.

8969. **Mr Richards:** I am the Agent for the Petitioner. I would like to address some specific points that have arisen from the Promoter's response to our Petition, if I may.

8970. The overriding concern of the Petitioner is the wellbeing of this church. He sees the wellbeing of the church and its fabric as being best guarded by a diversion of the route of Crossrail away from the church, even by a degree or two, in order to minimise potential disruption.

8971. We do appreciate that this would involve a certain amount of cost and difficulty at this point and, were that not possible, then as a fallback we would like to address certain of the points that the Promoter has raised, particularly in relation to paragraphs 14, 15, 16, 17, and 18.⁴ They deal with the risk of damage to the fabric of the church caused by tunnelling, ongoing vibration and traffic in tunnels. That is on page 4 of the Promoter's response. The Promoter has kindly offered that there will be a further stage 3 assessment to the fabric of the church in order to determine whether the risk category in which the church should be placed. We would ask the Committee that, in order to save the cost of conducting this additional assessment, and particularly given the unique and delicate nature of the building, the church be treated as if it were automatically a category 3 building. It is my understanding—and please do correct me if this is not the case—that a category 3 building is entitled to independent monitoring of the cost of the Promoter during and after tunnelling. If we are placed in a lower-risk rating than category 3, there is ongoing monitoring during tunnelling and following tunnelling, from my understanding, only to the extent that the church is able to show certain movements and that this movement has taken place within the two years of the tunnel opening for traffic following its actual opening. Once again, this is

⁴ Crossrail Ref: P86, Promoters Response Document—Settlement, contamination (TOWHLB-30902-004).

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monitoring which the church cannot afford and we consider by the time the damage is discovered, were we able to afford it, then the damage may well be irreparable to this unique Listed building. In terms of that, the Promoter has offered to make good material physical damage within two years of the opening of the tunnel for traffic, which we welcome and thank the Promoter for.

8972. One point we would like to make is that it appears that we have to identify the extent of this damage, prove this damage and the causal link with Crossrail at the church's cost. Once again, we believe this is a cost which the church is not able to sustain, and even if it were able to sustain it, we feel it would be more properly borne by Crossrail to show this. Those are the points we would like to make in relation to paragraphs 14, 15, 16, 17 and 18 in relation to damage to the church fabric.

8973. The other points raised in the Promoter's response were in relation to paragraphs 20, 21 and 23 of the Petition. This is on page 8 and 9 of the Promoter's response and deal with the matter of disapplication of various statutory provisions for the purpose of the Bill being able to disinter bodies primarily and also disapplication of Listed building regulations.⁵ We are happy with the Promoter's response to these particular paragraphs of the Petition provided that the offers they make in their response are made good in terms of ongoing monitoring of the site and, also, provided that the offers they make in relation to protective work are honoured. There are very few specific points there, but, just to summaries that, we are very grateful to the Promoter for the offers they have made thus far.

8974. In an ideal world, we would like to see the course of the tunnels being diverted slightly away from the church to minimise risk. If this is not possible, we would like the church to be considered automatically as a category 3 building and have the protections that that would bring with it in terms of both monitoring during the tunnelling and after.

8975. Finally, to the extent that if there are any works required to the church, we would like the Promoter to agree to underwrite those works prior to them being undertaken. At present my understanding is that it is proposed that the Promoter will simply indemnify the church for works that are undertaken. I am sure you know enough of business to understand that this brings a cash-flow difficulty to an organisation which has had difficulties raising £200,000 for the vital restoration works in raising the tower; that took some three years. In order for them to find a lot of money at short notice it would be difficult, if not impossible, for the church. That is all I have to say. Thank you very much for your time.

8976. **Chairman:** You have no other witnesses, Mr Richards?

8977. **Mr Richards:** I do not.

8978. **Chairman:** Mr Mould, would you like to make your case?

8979. **Mr Mould:** Sir, what I would like to do, if I may, is ask Mr Berryman briefly to address the point as to whether we are in—as Mr Richards put it—an ideal world where we can shift the running tunnels from their proposed location. I will deal with that in a moment, but there are one or two points there which I think I can clarify, I hope, to the satisfaction of the Petitioner and also to reassure the Committee as well. First of all, I mentioned in my brief opening that we have gone a fair way down the route of assessment in relation to this building. I mentioned that we have in documents before the Committee what we call the phase 3 first iteration settlement report in relation to this structure. I wonder if I might put that up on the screen. It is O4C009, please.⁶ I will not take the Committee through this in any detail, but you will see the summary and the conclusion at the bottom of this page. It sets out the score following assessment at this stage in the process which has been attributed to this building from an engineering perspective, in relation to the sensitivity of the building structure, special or vulnerable features/finishes and predicted damage category. You will see that the total score is four. I will not go through why and how the scoring is done at this stage, but the conclusion is this:

8980. “The particularly significant sensitivity of the building to movement with the very slight degree of damage predicted means that further appraisal of the structure and the likely movements is proposed in Phase 3 Iteration 2, particularly detailed consideration of the sensitive features. Further engineering assessment will concentrate on the interfaces between the nave, the towers and other peripheral parts of the church, effects of the foundation types and depths, especially the depth of the Victorian meeting room and differential movements at the interfaces”. That would embrace many of the particular concerns that were raised by the Reverend and by Mr Richards just now.

8981. Then one turns on to the heritage assessment which is part of that report. If one turns to page 13 one sees there the subheading ‘Significance/Potentially Vulnerable Features’.⁷ I will not read them out, but you will see that we are very well aware of the particularly sensitive aspects of the historic building which have been mentioned. Over the page we have also taken account both of the likely construction and also the limited knowledge we have of that and the need to take both what we know and

⁶ Crossrail Ref: P86, Engineering Assessment by Mott MacDonald (TOWHLB-30904C-009).

⁷ Crossrail Ref: P86, Significance/Potentially Vulnerable Features, Engineering Assessment by Mott MacDonald (TOWHLB-30904C-013).

⁵ Crossrail Ref: P86, Promoters Response Document—Disapplication of statutory controls (TOWHLB-30902-008).

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what we do not know, importantly, into account in our further assessment work in the provision we make through the detailed design and implementation of the scheme to preserve the church and avoid causing it any damage.

8982. Sir, I draw your attention to the fact that we have got to that stage in the process. Of course, there is a good deal more work to do which the details of the design process develop in terms of taking forward the detailed assessment. Perhaps I can touch on that a little. If we can look at information paper D12, I will remind you that we have particularly detailed procedures in terms of controlling and avoiding settlement, which are applicable to Listed buildings. If we turn to section 7, we see that that is summarised there.⁸ If you glance down from 7.1 through to 7.5, you will see where the report I have just showed you fits into the process. We have got to the first iterations of stage 3 and we now need to move on to the next stage. The important point is at section 7.6:

8983. “When considering the need and type of protective measures, due regard will 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. Where the assessment highlights potential damage to the features of the building which it will be difficult or impossible to repair, and/or if that damage will have a significant effect on its heritage value, the assessment may recommend appropriate measures to safeguard those features either in-situ or by temporary removal and storage off-site if those with relevant interest(s) in the building consent”.

8984. It then goes on to deal with monitoring and you will see that also involves the English Heritage’s consultation and advice, the Local Planning Authority’s consultation and advice, and it also involves the Petitioner and his adviser.

8985. Sir, I want to make the point that ultimately in a case of a building of such importance and sensitivity as that which you have before you today, the position we adopt is that the building must be assessed and provided for what it is and it is the building and its particular needs that, as far as we are concerned, must drive what is appropriate in terms of assessment, monitoring, protective provision and any further measures that are required. In that important sense, we are, I think, at one with the Petitioner as to approach.

8986. **Mr Binley:** I am sorry, Mr Mould, I need to understand this and you can help me clarify the matter. I do have some concerns about experts, having been interested in football for a long time and seen what has happened at Wembley and being interested in politics and seeing what happened to the Scottish Parliament building, so mistakes can be

made. My concern is about the word “may” here, and let me relate that to the assessment of the next stage that you referred to.

8987. **Mr Mould:** Can you show me where the word “may” is?

8988. **Mr Binley:** Where we were talking about: “The assessment may recommend appropriate measures”.

8989. **Mr Mould:** I see what you mean.

8990. **Mr Binley:** I am always concerned when lawyers are not as specific as I like them to be, and “may” is not very specific. Let us move on from that, bearing that in mind. You say that the next stage will undertake a more detailed assessment of the process. My concern is linking that with the financial situation of the church, and I declare an interest because I have been involved in some similar processes for different reasons and I know just how difficult money is in that respect. My concern is, if you do the later assessment, I hope there are no lawyers with respect to payment, particularly understanding the money the church will have to spend and particularly making a commitment to cover those costs, and say so now because I would hate to get to a situation where the experts proved not to be right, where more material damage did occur to this very fine and important building and the church was placed in a very difficult position financially because an undertaking was not given. At this stage they would be not only embarrassed, but placed in an almost impossible situation. Would you be prepared to give that undertaking now?

8991. **Mr Mould:** I am prepared, I hope, to give you essentially exactly what you want. Can I put it this way: that we envisage it will be necessary to carry out further detailed assessment work as is appropriate to the needs of this building and the potential impact of the scheme upon it, and we will pay for that; we envisage that the Petitioner will wish to participate in that process and will wish to have access to his own independent expert advice in order to audit, to test and to assist in the identification of appropriate preventative and curative measures as they may arise, and we will pay for that; and we envisage that, in the event that there is any need for works to be carried out to the fabric of the church, whether it be through the bracing of the kind I mentioned earlier, or to the extent that there may be some, we expect, at most, very superficial cracking of that kind in the superficial fabric of the building, we will pay for that.

8992. The way in which this might best be controlled, in my judgment, is this: that you have heard us talking in relation to other Petitioners about the availability of a settlement deed in certain circumstances and it is dealt with in this information paper which I have placed before you. I do not know whether Reverend Burke has asked for such a deed, but it seems to me absolutely right that such a deed should be made available to him in relation to this building, having regard to its very significant value

⁸ Crossrail Information Paper D12, Ground Settlement, Para 7, Listed Buildings (LINEWD-IPD12-007).

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to the nation and the concerns he has expressed about the financial implications of repairing it. I make that commitment to you, and you will know that, within that deed, provision is made for the landowner, in this case the present incumbent, to advise an engineer in relation to matters relevant to settlement and remediation and the cost of that will be met by the Promoter. Indeed, I am now instructed that a deed has been offered. It seems to me that the sensible thing is simply to say, "Let's have a deed and let's negotiate on that". Through that commitment we can assure this Committee that the Reverend Burke and his adviser will be fully involved in the process of deciding what is appropriate for this church.

8993. **Chairman:** That is very helpful. Do you want to call Mr Berryman?

8994. **Mr Mould:** Can I make one more point. Mr Binley raised the question of the word "may" and he pointed out that if lawyers are good for anything, they are good for their precise use of language. I may or may not be a good lawyer in that respect, but I will do my best.

8995. **Chairman:** I am sure you will.

8996. **Mr Mould:** Sir, the point we are seeking to get across in that paragraph is this: that in relation to a Listed building, more than any other type of structure, the question as to what is appropriate, if anything, in terms of actual protective works to the structure itself is a very sensitive judgment. What we are saying there is that, and this of course is a paragraph which is a general application, it is not focused on this particular church, it is focused on a whole range of historical structures, and there is a list of them in the Environmental Statement that are directly or indirectly affected by these work, but what is appropriate or, to use the word, what "may" be appropriate, in relation to any particular building by way of protective measures is something which needs to be considered very carefully indeed by those who are best placed to make that judgment. That would, most importantly, include not only the Promoter and his specialist advisers who also is charged by law with the tutelage of buildings of this kind, but indeed the Petitioner and his advisers as well. What we are saying there is let us look carefully in relation to this church and see what is appropriate, if we need to, in order to secure its salvation throughout the works.

8997. I make a final point in relation to that. The work we have done so far—and it was helpfully touched on by Mr Richards in his presentation—does indicate to us to the degree to which the church is likely to be affected by settlement from the carrying out of the works, and its effects are likely to be very slight. Indeed, that itself, as you will know from what you were told by Professor Mair, is based on what we believe to be, from experience, a conservative approach to assessment. In other words, that in itself builds in a degree of robustness

and rigour and, in practice, based on experience with other schemes, we would expect that the works themselves will have a negligible impact on this structure, but we are not relying on that, and that is the point I am seeking to make to you. That is what we have got to at this stage, the whole raft of further works, assessment monitoring and so forth, both before, during and after the scheme which will be available as a matter of policy and will be confirmed and committed to by virtue of the deed which will be made available.

8998. **Chairman:** In short, we can take it that the word "may" which Mr Binley referred to should be read as "shall"?

8999. **Mr Mould:** It means "shall, as appropriate", unless that gives insufficient reassurance to the Petitioner that we cannot approach the ideal world that he mentioned but if that point is still being put to the Committee.

9000. **Chairman:** Mr Richards, are you satisfied with that?

9001. **Mr Richards:** We are not satisfied with that, I am afraid. The settlement deed point is noted and many thanks for that, sir. However, with the settlement there is talk that the Promoter will pay for the various works and the Petitioner will pay for the monitoring. This is only if certain criteria are met in the next part of the stage.

9002. **Mr Mould:** I made that absolutely clear, that is not qualified. I am giving the commitment that we will treat this church as a special case.

9003. **Chairman:** I think that is right, Mr Richards. It is very, very clear and that is why I am asking whether or not it is sufficient.

9004. **Mr Richards:** Thank you very much. It was not clear to me that the church was to be treated as a special case. The interpretation I drew from what Mr Mould said, and my apologies if I misinterpreted it, was that there were procedures and they would apply to the church, and the Promoter would ensure that it would follow its procedures in relation to the church but would not make a special case. If, as I understand it and the Committee understands it, the Promoter is prepared to agree to ongoing monitoring for which it will pay and, if it will pay for the works to be carried out that are identified, and the church does not have to pay for those works and then recoup them from the Promoter, then that is the situation which we would be happy with. Perhaps I can just take instruction. Just to clarify, and I do not know if Mr Mould can assist me, that is up to the point at which traffic starts to run or up to the point at which traffic starts to run and in the two-year period following?

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9005. **Mr Mould:** Yes, the two-year period following.

9006. **Mr Richards:** Thank you. That being the case, I think we are happy with what is being offered. We are grateful to the Promoter for that.

9007. **Chairman:** That is very good. Mr Mould, we will hold you to your word.

9008. **Mr Mould:** I will make sure that, so far as it is in my power, we will comply with it, you can rest assured that is our intention.

9009. **Chairman:** That being the case, Mr Richards, you are happy to settle?

9010. **Mr Richards:** We are enormously grateful to the Committee for its time and to the Promoter for its concession on this matter. Thank you very much.

9011. **Chairman:** Reverend Burke, would you like to say a word?

9012. **Reverend Burke:** I think the situation we find ourselves in now is one with which the church is unlikely to be exposed to financial liability either in the run-up to construction or indeed beyond construction, and that is a welcome development which I think we are pleased to see.

9013. There is still some concern about the impact of the tunnelling and about the routing, but, in the process leading up to that starting, hopefully the

consultation we can engage in might produce some helpful results which we would not produce by just thrashing it out in the hearing today.

9014. **Chairman:** Can I assure you that the settlement, which I think is a very good one, which has been offered and accepted today, it is part and parcel of it that we expect ongoing discussions which actually counsel has stated will continue.

9015. **Mr Mould:** Sir, it seems to me it would be absolutely counterproductive if we were to proceed on any other basis.

9016. **Chairman:** Well, thank you very much. We are very grateful. Reverend Burke, you are happy?

9017. **Reverend Burke:** I think so, yes!

9018. **Chairman:** If you are happy, we have all got a chance! Once again, we have a Petitioner who has been called once, DB Investments. Is there anybody here present from DB Investments? (No response) Then let it be noted that their case has been called twice.

9019. Can I now inform you that the Committee will visit Whitechapel on Tuesday 23 May and any Petitioner who has an interest in such matters can join in with that visit. If they need details, please can they contact the Clerk. For the representatives of the Promoters and Petitioners, we will assemble as a Committee at 10.30 in New Palace Yard next Tuesday to begin that. However, after our visit to the area, we will return and resume the Committee hearing from six until eight next Tuesday in this room. Thank you very much indeed.

Tuesday 23 May 2006

Before:

Mr Alan Meale, in the Chair

Mr Brian Binley
Mr Philip Hollobone
Kelvin Hopkins

Mrs Siân James
Mr Ian Liddell-Grainger
Mrs Linda Riordan

Ordered: that Counsel and Parties be called in.

The Petition of Kempton Court Residents.

The Petitioner appeared in Person.

9020. **Chairman:** Today the Committee will hear the Petitions of the Kempton Court Residents and others followed by the Southend Arterial Action Group. Ms Lieven, do you want to outline for the Committee?

9021. **Ms Lieven:** Sir, I do not know whether that would be helpful to the Committee. We do have a model outside, so effectively the Committee have a choice: I could briefly outline Whitechapel Station using photos, axonometrics and plans or the Committee could go outside and Mr Berryman could explain the model, or we could start with one and move and on to the other.

9022. **Chairman:** I think what we will do is we will nip outside and Mr Berryman can take us through the model and then we will come back in and resume. We will do that now.

After a short break

9023. **Chairman:** Ms Lieven, do you want to add anything?

9024. **Ms Lieven:** Sir, I think in the light of Mr Berryman's explanation I probably only have to touch on two things. One is Mr Berryman mentioned that our scheme at Fulbourne Street rests on being able to take away two of the District Line lines and widen the platforms. That in turn rests on promoting an additional provision, which we intend to do, and that will be put in in due course. If, for whatever wholly unexpected reason, the additional provision does not go forward, is rejected, which is always a possibility, then there is the fallback of the Cambridge Heath Road Station, which was assessed in the Environmental Statement. The reason I want to say this publicly so that it goes on the transcript is that the Promoter's position is that if AP3 is approved, the additional provision, then we will build the Fulbourne Street ticket hall and not the Cambridge Heath Road ticket hall because the Cambridge Heath Road ticket hall would simply not be justified on pedestrian flows that would then be produced. Sir, I know that Tower Hamlets are concerned about that and I thought it was important to get that point on the record.

9025. The only other point I should touch on now is in relation to the Kempton Court Residents' Association Petition. As the Committee may have been informed through communications in the last couple of days, one of the Kempton Court Residents' Association's principal points is noise impact. Ms Singleton is going to speak to that tonight, as I understand it. We are not intending, unless the Committee strongly wishes us to, to call noise evidence tonight because we wish to go away and have a really good look at the noise projections and all the relevant noise impact in the vicinity of Whitechapel Station and then produce a document which will deal with that matter comprehensively which we can send to Ms Singleton and all the petitioners who raise these points and which we can then present to the Committee. There are a number of different noise sources in that location and it is quite a complicated noise situation. We want to be absolutely certain that the position we present to the Committee and the position we present to petitioners when they appear is entirely accurate and comprehensive. I do not think I can say, hand on heart, we can do that this evening. I hope that is acceptable. We have discussed it with Ms Singleton. I think her position is she wanted to attend this evening so she could present her case to the Committee but I think she is content that we deal with the noise issues in that way.

9026. So far as the other issues are concerned, I have Mr Berryman here and if the Committee wants to hear him on matters such as traffic controls, which I know is another concern of Kempton Court residents, then I have got him ready to give evidence if that is what the Committee wants.

9027. **Chairman:** That is helpful. I think your suggestion on noise is a very apt suggestion and I think that is the way we will go. Ms Singleton, that does not reflect on you, you can make any issue in your submission that you wish to raise.

9028. **Ms Singleton:** I can still talk about surface noise?

9029. **Chairman:** Anything you want really. Would you like to start?

9030. **Ms Singleton:** Chairman, and Members of the Committee, I represent the residents of Durward Street, which is quite a long, slightly different shaped

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street.¹ I am representing the residents of Kempton Court itself, Trinity Hall, which is a London Board school which was converted nine years ago into residences, the west end side of Durward Street that was built by a housing association, and the Albion Health Centre, which is in the Sainsbury's car park area, abutting on to that.²

9031. What we will be having around this area will be four worksites and utilities work. There are around 300 residents in Durward Street who will be impacted by all of this work. I just want to look quickly at the history from the point of view of the residents who are there. Kempton Court was built 10 years ago and it has 110 flats. Following on from that Trinity Hall was converted and about four years ago the west side of Durward Street was developed from an empty site. It would be fair to say that when the residents of Kempton Court bought their properties there was no question of Crossrail in sight. We had all heard about the Hackney-Chelsea and east-west railway and so on, but it was not talked as being anywhere near Whitechapel, it was from Stratford to Liverpool Street or somewhere else.

9032. Our first intimation was when we went to the first round of consultation when I discovered that there was going to be a station at Cambridge Heath Road. That is quite a long way from Durward Street. It was impacting but not too worrying. At that time the ventilation shafts were projected to be in Vallance Gardens, which is just behind Durward Street. That did seem rather odd because Vallance Gardens had just had quite a lot of money spent on doing it up.

9033. At the next round we learned there would be a station which would be coming to Court Street on the west side of Durward Street, and that would have a big impact. At the same time the ventilation shafts were being moved to Essex Wharf, much nearer Kempton Court and Trinity Hall.

9034. At the third round of consultation we discovered that, in fact, Fulbourne Street was then going to be the entrance. The first time we learned that Kempton Court would be affected was when the little red brochure was provided that said some of the car parking spaces in Kempton Court had been moved. It is quite recent knowledge that we have had of the possibility of the station being at Whitechapel and the impact that would have on us.

9035. From the pictures you have seen Durward Street looks to be a nice, little modern street but, in fact, it is a very old street and has been on maps for hundreds of years. It was originally Ducking Pond Row and it became Bucks Row. It was changed to Durward Street after a rather unfortunate incident because the first victim of Jack the Ripper was killed

in the street. As well as the usual pedestrians this brings the unlikely thing of groups of tourists coming along to see the exact place. In recent times there were tenement buildings that have all been knocked down over the last 12 or 13 years.

9036. I would just like to touch on the consultation. We do feel that we had very poor consultation on the effects of Crossrail. I would just draw your attention to round one which was in a building at Wodeham Gardens where I believe only about 40 people attended.³ I have a quote from a letter here: "Your two days' exhibition about the Whitechapel Station had no local publicity and was located in an unknown community room on a new housing estate yet to appear in the A-Z, a sure way to ensure nobody comes". As I live in the area and I knew that Wodeham Gardens had been created on this new housing estate I walked all round it and could not find the building. I rang up the council, asked the local school and the leisure centre and nobody could tell me where this community centre was. I chose to walk around it again at the time it was projected to be open and, sure enough, there it was. It is a building with no distinguishing features, nothing that says anything about it being Wodeham Gardens. It is very disappointing that such a place had been selected.

9037. Personally, the people in Kempton Court had not had written information from Crossrail until fairly recently so, consequently, very few people knew about the second round in Sainsbury's car park except that I put up messages, and I found out by accident. I did not get a letter and I am on the list of people to write to.

9038. Round three at Whitechapel Sports Centre was better publicised. There is also a list—I am not sure what it is called—of all the people who have been consulted and when you get to Kempton Court there is just a blank page and it says "Ballymore". Ballymore are the developers. Nobody has been able to explain, although I wrote to Crossrail, why we were not written to at that point. If you ring up a mail order catalogue or anybody else you can always get the list of registered electors, and yet somehow this very important site in the whole development of Crossrail in Whitechapel—

9039. **Chairman:** Ms Singleton, can I just ask you was it only the residents of Kempton Court who had not been notified or was it all residents in that particular area?

9040. **Ms Singleton:** It does seem to have varied. I have to say that is not something I have followed up with Trinity Hall and other residents.

9041. **Chairman:** What you are saying is that nobody—

¹ Committee Ref: A103, Photograph of Durward Street (TOWNHLB-7005-002).

² Committee Ref: A103, Photographs of Kempton Court and Trinity Hall (TOWNHLB-7005-003 and -004).

³ Committee Ref: A103, Photograph Wodeham Gardens (TOWNHLB-7005-007).

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9042. **Ms Singleton:** The Albion buildings, where the Albion Health Centre is, their names were on the list so there should not be a reason why ours were not.

9043. **Chairman:** That was not my question. You were saying it was all the residents in Kempton Court but were any of the other areas you have mentioned today contacted or not?

9044. **Ms Singleton:** I have to say it had not occurred to me to ask that.

9045. **Chairman:** So it was only Kempton Court?

9046. **Ms Singleton:** Certainly Kempton Court. The most important thing for us is to consider what we are being faced with from our point of view. I am going to go through the things that will be happening on the sites. You have seen the worksites today but I think it needs spelling out what is going to be there.

9047. On the Sainsbury's site there is going to be a shaft 15 metres in diameter where there will be access and removal of spoil. That shaft means that all the works to go down to tunnel out the platforms will be dropped down there, excavating machines and machines for tunnelling, because the Whitechapel platform and station are not going to be tunnelled through with the boring machine but done with small machines. There will be construction and underneath there will be sprayed concrete linings. There will be a concrete batching plant on site, which is quite a big plant. There will be a pile of excavated soil on the surface from everything that is coming up, and hopefully it will be taken away promptly but it will be there. There will be lorries coming in and out to remove that. There will be tunnels to be fitted out once the excavations have been done. Then the shaft itself will be filled in. I have to say, I am not quite sure whether the spoil has to come back for that. The second station entrance and the escalators near Cambridge Heath Road will be built. At some stage the tunnel boring machine will be slid through, it has to go through towards Farringdon. There will obviously be ground machinery: cranes, lorries, fans, compressors, a hoist and all the things like the office and workshop buildings. There will be some 24 hour working, which I believe includes the concrete batching plant. This will be very near the Albion Health Centre and staircases nine to 12 of Kempton Court which have bedrooms facing on to the street and on to Brady Street. Literally the concrete batching plant and wheel washing machine will be just on the other side of that. We are pleased that Crossrail have agreed to turn lorries back that come in there collecting soil but that still means there will be a lot of lorries going through the site.

For the Essex Wharf site, it sounds like it is just a ventilation shaft and escape hatch but the work going on there will be demolishing the caretaker's house, piling along the East London Line on both sides, the demolition of retaining walls, an electricity substation to be removed and rebuilt, excavating on both sides of the East London Line, constructing an

escalator and lift shafts then reconstructing the retaining walls and backfilling the hole, constructing the lightwell, landscaping, rebuilding the caretaker's house, and the exit will be opposite staircases two and three of Kempton Court so there will be a lot of lorries moving in and out. Much of the work will be opposite staircase one of Kempton Court.

9048. I should just explain about staircases. In Kempton Court there are 16 staircase entrances and they all have a number of flats per staircase. For instance, staircase one has four, staircase two has one on each side of it, so that is eight flats, and so on.

9049. Of course there will be the machinery of the tower crane, crawler mobile crane, piling machinery plus other things. We will also have traffic which will be doing deliveries to Swanlea School which at the moment would go another way. There will be deliveries to the kitchen.

9050. On the Durward Street site, which is the very big site in front of Trinity Hall and the leisure centre stretching right over the District Line, there will be construction of a large box in front in that area and it will have to be then propped and piled and constructed. There will be a spoil heap there and there will be much demolition. There will be the demolition of the Court Street bridge, Fulbourne Street bridge, Woods Building bridge and a cable bridge. There will be other District Line bridges removed and footbridges will be rebuilt. Fulbourne Street bridge will be rebuilt with the station entrance. There will be a conveyor there, there will be lorry deliveries of reinforcement and steelwork, shotcrete and concrete and the station structure and removal of excavated spoil and demolished works.

9051. On the Kempton Court site, which is smaller and does not take so long, it is fixed to a tiny little street called Winthrop Street. There will be a wall removed from Winthrop Street, there will be oscillatory piling on the East London Line wall. There will be work on the bridges for the main station. There will be vehicle turning, piling machinery and the use of Winthrop Street for lifting operations and this will require the removal of car park spaces and plants and trees in Kempton Court.

9052. On top of these four worksites there will be utilities diversion. They will mainly be on the west side of Durward Street.⁴ There will be relocation of electric cables—and this is excavation of trenches, duct laying, backfilling and reinstatement which may take one to three months. Then there will be protection or diversion of a brick sewer. There will be enlarged manhole entry points involving excavation, concreting and chamber construction. Or there will be diversion by tunnelling or diversion and that could take between two and six months. We know the whole of Durward Street has been recently mapped out and checked with radar to see what services and utilities are beneath because there still

⁴ Committee Ref: A103, Photograph of West Durward Street (TOWNHLB-7005-005).

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may, I understand, be other things which may require moving. There will also be the demolition of London Underground staff accommodation.

9053. It is the actual complete breadth of the worksites which is the problem for us. It would not matter at what time during a possible six year period there would be noise and construction going on. If one site is not perhaps being so loud then the next one will be. That is our concern about how we can live with four worksites plus other things going on.

9054. Now I would like to talk, first of all, about the construction hours. In the document that Crossrail sent they proposed that the hours should be from 7am to 7pm. Now it is just intolerable to think that for 12 hours of the day we will have construction work going on. I would say they are in excess of the London Borough of Tower Hamlets' code and the actual construction hours should be 8am to 6pm following that code. We do need an undertaking that the Promoter will undertake and provide assurances to follow the requirements of the London Borough and Tower Hamlets' Code of Construction Practice. Even then we will not always have this because we do understand there will have to be some 24-hour working and late night deliveries when roads are clearer for big items of work.

9055. There will be Saturday morning working and then one might hope for more respite on a Sunday but certainly as far as the Sainsbury's car park worksite is concerned it will be used for maintenance so that means people sleeping in their bedrooms overlooking that site may get very little chance to have a lie-in. We would request no early start then and no noisy work on that Sunday maintenance.

9056. As far as the visual impact is concerned, it will actually be very considerable. There are three metre hoardings proposed around most of the sites but it does seem a very depressing reminder of all work going on on the other side if they are just plain with the logo of Crossrail and the undertaker. I feel it could be a red rag to look at out at those places for years knowing that they have got the noise and the pain of the area. We would like Crossrail to provide visual interest on those hoardings and consult the residents.

9057. I have some suggestions. At the Durward Street site they could put maybe the history of the original street on the hoardings. At the Kempton Court site where we might have trees removed we could have pictures of trees. At Essex Wharf, the origins of the name and the activities that went on there. At Sainsbury's maybe the history of the brewery and the Salvation Army which was started so nearby. There are many building sites across London which do these pictorial graphics now to make places look more interesting. I think it would also prevent any people walking along the street from feeling "Help, this is just one enormous building site".

9058. The other visual point is the escape shaft at Essex Wharf. You saw it out there when Mr Berryman mentioned there is a little silver place there. The Promoter's picture is pretty awful. It does not reflect the area at all, it is like a modern spaceship suddenly dropped down. I think we should be able to have something which reflects the area better and there are precedents for this. For instance in Gibson Square in Islington when London Underground proposed a tall chimney in the middle of their garden square when the Victoria Line was built, they managed to get a top architect to design a Grecian temple which fitted in nicely. I would like to think we could have something on that site, which the residents of staircase one have to look out on all the time, which actually is pleasant and reflects the area.

9059. They have also suggested landscaping an open area. Well, that sounds wonderful but those people have not been along Durward Street at 10 o'clock at night or later. Whitechapel is an area where there are a large amount of hostels and an enormous Salvation Army hostel for street drinkers. Any open space attracts street drinkers however hard the neighbourhood police try to prevent that happening. Also open spaces do attract many disaffected teenagers, even our doorsteps are used by people to hang about on and make noise. The idea of an open plaza that is nowhere in particular would be quite disastrous, I think it has to be looked at in another way.

9060. I would like to move on to lorry movements and we know that the bulk of the lorry movements will go along Durward Street from east to west. Lorries with supplies will leave Sainsbury's car park, then will then turn right into Brady Street and then left into Durward Street, that is two turns within a very short distance. It will be very noisy outside flats at the turn in Brady Street which is a narrow street. Those outside staircase 11, the entrances are internal but the bedrooms are on the outside.

9061. I am not clear whether the lorries at Essex Wharf will return via the school and right into Durward Street or whether they will go through the back of the school and down into Durward Street, I am not sure whether that has been totally decided.

9062. There is a great danger of turning right and turning into Durward Street, turning left. It is a very narrow pavement there. The beginning of the staircases are only 4'6" from the road so we will need some traffic management there of build-outs to make sure that lorries do not turn too tightly.

9063. I just feel leaving the end of Durward Street on the west side has not really been mentioned in any way. I think the houses that are down that end, as lorries turn left into Vallance Road might also have quite a lot of problems if over 70 lorries a day drive down to that corner and have to wait for traffic to move into Vallance Road. That could be a very noisy scenario. I know that Crossrail said that in fact it will not be any worse than buses but those of you who

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have been there will see the buses at the moment turn down Fulbourne Street, they come in Vallance Road but they do not exit from Vallance Road. I think lorries could be a far noisier vehicle than buses.

9064. There will be the kitchen deliveries from the school coming in and out, perhaps that is not many but it is just added noise in Durward Street.

9065. Many of the lorry movements which stop on the west side and the Durward Street worksite would be dropping off and picking up lorries because all the demolished buildings and everything have to go out. I would expect that there would be a lot of noise while that is done.

9066. Now there are varying extrapolations as to the amount of noise and it is quite difficult to trawl through everything with the additional provisions but I understand that at the peak time it would be 80 lorries per day going along Durward Street and there could be 140 lorry movements in Sainsbury's. Some of those would be turn round lorries going back out of the Sainsbury's site and some of those would be out of hours. All these lorry movements will require management of staff to ensure that there are safe pedestrian movements and access for residents of Kempton Court and the West Durward Street site and Trinity Hall. We expect that all this traffic will produce dirt, dust and a degradation of the landscape and, therefore, we would ask for regular checking and, if necessary, wall washing and window washing of buildings in Durward Street to keep them reasonably cared for during this long period of work. There are some trees in Durward Street. They struggle greatly to grow but it would be nice if they were protected.

9067. The other really important thing about Durward Street is it is the only street which runs between Vallance Road and Brady Street for a long period because of the East London Line cut-through. We know the minute the bollards are removed in Durward Street it will become a rat-run and it will be a place for boy racers. We are very concerned about this. If it is not being used for deliveries at night you need to look at a way of having it closed off so that we do not get the nightly rat-runs, and hopefully monitored during the daytime so people do not use it as a cut-through. The reason it would be so popular is if you go down Brady Street to Whitechapel Road you can only turn left, you cannot turn right, so it would make it very attractive to nip through Durward Street instead.

9068. On the question of noise, this is certainly our biggest concern. It is just the all-round effect of noise all the time. There will always be some noise going on. When one looks at the machines, ground-breaking machines, particularly when the shafts are first being dug and the utilities, there will be piling, cranes, tracked excavators, front-end loaders, compressors, generators, excavation going on, large concrete pours, the tunnel ventilation in Sainsbury's car park, the demolition and rebuilding, and spoil

unloading and loading on lorries, and these are all things that will create a noise. It is not predictable, as with so many sites, where that noise will move to and create problems for people in Durward Street.

9069. I will look at a couple of examples of unexpected noise which have made me realise this. At the corner of Brady Street and Whitechapel Road there is the new Idea store built by Tower Hamlets. It was opened in September last year and we suddenly heard an enormous noise around Kempton Court and it was very variable at which point it was heard. It sounded like birds fighting, I suppose. It was very loud and very perturbing. Eventually I spent some time tracking it down to the Idea store and I went into the Idea store where you could not hear it at all. I asked to see the manager who was really surprised that we had this terrific noise. It was a new bird scarer. It certainly scared the daylights out of us! Now it has been modified and turned down and it is okay. That is just an example of noise that travels in strange and unexpected directions. At the moment there is another worksite going on, which will be a long, ongoing process, and that is the demolition and rebuilding of the Royal London Hospital. From my flat I can hear very clearly the sound of drilling and demolition and yet I live four streets from where it has just started but it is so clear and it has to pass through the wall of a great post office as well. It is very obvious to me when they are doing jack work or whatever. That is another example. I would not have supposed that noise could come so far so clearly. That is what makes me realise how difficult it might be to look at the amount of noise that will affect all the residents of Durward Street.

9070. The mitigation is that at the moment certain dwellings have been designated as needing noise insulation but the whole of Durward Street should be treated the same. Everybody will need noise insulation. It is very difficult to say where that will be at any one time. Most of us, because we are in modern buildings, do have double glazing so noise insulation might be difficult to install because I understand if you are going to put another lot of insulation in it needs mechanical ventilation otherwise how will you get any air. It might be reasonable to provide compensation for residents so that they might be able to get out of the area occasionally instead, they might think, "We have to put up with the noise, however hideous, but we would like to be able to go down to Brighton for the day" as a sort of *quid pro quo*.

9071. We would like to be considered as a special area in terms of noise where everyone is equally affected. There are also some people who are designated as requiring temporary re-housing. This has caused a problem because we do not have any certainty as to who these people are in the same way that we do not have any certainty about who the people are at the moment who have been designated as needing noise insulation. This comes about partly because of the way the numbering has been written. On the list of properties likely to qualify for noise

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insulation only, it has various properties but it is not specific enough to know which they are, which leaves a degree of uncertainty. For instance, it states “the property addresses one to four Kempton Court” but what I think they are really saying is staircases one to four but on staircases one to four there are 28 flats and eight of those would qualify but we do not know which eight flats or why those were chosen. It goes on to 6 Winthrop Street, which is Trinity Hall, the school building, and it just says one flat will qualify. Which one of the 18 flats will qualify? This is the area I would ask Crossrail to work on specifically to make sure we do have some definite information. This is particularly important because this is leading up to blight.

9072. I just want to turn to the Albion Health Centre because they have concerns about noise.⁵ This is a big health centre with six doctors and they are planning to expand. It backs on to the Sainsbury’s car park site. I do have a letter from them. What they are saying is that it might be a problem if there is noise during consultations when they need a calm atmosphere and yet just over the wall there is an enormous building site. They need Crossrail to look at mitigation measures for that. The GPs are going to take on more procedures, which is the standard thing now that much work should be done in GPs’ surgeries rather than hospitals, so that is going to put some pressure on their delivery of that. They already do minor surgery and they need a very clean atmosphere for that, so that may need special insulation provided by Crossrail. They would like close consultations throughout the site works. They do feel that they might need to call for the cessation of work sometimes if they cannot fulfil what they are doing with the patients. That is a very big concern. They are also losing some car parking space permanently but this is essential for doctors who might need to get out quickly. That needs good replacement at a convenient place.

9073. I want to look at pedestrian movements in Durward Street. The route goes to the school, the leisure centre and Sainsbury’s. As I said, for drivers it is the only one that goes through to Vallance Road. It is also the only one that people from Spitalfields can use as a street to come through to those facilities. It is a busy street. I did a few brief pedestrian counts looking out of my window.⁶ Between 8.35 and 8.45 in the morning walking along Durward Street there were 170 people, that is 170 people in 10 minutes. They were not all school children because there were also people going to and from work. On Saturday, walking along Brady Street at the corner of Durward Street, in 10 minutes there were 136 people. You might think they were all going to Sainsbury’s but they were walking up and down the street and it is very busy. Brady Street has flats further up and access to Bethnal Green overground station. On Wednesday between 8.30 to

8.45 between Durward Street and Whitechapel Road along Brady Street there were 331 people all going along that very narrow road, either to the school, to Sainsbury’s or to and from Bethnal Green station. The other one was Durward Street going towards Brady Street on Thursday at 12.45 to 12.55 when there were 64. That was not the peak time, that was not the school children coming out. That was a steady flow of people going to and from that street to businesses or shopping. It is narrow in places and can be hazardous now. I think those who came on the visit today saw the most extraordinary sight of the GCSE pupils coming out and taking up the whole road. That is not only today, the pupils do come out of school—there are over 1,000 pupils—and they are very exuberant. That road is busy but still people choose to belt along it occasionally. Over the East London Line bridge it is very narrow, just two people wide. There is a picture of that.⁷ That is of particular concern because on the other side of that facing on to it is Trinity Hall and it has no pavement whatsoever so people must walk along the East London Line bridge. Normally people spill out on to the street because it is not that busy with traffic. If that was being used for lorry movements all day then we would need build-out of that pavement and some means of ensuring safety, but not at the cost of the pedestrians who are already squashed along there.

9074. I would suggest that it would be helpful to have no lorries in the street at school arrival and departure times to account for the fact that if there are 170 children coming along Durward Street in 10 minutes why not stop lorry movements from 8.30am to 8.50am so that people can get there safely.

9075. **Ms Lieven:** Can I just say, Sir, we have agreed that with the school. We will not be using Durward Street for lorries during those hours. That one is an easy tick.

9076. **Chairman:** Thank you.

9077. **Ms Singleton:** We would like a person to manage lorry movements, for instance from Essex Wharf to Durward Street, so that we can get access to Kempton Court as well.

9078. The next point I want to raise is purchase of property in case of hardship. This is a very difficult one for us. There was a date of December 2003 at which people were deemed to have known about Crossrail so that effectively means all property which was bought after that, people should know that Crossrail was going to be in the area. Effectively it puts a blight on everybody’s property. I appreciate that it is hoped that the Bill will go through and construction will start fairly speedily but nothing is guaranteed. All the time that is happening we will have a blight on the sale of our properties. Kempton Court, originally, the properties were fairly reasonably priced, there are no lifts there. It was

⁵ Committee Ref: A103, Photograph of the Albion Health Centre (TOWNHLB-7005-006).

⁶ Committee Ref: A103, Pedestrian Count, Durward Street area (SCN20060523-001).

⁷ Committee Ref: A103, Photograph of the East London Line Bridge (TOWNHLB-7005-010).

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first-time buyers and people who wanted to work locally, say in the hospital, who would buy there. People are mobile, if they are first-time buyers they want to move on, they marry, whatever. There is a steady sale of property. Very often it is done internally, people put a notice up on the notice board, they have rented there, they like it, they would like to move in. We do know there are some people who are aware of what might happen and have bought properties but others who are putting their house on the market have had severe difficulties in selling their property.

9079. I would just like to look at two instances.⁸ Melanie Goodfellow bought her flat in 1996, so she was the first owner. In May 2000 she says she found she was pregnant and wanted to sell her house to buy a family property. She spruced up the flat, put it on the market with agents Carrington, who are well known local agents, at a price of £243,000 when a recent property had gone for £240,000. This is about the standard price. She received a first offer very quickly but then, in fact, those people could not get a mortgage. The flat went back on the market and she received a second offer just two weeks later for £237,500 but the buyer pulled out abruptly on 11 August after doing some personal research into the impact Crossrail would have on Kempton Court and the surrounding area. Melanie says that the information did not come up in the local search. The buyer had rung up the local planning office and was told that Durward Street would be one of the worst hit roads in the area. She had read the Environmental Impact on the internet and thought that was pretty grim reading.

9080. Then there were no further viewings, Carrington had been sending quite a few people. Carrington—the agents—realised that they would have to mention Crossrail to any potential buyer and this put most off. Eventually she applied for Crossrail to acquire the property but in fact, although she had set in motion the surveyor coming round, another person did make an offer on the property and bought it. I know the person thinks it is not going to be a problem so it is all very much dependent on what information people have. That is one example.

9081. She mentions that it did not come up on the property search and really all that it does say on the land search is there to be any railway work within 200 metres and indeed it says “Yes, East-West Crossrail, for more information . . .”. None of the other questions in the land search really apply at this moment to the Crossrail planning application. One could be forgiven for not assuming that much would be happening. It does not ask questions like “Will a big hole be dug in the road?” It does ask if there will be any bridges put up but it does not ask if any bridges are going to be demolished. Some of it is in the questioning of what is in the land search rather

than the fact that there is no information. It is beholden on somebody, either a solicitor or the person purchasing, to trawl through Crossrail’s website to find out information.

9082. The other person is a man living in Trinity Hall, Henry Morris.⁹ He put his property on sale in March this year at the asking price of £215,000 and a purchaser accepted his asking price of £215,000. Now, again, you have seen the building, it is very attractive inside, lots of flats have mezzanine floors and it is a very popular place. As with all the buildings there you can walk into the City for work and of course it attracts people who do work at the hospital as well. The attraction for many people is the fact that it really is only 15 minutes to get to Liverpool Street on foot, and not much more to get any further into the City.

9083. However, when he found out about Crossrail he offered to purchase the property at £25,000 less at £190,000. This is what he says to Mr Morris: “Further to our conversation yesterday please find attached some information on the potential impacts that the Crossrail project will have on the property on Durward Street in the coming years. It is not possible to copy or print from the Crossrail website itself. However I direct you towards the website . . . In light of the above potential disruptions to the building and surrounding environment over a number of years we are going to have to reconsider our offer. We consider that the detrimental effects to residents of the construction programme on the doorstep of the property and the potential negative effects on rental income over a lengthy period should be reflected in a reduction in the purchase price. I look forward to discussing these issues with you . . .”

9084. One of the things about this is that for the hardship policy to come in you need to have an offer which is 15 per cent below the market price. That offer was not 15 per cent below the market price. That puts him in a difficult position to look at hardship. I think there are so many questions when one is looking at this in terms of Durward Street because for how long will people be in the position. If, in fact, there is more information given out about Crossrail, if Crossrail gets Royal Assent but has not got a start date, that means people would be very dubious about coming along and making an offer. If they made an offer which was only 12 per cent below the asking price, you might even be tempted to say, “Could you not offer me a lower price so I can go back and start off the hardship price?” I think it puts a lot of pressure on estate agents who, when I have asked them, have just said, “It will be good for prices.” They are not spelling out the problems that people will have in Durward Street and once they do, once work has begun, and you are sent information about a property, and you go to Durward Street and discover loads of cranes and noise would you make an offer? It would be very doubtful. How would you

⁸ Committee Ref: A103, Correspondence concerning property selling in Kempton Court (TOWNHLB-7005-014 and -015).

⁹ Committee Ref: A103, Further correspondence concerning property selling in Kempton Court (TOWNHLB-7005-016 and -017).

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get a market valuation, say, well into the project that accurately reflects the price of the property. These are areas of great concern to us and it is such a big building site. Effectively—I know I am not young—I might have to suddenly move out because I could not walk up my three flights of stairs. I appreciate there is something which mitigates for that but it is worrying for other people who would not be in the position of a specific hardship point for them.

9085. I would like to say that I think really the street—and I suppose I am talking mainly about Kempton Court and Trinity Hall because they are the older buildings, the other ones in the street were built by a housing association and have either shared ownership, rental or perhaps some outright sales and they have only been there about four years so they are less likely to be moving on—for the street as a whole I think to put the hardship level at 15 per cent below the prices is fairly tough. I would like Crossrail to look carefully at its policy and see if there are any special considerations because of the length and amount of work in the street.

9086. Now there are quite a lot of other worksites going on around Durward Street as well. Very shortly the East London Line will be worked on. It will be closed for about 18 months while track is re-laid and cables are re-laid and that directly affects Trinity Hall and staircase one of Kempton Court because they are on either side of the East London Line. There will definitely be an amount of noise to that.

9087. **Chairman:** Can I just say, Ms Singleton, this is not to do with the Crossrail project. It is a separate project which we cannot deal with.

9088. **Ms Singleton:** Can I not say how many other worksites there are at the same time?

9089. **Chairman:** I think it is true to say that everything involves everything in a particular area and we can stretch matters, as we indeed stretched it a few moments ago on the question of compensation and valuations and the rest of it which you have raised in the evidence, but we have to deal with the Crossrail Bill and the Crossrail project, you cannot traverse into the other things which are happening now. If Crossrail is approved at some time in the future by Parliament and any subsequent works which come along we have to deal with are not unconnected but at this point in time we cannot deal with it.

9090. **Ms Singleton:** I want to turn to the health and general wellbeing of the residents. I am not aware that a Health Impact Assessment has been done for this particular area and the various sites and the impact on people of Durward Street. Sir, if it has not I would ask if it could be produced and the results acted on. It is very difficult to see how people will remain well and cope with so much work about. It is very important to have that information in mitigation. There is an information leaflet produced

by Crossrail, leaflet F3, on community relations.¹⁰ It sets out how the undertakers should work with the residents but it is not a statutory document, it is just an information leaflet. I would imagine that although Crossrail would want everybody to work to their requirements, they might very well not do. I am wondering if there is any way of making this a more statutory document so they are required to follow their own procedures for community relations.

9091. There are problems with car parking spaces.¹¹ In Kempton Court all of the car parking spaces that will be used for the Kempton Court works have been purchased by residents, they all have their own allocated spaces, so this does mean they need some compensation for the use of them and also secure parking elsewhere. That car parking would need to be somewhere nearby and in a safe place for people to walk back to at night. There are quite a lot of night workers who leave at four in the afternoon and come in very late at night.

9092. Certainly if you look at Kempton Court, which you have seen today, we have managed to somehow make the trees grow although there is very poor soil underneath. They have finally started growing and we do have a very nice internal courtyard and plainly it is going to be disrupted by the work and some of the trees removed. We are not clear where this will be and which trees. We are very keen, if possible, to preserve all the trees and if they are removed that we have trees of the same height and type because this is as a whole. We do also have a small garden behind the trees and we would be very upset to lose this site.¹² It is the sunniest spot and it is the only private spot where residents can go. I did feel a bit miffed when I read that the shrubbery was of no particular importance, but it is important to us. It may not be special shrubbery but it does harbour a tremendous amount of bird life and that is the joy of living in Kempton Court now, we have managed to create a haven in what is an area where there is not a lot of greenery about. We are very reluctant to see that disappear. Particularly the robinia tree, the tall one, we would wish to support that. It did blow down once and we managed to get it back up and it has kept growing, so we do not want to see that go.

9093. I would like reinstatement of the site directly after the site has been vacated. It would be a pity if we had to wait a long time before it was reinstated. We do feel that the residents should get some compensation for all the disruption within this site. We would like some compensation and I am suggesting in the street there are three car parking spaces which were created by the developer for visitors to Durward Street which are just used by

¹⁰ Crossrail Information Paper F3, Community Relations <http://billdocuments.crossrail.co.uk>

¹¹ Committee Ref: A103, Photograph of Kempton Court car park (TOWNHLB-7005-011).

¹² Committee Ref: A103, Photograph of Kempton Court garden (TOWNHLB-7005-012).

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anybody and never used at night because of the vulnerable place and if the developers were to give us, say, a brick wall there which would incorporate them into Durward and Kempton Court that would be very good compensation. I am not saying we would use them as car parking spaces, that might be difficult, but at least they would be taken into the building. They are not usable at the moment really. At Albion Health Centre some car parking space is going to be permanently lost, so they need some way of accessing their cars easily in another spot. There is loss of residents' and business permit car parking spaces on the west side of Durward Street. I do not even have a car but it is really important that everybody who has a car needs to have somewhere to park. There will have to be a real effort made to see that there are car parking spaces made available afterward.

9094. Lastly, I want to talk about the station at Whitechapel. The original entrance will be an entrance now. To my mind this is the glue of the Whitechapel Market and the area. It is very central; it is only a short walk to the Idea store and across the road to the hospital. It has been proposed that it will be closed but I would request that it remain open even if access to the East London Line is slightly more difficult. I say that because if you are in that area and come up to the Idea store and want to go back, say, to Aldgate East or Brick Lane, if you can access the East London Line from that entrance you have only got to do a bit of nipping down and when you get down to Aldgate East you come directly up to the entrance to Brick Lane. Otherwise, effectively you have to walk the whole 245 metre length away from the East London Line to enter into Fulbourne Street to come all the way back. I did a walk the other day and it is 324 steps at a leisurely pace from the station all the way up to Fulbourne Street. I think that is quite a long way if you are contemplating carrying a few shopping bags. If it was left open on the same basis as at Aldgate East there are two station entrances, one is ticket only facilities, that would be very reasonable because most people living locally would have a ticket. I feel it is important to look at the local needs. Okay, it may regenerate the area and it may be a big station and be wonderful but if it makes life more difficult for local residents by having to go all the way up to Fulbourne Street then can it be said to be of value to local people.

9095. Finally, I would like to say after six years or so of working in Durward Street I feel that we will have a shiny new station but what else will we have had except six years of enormous hassle. I would like to see Crossrail providing some enhancement or facility locally for Durward Street to provide compensation for years of distress. Thank you.

9096. **Chairman:** Thank you. Ms Lieven?

9097. **Ms Lieven:** Sir, I was planning to call Mr Berryman to deal principally with the traffic issues but I am conscious of the time and there is another

petitioner to follow. I do not know whether the most helpful course would be for me to give a brief response to those issues raised by Ms Singleton.

9098. **Chairman:** There are quite a lot of them.

9099. **Ms Lieven:** There are quite a lot of them but I can probably go through some of them quite quickly. A lot of them, such as the details on traffic routes, we will come back to with the London Borough of Tower Hamlets and possibly with Swanlea School tomorrow. Perhaps if I gave a fairly brief overview response on the points that we can respond to now and pick the other ones up, such as traffic routes, when Mr Berryman gives evidence tomorrow. I am in your hands, sir.

9100. **Chairman:** I think it would be helpful. In terms of the noise issue, I have got to say that I am a bit unhappy about this because it has been a key component of the petition and clearly the Promoter has not yet concluded that document, which you referred to before we set out. I want to leave the issue of noise in this petition for when we have that document. I want to deal with that in that way. We will deal with that at a later point, although the evidence has been given and taken. It will give them a chance to view the work of the Promoter and respond back.

9101. **Ms Lieven:** Yes, sir.

9102. **Chairman:** If you can take us in the interim through the myriad of issues which have been raised then we can deal with those now.

9103. **Ms Lieven:** Sir, I will try and do so. If there is anything the Committee needs clarification on in these unusual circumstances they can stop me and ask me a question and I will try to get the answer.

9104. So far as the scale of the construction works is concerned, it is only fair to say that Ms Singleton had a pretty accurate description of what is going to happen at this station. I do not need to go back through that, she had the right worksites and very much the right kind of work. We will come back to that with Swanlea School.

9105. So far as her concern about the lorry routes, particularly on Durward Street, I can give the Committee comfort in at least two respects. So far as school opening and closing hours are concerned, we are giving a commitment to Swanlea School that Durward Street will not be used for construction traffic during the period that the school opens in the morning and closes in the afternoon. It is of particular concern in the afternoon. In the morning a lot of the pupils go in through Brady Street but in the afternoon they come out in Durward Street, so for something like half an hour in the morning and afternoon there will be no construction traffic on Durward Street.

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9106. So far as the concern about rat-running down Durward Street is concerned, which is one that we are very conscious of because at the moment there is no access out of Durward Street so it cannot be used as a rat-run but with our proposals it will be open to construction traffic at both ends, we are committing to develop a solution with Tower Hamlets as to how to prevent rat-running. It might be done in different ways. It might be done by having a banksman at the junction just stopping traffic coming in other than construction traffic or residents' traffic, or it might be done by some more automatic method. We are committed to ensuring that there is no rat-running.

9107. So far as pedestrian use of Durward Street is concerned, the Committee may remember Ms Singleton's photo of the relatively narrow pavements. Our current assessments indicate that there will be sufficient capacity on that pavement but we are discussing that with Tower Hamlets. If Tower Hamlets believe that the pavement needs to be widened then that is the type of work that can be done relatively easily. We have got the issue in mind and we are discussing it with the local authority.

9108. So far as the visual impact is concerned, we have no problem in committing to providing screens of visual interest on the hoardings; the precise terms probably to be discussed again with Tower Hamlets and potentially with local residents' groups. That is not an issue.

9109. **Mr Binley:** Can I stop you there. You said "potentially" with local residents, surely it is very easy to say, "We will discuss it with local residents"?

9110. **Ms Lieven:** The only reason I was not going to say that in those terms is one then has to define local residents. Certainly I can say we will discuss them with local residents and we will define that later.

9111. **Chairman:** That possibly will involve the school also.

9112. **Ms Lieven:** And the school, sir. The school might paint them, Mr Mould points out, although I think such things are somewhat out of fashion these days. The Durward Street shaft's visual appearance will be subject to Schedule 7 of the Bill and Tower Hamlets will be fully consulted on the detailed design. The design and external appearance of the shaft is subject ultimately to Tower Hamlets' control. I should say it has been chosen as a modern design in our illustrative material because it is next to Swanlea School, which as the Committee saw this morning has a modern design, but if at the end of the day Tower Hamlets want a gothic folly then it is up to them to have a gothic folly.

9113. Dust is subject to statutory control by Tower Hamlets and approval of dust suppression methods is required from Tower Hamlets and that is dealt with under the Code of Construction Practice as the Committee has already heard. There will be appropriate dust control measures. As a particular

point on this, in terms of the Albion Health Centre, they are a special user and if special measures are required for dust suppression then those will be given. The Committee may remember, although I must say it starts to recede into the distant past, Smithfield Market and a concern there about dust. We would take the same kind of approach to a health centre, which is special measures for a special user in effect.

9114. We are going to come back to noise but if I could just say that it is precisely issues around the lack of certainty of the number of properties, as an example, which is why we want to do more work and be able to give a more comprehensive answer. I will not say any more about that. Perhaps I should say one thing just to explain some of the problems that have arisen. The Committee will have gathered that Whitechapel Station is an aspect of the scheme that has been under very intensive discussion over the last 18 months and the scheme has changed. It changed just before the ES and it has changed since. That is part of the reason for the lack of clarity as to which properties are affected. We will come back to that.

9115. **Chairman:** I understand that we will come back to that but the Committee really does find it unacceptable that people will be living and in and around areas of their flats or buildings or whatever there will be some opinion that certain flats will be taken and others will not, and not even the people in them have had notification of whether they are going to be or not. What we do need at the very least, whilst these things are negotiated or continuing, is people need to be calmed about this issue and perhaps enlightened and have it discussed with a little bit more clarity about what is going on. It is causing disquiet amongst the Committee and I think we all well understand that.

9116. **Ms Lieven:** Sir, we completely understand that point and are totally sympathetic to it.

9117. **Mr Binley:** Before you go on, my apologies but there is this point about consultation, accuracy of. It seems to me that you have done little monitoring on how good your consultation was. This is a real failing in many areas of public work and public service, particularly in local government. I really do think you have to do a lot more in future and that you ought to take note that you need to monitor your consultation and find out how effective it has been. Very often you can throw out 200,000 leaflets and when you check up so few people have recognised them for what they are and acted upon them that consultation has been a waste of time. I would urge you to look at this over the coming weeks.

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9118. **Ms Lieven:** With respect, I entirely agree.

9119. **Mr Binley:** Thank you.

9120. **Ms Lieven:** I should say that the locations for the consultation meetings were chosen after discussion with the local authority so it may have been a lack of local knowledge on all sides. I cannot answer at this stage whether Kempton Court was dropped out of one stage of consultation or not. We have to go back to the computer database. If there is anything of any importance on that which I can inform the Committee on later we will do so. I do not want to give an answer on the hoof.

9121. Hardship is an issue that Ms Singleton raised in some detail. The Committee will remember in particular from the Brentwood Petitioners, where we discussed the hardship policy in considerable detail, that there is a hardship policy which appears at C8 of the information papers.¹³ A small factual correction is that I believe the full knowledge date was October 2004, so a little later than Ms Singleton was referring to. The other point is, of course, as the Committee will remember, take the example of Miss Goodfellow who wanted to buy a new place because she was pregnant and she wanted somewhere bigger for her family, if that is the situation and there is a diminution in value of 15 per cent then they would be eligible for the hardship policy. Equally it is important to remember if—one hopes it does not happen—residents of Kempton Court need to move because of ill-health, a disability means they could not get to the second floor or something like that, then again that is covered by the hardship policy. It is precisely those circumstances which are covered. I suspect, having been through that in some detail in the past, we do not need to go through it again.

9122. Health impact, the Committee will recall there has been a Health Impact Assessment on this scheme so those matters have been taken into account.

9123. Community relations are dealt with in information paper F3.¹⁴ That is a policy of the Secretary of State so it is a commitment that we will do the things in that paper.

9124. Car parking. We believe there is definitely a temporary loss of four spaces in Kempton Court and there may be a shorter loss of another four. That will depend on detailed design. We understand from discussions with the caretaker that it would be possible to re-provide those within Kempton Court itself by reconfiguring the car parking space to make a more efficient use. If there are individual owners of the spaces and that is not possible then they will be compensated. We will at the detailed design stage look in detail as to whether, if they cannot be re-provided within Kempton Court, there is somewhere else where they can be re-provided. At

this stage we cannot make that commitment but, as I say, we think they could be slotted into Kempton Court.

9125. Trees: the Committee will remember the photographs, there are no significant trees to be removed at Kempton Court. If there are any trees removed, they will not be the big ones but if any small trees have to be removed then they will be replaced by trees of equivalent size, nature and whatever.

9126. The garden: I am afraid this is one where it perhaps got a little bit caught up in what I describe as Environmental Statement speak about “no significant interest”. The garden will not be removed under the current scheme. Whatever was in the original ES, I am told the garden will not be removed. That is an unequivocal undertaking.

9127. Compensation: Ms Singleton mentioned three spaces and moving a wall. I am afraid we are not totally sure where that is so I think rather than me responding we had better go away and check that one out, if I may.

9128. As for her final point on enhancement, it is important to remember that although there is no doubt at all that these residents will suffer disturbance over a number of years, at the end of the day there will be a very significant enhancement to this area by the provision of Crossrail and a new station. It is an important point to weigh in the balance so far as the long-term enhancement is concerned.

9129. I think those are the points that I am in a position to respond to.

9130. (After taking instructions) Mr Mould reminds me of a point that I should touch on, keeping the existing station open. Our position now is, and we have written to Tower Hamlets in these terms, that we will undertake to keep the existing station open but it will not be open for ticket selling facilities, that is the current position. Obviously it is LUL’s ticket hall and ultimately it is up to them but the current position is we will keep it open but as an exit and entry point only. We will not do any works to upgrade it, because the Committee will remember it is a bit of a difficult station at the moment, up and down and round. What we would propose is that we leave it very much as a secondary entrance and the principal entrance—and we will go through this in much more detail when we come to Tower Hamlets—will be on Fulbourne Street which is of course fully accessible and a completely modern, completely person with restricted mobility accessible station. I have not taken the Committee through that today but there are lifts to every floor and every interchange from Fulbourne Street.

9131. **Chairman:** Right.

¹³ Crossrail Information Paper C8, Purchase of Property in Cases of Hardship <http://billdocuments.crossrail.co.uk>

¹⁴ Crossrail Information Paper F3, Community Relations <http://billdocuments.crossrail.co.uk>

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9132. **Mr Binley:** The point about the Tower Hamlets' noise and vibration policy was raised, a local policy, and that suggested that work should take place in what is a very protracted time for these people from 8am to 6pm as opposed to from 7am to 7pm and to look at noisy working on Sundays. You have not mentioned that at all.

9133. **Ms Lieven:** No. Sir, I was not going to mention any noise issues because I was going to come back to them but, as you have raised it, can I say on working hours Westminster City Council are taking the lead. It is obviously important that there be some uniform approach across the scheme for reasons of equity. There are residents elsewhere on the scheme who are seriously affected. Westminster are leading and we are in detailed discussions with them and with the planning forum about working hours and that is a matter that we are going to come back to when Westminster appear. If Tower Hamlets have separate issues on working hours then doubtless they will deal with them. Of course when Westminster appear there may be more site specific issues which have to be raised. I would rather deal with it as a totality when Westminster appear because it needs to be dealt with in that way.

9134. **Mr Binley:** I understand that. As long as you give us an undertaking that you will remind us because we do not want it to be forgotten.

9135. **Ms Lieven:** There is absolutely no possibility that the issue of working hours will be forgotten. If I do not remind you of that I can promise you Westminster will.

9136. Sir, I hope that is sufficient at this stage as a brief response and some of those points we will come back to but we will come back to any of the ones I put to one side in writing to Ms Singleton in any event.

9137. **Chairman:** On the noise, Ms Singleton, you will have a chance to read what is undertaken on the noise issue alone to come back to us on that. Are there any other points that you would like to add in response?

9138. **Ms Singleton:** No.

9139. **Chairman:** You are happy?

9140. **Ms Singleton:** I will accept that at the moment, yes, and look for the noise response.

9141. **Chairman:** Thank you for your very full and detailed contribution. We will now move on unless, Ms Lieven, you want to add anything?

9142. **Ms Lieven:** No, Sir.

9143. **Chairman:** Thank you for your presentation. We will now move on to the second petitioner which is the Southend Arterial Road Action Group.

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The Petitioners appeared in person.

9144. **Chairman:** Would you like to outline the petition for us, Mr Mould?

9145. **Mr Mould:** Yes. The Petitioners are residents of houses which are alongside these properties here which are alongside a cul-de-sac which itself lies alongside the Southend Arterial route which is this strategic road which you see here running in a north-south direction across here, the Eastern mainline.¹⁵

9146. Crossrail is proposing to carry out works to extend and modernise existing sidings at Gidea Park. I wonder if we can put up, please, photograph number six which I am going to come to in a minute.¹⁶ The sidings are to the London side of the area here. We will come to the photograph in a minute and the proposal is that we will provide road access to the worksite for the extension of the sidings at Gidea Park along Hall Road which is to be constructed along this line. This is the area of the existing sidings at Gidea Park, just to the north of the eastern mainline. The sidings are to be extended so that they embrace this area here and will provide adequate stabling facilities for Crossrail trains.

9147. The works to the sidings involve modernisation of the tracks and sidings here and some engineering works to extend a cutting and provide retaining walls along this area here for that purpose. The majority of the railway works in this area will be served by rail and that will include the rails themselves, the ballast and other supplies of that kind. However, ready mix concrete will need to be brought in by road and the proposal is that concrete mixers should gain access from the arterial road, which you can see running here, we are looking in an easterly direction, which will gain access via Hall Road which will be served for part of its length by the cul-de-sac that I showed you a few moments ago. The concern of the residents, put shortly, is with concrete lorries and other smaller construction traffic that will be using that Hall Road route and going past those houses on the cul-de-sac during the 20 month or so period of the construction phase.

9148. Very briefly, just to give you a little bit more information before I hand over to Mrs Kemp, it is a 20 month construction phase and the peak period of that is about three months and during that peak period we are expecting about 12 concrete lorries a day along the Hall Road. Outside the peak period, so for the remaining 17 months, we are expecting

¹⁵ Crossrail Ref: P87, Oblique aerial view of the Southend Arterial Road from the south (HAVGLB-35804-007).

¹⁶ Crossrail Ref: P87, Oblique aerial view of Gidea Park sidings from the southwest (HAVGLB-35804-006).

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about four concrete lorries a day and there will be other smaller vans and vehicles of that kind which will be passing along the Hall Road on a daily basis from time to time to serve the works.

9149. The only other point to make, just so that you are completely in the picture, is there will be some items of very heavy plant and machinery which we will need to transport to a point just to the north of the over-bridge where they can be offloaded and brought along the Hall Road on to the site. They will not pass along the cul-de-sac, they will pass from a marked-off lane on the Arterial Road itself over the verge and on to the Hall Road and we expect that to be a relatively infrequent occurrence, as few as two inward deliveries and two outward deliveries as the reasonable minimum that we can expect. As you will expect with coning off a lane on a busy road on a temporary basis for up to a day, we hope somewhat less, that will be dealt with in close consultation with the police and with the highway authorities. We would expect to give proper prior notice to the residents themselves on those few occasions when that would need to be done so they know what is going to happen and they can prepare themselves for that. I am afraid that is a somewhat rushed introduction to this Petition but I hope that gives some sense of where we are in relation to this.

9150. **Chairman:** You are all petitioners, are you not, and you can all speak.

9151. **Ms Kemp:** Yes. I am afraid I have not got a lot of voice.

9152. **Chairman:** Can I start by saying do not be nervous and, if you are, so are we.

9153. **Ms Kemp:** It is not nerves, I have got a thyroid problem.

9154. **Chairman:** As long as you speak loudly enough, and if you do not we will ask you to speak up a bit.

9155. **Ms Kemp:** My voice tends to disappear as I am talking.

9156. **Chairman:** As I say, do not worry, just take your time, but not too much time because I am going to ask for your indulgence and your help. We have got 17 minutes before the Committee is supposed to rise and we can only expect the stenographers to stay on for 10 or 15 minutes beyond that otherwise we cannot get the evidence printed for the following day. I just need to know how long you think you are going to take either individually or collectively.

9157. **Ms Kemp:** I will be as succinct as I can.

9158. **Chairman:** I just want you to be aware of the time.

9159. **Ms Kemp:** Compared to the last area we are quite small so we should be able to be fairly succinct on this.

9160. **Chairman:** Okay. If you would like to start now.

9161. **Ms Kemp:** Okay. I do not know if you are able to do a close-up on this picture on the screen of the cul-de-sac itself because that would be helpful.¹⁷ As you can see, coming along the 127, that is purely an access road for us. It is very well screened. It is a very tight bend to get into it. You have traffic lights below the railway line, which is low on the picture, and when the traffic leaves, and we worked out roughly 1,500 an hour pass on that side of the road only, by the time where you see the first piece of writing they are hitting 40mph. As we come down that road, and we have to turn in because they do not know it is there, there is another road just past that, it is very dangerous for us to turn in.

9162. Our main problem with what Crossrail want to do is bringing large lorries in. We did persuade them that they could not get low-loaders in there because we have trouble getting our own cars round that corner. We are now dealing with concrete mixers and they are widening the gap but, as you can see, it is a hairpin bend and as you come round it you have to be careful of cars coming up the road. It is a tiny road. It is purely for residents. To narrow the hairpin to get a concrete mixer round there, we do have a man here who is a lorry driver and very experienced on those and he can tell you about that. We are tiny but it is the impact on us because we have got nowhere to go, it is the only way in. We cannot park while they are doing it. They have suggested we can but that will be an impossibility. We have roughly 28 cars down that street, which is 18 houses. We are struggling to park at the moment and when visitors come in. Widening the entrance, widening the road, is not going to make an awful lot of difference. With concrete mixers coming past there is going to be very little room to get through. Although I know Crossrail is going to contradict us, we have done the measurements. Some people have got pretty good cars down there and with 12 cement mixers coming in and out with a very short space between parked cars and those going past, nobody is happy. If I could ask Frank to speak about the lorries, he will be able to tell you about that and then we can sum up the other aspects.

9163. **Mr Lunnion:** With the way you come in, even our dustcart cannot turn that way, they have to reverse him up the Arterial and then into our bit. Naturally a dustcart does not weigh as much as a concrete lorry and where our houses are it was an old pond and weed bed sort of thing so the ground there is very soft anyway, even the dustcart churns it up a bit on the tarmac. You are talking about bigger lorries trying to come in there. The ground is just not going to take it anyway.

¹⁷ Committee Ref: A107, Aerial Photograph of the Southend Arterial Road (SCN20060523-003).

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9164. The turning circle on a cement mixer, kerb to kerb, is roughly about 26/27 feet, that is standing kerb turning circle but not motional turning. If he is coming down the Arterial and he has got to come in, he cannot turn the wheel that quick to come round but it is kerb to kerb. With a cement mixer the drum is rotating round, if it tried to take it in too quick it would be on its side. That is roughly all I can tell you. As they say, they are trying to cut off to make the entrance wider but at the same time they are making it so it is more of a hairpin turn to get a lorry in there.

9165. **Chairman:** Thank you.

9166. **Ms Kemp:** The actual aspects of the safety part of that is that at 40 miles an hour the cars come in behind you—When we are coming over the bridge which is quite a way before our entrance we have to start braking and indicating. Even last week one of the visitors to our road was trying to get in but the person behind them was so tight and not slowing down that as they took the bend they went straight through across the road and into the trees and bushes. If this is a concrete mixer with traffic coming up behind it, the main part of it, it is not just the speed as you come over the bridge you are blind to what is going on on the other side. You cannot see that on there. Where it says the Arterial Road that is the end of the bridge. That is sloping down there so as traffic comes over the bridge you cannot see. There is a turning there so if a concrete mixer is slowing down almost to a stop, with the amount of traffic behind it and the speed, we are very conscious of dangerous pile-ups there on that aspect.

9167. If I could pass you on because I really have lost my voice.

9168. **Chairman:** Mr Lunnon, it is a made-up road?

9169. **Mr Lunnon:** Pardon?

9170. **Chairman:** It is fully made-up. It is an adapted road?

9171. **Ms Kemp:** No, it is not.

9172. **Mr Lunnon:** It is only partly made up of concrete, partly of tarmac.

9173. **Chairman:** It is not a fully adapted road?

9174. **Mr Lunnon:** It is not a fully adapted road, not to take heavy vehicles of that calibre. We had a chat to Crossrail and they said they were going to dig it out and make it more secure and put a better road surface in there. As I say, where are we going to park our cars while they are doing that? They will need a 360 machine in there to load up, eight-wheel tippers which are 32 tonnes.

9175. **Ms Kemp:** Could we show you this? You have not seen the road yet. You can see the difference. If you look at the original entrance to it before it was widened, the original entrance to this is where you

have the line coming up the Arterial and turning in, the outside edge of that—it is very difficult to show it on that, it is easier on here—is the original entrance.¹⁸

9176. **Mr Pink:** Where it says “Existing kerb line”.

9177. **Ms Kemp:** Yes. The hairpin bend on there is much tighter and we have trouble negotiating a normal car round the bend as it is now. We have to hit that corner to start turning on that kerb. At 20 miles an hour is the first time we can start to turn because you have a 40 mile an hour set of traffic behind you. You have to hit the brakes as you go around that corner to get round. The next diagram is a concrete mixer going round there very neatly.¹⁹

9178. We live there and we know the dangers of that round and we know the dangers of the traffic coming along behind on the Arterial. We were comparing how busy the road was to a small road leading up to the station. 1,500 cars per hour go past that entrance, not every hour of the day but the majority that is, most of the day. It is difficult for us to get out. We can sometimes sit there for 10 minutes before we can get out in traffic. Now you know what we are talking about I will pass you over to Ray Pink.

9179. **Mr Pink:** In view of the time I will try and be fairly brief. Background to what we are discussing here is the residents of the cul-de-sac of Southend Arterial Road had a meeting with Crossrail on 10 March 2005, 14 months ago, soon after we first learned of the impact of what they are now trying to do.

9180. At this meeting the residents raised a number of objections. It was here in a room in the House of Commons. A summary of those objections formed a petition six months later which you will have seen and which has been responded to by Crossrail six months on again in March of this year. Those core objections are effectively what we are looking at and in many cases we really do not think there have been satisfactory answers from Crossrail.

9181. At that first meeting there were three alternative proposals suggested, two of them different road layouts relating to access near the cul-de-sac and one which was to use an existing road on the other side of the railway to effectively have a level crossing. That diagram shows the long diagonal line up the centre going north and north-west up the Arterial Road and you can see at the top of the picture the dotted line of the area of the cul-de-sac we are looking at. The triangle below the dotted line shows on the other side of the railway how HGVs,

¹⁸ Committee Ref: A107, Gidea Park Worksite Notional Temporary Access (HAVGLB-35804-005).

¹⁹ Committee Ref: A107 Gidea Park Worksite Notional Temporary Access (HAVGLB-35804-014).

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concrete mixers or whatever, could come around the other side of the railway and access the site directly using the level crossing.

9182. Crossrail's response to this, which was in the Promoter's Response Document, point 13, as with the other two proposals, the comment on the level crossing was: "The provision of a new level crossing to access the sidings from the south side of the railway, as suggested in the third option, cannot be justified. There are dangers associated with using level crossings, and new level crossings are only permitted in exceptional circumstances." Firstly, this is not a level crossing which would be used by the public, it is a level crossing for a limited number of heavy goods vehicles as used by Crossrail for a limited time. As to the idea that they are only permitted in exceptional circumstances, surely it could be argued that Crossrail itself is very much an exceptional circumstance. To suggest that it is not safe, I can understand there will be concerns over the use of a level crossing in these circumstances but I do not know what the rail traffic is on that line. Off-peak I believe it is something of the order of six trains an hour, three trains in each direction, one train every 10 minutes.

9183. The solution that they want to implement using the cul-de-sac consists of dealing with off-peak traffic, 1,500 cars per hour, which is one car every two seconds. Jill and Frank have talked about the problems when you are turning into the cul-de-sac of having to brake hard, and I have also experienced this.²⁰ You have to hit the brake lights to warn the traffic behind that you are turning left. There is also a turning just beyond that, which is a more major road, which traffic expects you to be taking. When you indicate left they think that you are taking that left turning into Belgrade Road. Obviously a very small per centage of people are residents using the cul-de-sac. The procedure with a traffic stream of 40mph is to slow down. What you can see on screen here is the A127 off to the left with the pavement running through and this is the entrance to the cul-de-sac.²¹ The stream of traffic coming at 40mph towards us in the photograph has to brake hard to about 20mph while indicating left, come off the brake lights to avoid the car behind hitting you and then swing around the corner. This is sometimes not happening, as in last week when someone finished up in the bushes.

9184. The idea that a concrete mixer could be doing something similar I find quite horrifying. I do not know how much a concrete mixer weighs but if it is six cubic metres or something, a couple of tonnes per metre, you could be talking about 15-20 tonnes of vehicle toppling over on whoever or whatever is on the outside of that bend at the time.

9185. **Ms Kemp:** The proposed curve, the width of the hairpin, is where you see the sign with the cross on it approximately through the tree line.²² If you go to the next photograph you will see that curve.²³

9186. **Mr Pink:** This is one from the inside of the cul-de-sac. The previous photograph was taken from the outside of the bend. One of the problems with widening the road—you can see the width of the road there with the car parked on the corner—although you can make the road wider by taking that pavement and where the bollards are on the grass, widening on that side, you are not in any way making it easier to take the bend by taking the inside of the hairpin. That is not improving the ability to take the turn from the outside by making the hairpin even narrower on the inside. It could be a painted line in the road and that is not going to affect a vehicle's turning circle, especially at speed.

9187. **Ms Kemp:** Can I give you an idea of size. From the pavement, the grass verge on the kerb edge, where that sign is opposite the telegraph pole, that is approximately 25 feet and in proportion the concrete mixers are 27½ feet long. We are talking about that kind of a hairpin to get that kind of vehicle in there travelling down that road. On that picture where the car is on the left, you cannot see over the bridge, that is where it is blind, coming down on that path. They are talking about doubling the width of the road down there because it is too small, so we are effectively losing a lot of parking spaces. We have been given four extra spaces but there are at least 28 cars which can be using that road. The access to the parking is going to be difficult when they are rebuilding the whole road.

9188. **Mr Binley:** I think we can clearly see the difficulties and we understand, the photographs are very helpful. In the Promoter's response, and you may be coming on to this, there is the possibility of another route. Can you just explain to us on the map where that might be so we can see.

9189. **Ms Kemp:** What other route?

9190. **Mr Binley:** It says in the Promoter's response: "There have been discussions with a property developer with local land interests to see if an access to serve a proposed residential development could be brought forward to also serve as an access to the worksite. This could have both traffic and environmental benefits but relies on the developer securing agreement with the highway and planning authorities, particularly Transport for London."²⁴

9191. **Ms Kemp:** Yes, we did secure a developer.

9192. **Mr Mould:** We were aware that there was the possibility that development might take place to the rear of the properties on the cul-de-sac and to the south

²⁰ Committee Ref: A107, Photograph of Southend Arterial Road and turning to Belgrade Road (HAVGLB-35805-001).

²¹ Committee Ref: A107, Photograph of the entrance to Belgrade Road (HAVGLB-35805-002).

²² Committee Ref: A107, Photograph of the entrance to Belgrade Road (HAVGLB-35805-005).

²³ Committee Ref: A107, Photograph of the entrance to Belgrade Road (HAVGLB-35805-006).

²⁴ Crossrail Ref: P87, Promoter's Response Document, Alternative Access Arrangements (HAVGLB-35802-013).

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of those properties and if that were to happen we would work with the developer to try and find an alternative means of access to the worksite which might enable us to avoid using, as we propose to do, the cul-de-sac for concrete mixers and other small commercial vehicles. That does depend on that development coming forward and we are not aware that any progress has been made.

9193. **Chairman:** Have you liaised with the local authorities in relation to the expectation of planning?

9194. **Mr Mould:** I do not think it is even at that stage. This was an expression of interest by a developer. I will take instructions on precisely where we have got to on that. The position that I have been told so far is that possibility is no more than that. What we are trying to do is put forward a proposal which reflects the here and now, as it were, but we are leaving open the possibility, as Mr Binley rightly says, that if things change in terms of a third party developer's proposals we may be able to buy into that and make alternative proposals.

9195. **Ms Kemp:** We came up with this proposal last March saying we would try to find a developer who would buy the last six houses. We did find a developer who was also going to build seven flats across the green at the bottom part, the land running alongside. Unfortunately, that has fallen through. We were working with them for nearly a year but that has fallen through. It is a bit difficult for us to say we will run around and find other developers so that Crossrail can have easier access. If we can, we can, but we went down this route purely as a proposal. We did find a developer but nothing has come of it at the moment.

9196. **Chairman:** Thank you very much. Is there anything else you wish to add?

9197. **Mr Pink:** If I could make one more point which is expanding on the noise issue. In the Promoter's response, paragraph 12, it says: "The assessment predicted that there will be no significant noise and vibration or air quality impacts arising from construction traffic as a result of Crossrail works in the vicinity of Gidea Park stabling sidings". At the moment you have traffic on the A127, as we have said, 1,500 vehicles per hour in each direction off-peak, and there is some attenuation of noise and visual impact by that row of hawthorn trees there which is useful for screening off the siding from the residents to some degree. By my calculation the houses are 90 feet from the road. One of the figures I have seen for noise levels is at 100 feet, and the houses are slightly more than that but there are trees, noise levels from traffic are likely to be about 50 decibels. To a pedestrian on the pavement, such as the one in the picture, the noise level will be perhaps 70 decibels. Many of the residents in this street are shift workers who need to sleep during the day. Noise levels above 45 decibels can interfere with people sleeping. I have not measured it but I suspect

the noise levels there are somewhat higher, although there is double glazing and an element of people getting used to it.

9198. As I say, noise levels on the pavement are 70 decibels and decibels is a logarithmic scale and every time you add ten—50, 60, 70—it is four times as great, it is doubling with each 10 decibels. So 70 decibels is four times as great a noise level. On the figures from the Defra website, the Department for Environment, Food and Rural Affairs, heavy goods vehicle noise on a pavement is 90 decibels. Where Crossrail appear to be saying they see no significant change in noise, by my calculation noise could be eight to sixteen times greater if concrete mixers are hammering past people's front doors at one every 20 minutes. If it is 12 a day per working day with a return journey, 24 in eight hours or whatever, that is once every 20 minutes and that could have a serious adverse impact on residents.

9199. **Ms Kemp:** I am sorry, but we feel as though we have not got much chance to go through everything on this. If I could bring up two other points. When we are talking about danger, the pavement running along up to the bridge is used by schoolchildren from infants through to teenagers to at least five different schools in the area. Also, it is the only access route to Ardleigh Green shops for most of the residents, including elderly people walking their dogs, et cetera. In the early part of the morning between eight and nine that pavement is extremely busy with everything from babies in pushchairs and toddlers up to children of 14 and 15. The same is true at lunchtime for the little ones and again in the late afternoon. That is going to be twice the size it is. Everybody is used to that entrance. How we are going to prepare safety for these children I do not know because that will be quite a wide entrance for them to cross and they will not necessarily see the concrete mixers coming up our road and out. If a concrete mixer is trying to get into the road and there are children there we can manage to stop, but if a concrete mixer is travelling down there and there are children crossing that is an aspect we do not want to think about at the moment.

9200. We had a meeting with Crossrail last Thursday, so this last bit has been a bit of a nightmare answering their responses. If I can get Crossrail to forward the email questions and answers, Jonathan Bagg has those, some of these will help. I am trying to think of your time at the moment.

9201. **Chairman:** Can I tell you we will keep open all communications and this Committee has asked Crossrail and the Promoter continually to keep avenues open for discussions and communications. Be assured that will occur. The reason I am being a bit pushy at the moment is, as you can see, the Secretary of State is on his feet and responding in a debate so there is going to be a vote very, very soon and we have not yet heard the response from the

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Promoter. If we continue for much longer—do not worry—there will be no chance to come back with the stenographers so the Committee will reconvene tomorrow morning with the Promoter's response unless we can get it in tonight. It is entirely up to you.

9202. **Ms Kemp:** I am afraid we have got to go somewhere tomorrow. I do speak to Crossrail frequently, so we are trying to work this one out together at the moment. As long as it is not finalised.

9203. **Chairman:** Be assured that on the evidence you have given and your petition we will look very seriously at all matters connected to that and in the response provided by the Promoter to ensure we give full consideration to what you are saying. What the response will be I do not know because I am only one of ten. Certainly we will give it full and detailed consideration.

9204. **Mrs James:** I am very concerned that the lady gets the time that she needs.

9205. **Ms Kemp:** Our biggest concern, apart from the danger from the vehicles and dangers to pedestrians and anyone down our road, is where we are going to park while they are doing all of this. We have had some suggestions. If you can show the photograph showing the inside of the road.²⁵ This shows the edge of the road and you can see right in the front a private road. The dark part on the left is the pavement, which is the council's pavement, but the road between that and the grass is a private road. As you can see, it is a very rough surface. Often we have to park along this side. If there are two cars, these houses will have cars parked outside them as well. What Crossrail is talking about on the right-hand side is they were originally going to put seven car parking spaces there, which is only four for the road. This is a quiet time of the day, even if they are working during the day we have traffic going in and out all the time. Seven spaces along there when everybody comes home is not enough. Then they said they would put 15 side-by-side along the trees. If you put 15 along there with the average car being 16 feet long, and we are parking that side, none of us fancy having a concrete mixer passing a couple of feet from the sides or ends of our parked cars. Even if they put that there, while they are building the road, my car is the blue one and I have got to get out across this road they are going to be completely renewing and widening. I cannot jump over that to get to a parking space. There is not enough room at the far end.

9206. Our concern is there are a lot of single ladies and younger ladies down our road. If you look at the map there are no other places for us to park. We are on the 127 and if you turn left there are no spaces there. We are two or three streets away from where we will have to park. We have a couple of women who work late, nurses, et cetera and it is a long way to walk in the dark. Unfortunately, only a matter of

three or four weeks ago there was a murder at Ardleigh Green and a few months prior to that there was a murder just half a mile the other side. We have a lot of problems around the area at night. We have elderly people. We cannot walk from two or three roads away carrying shopping or coming back late at night. Crossrail's solution so far has not been helpful because there is just one way into the road, we cannot get any other access to it, and we have not got enough space to park during the three months while it is being built.

9207. **Chairman:** Are you content, Ms Kemp, or have you got anything more to say?

9208. **Ms Kemp:** No, those are our main concerns, and what is happening with the road.

9209. **Mr Mould:** Sir, I note the time and what you have said about what is available to us tonight. With the best will in the world I will not be able to give the Committee the assistance I want to give in relation to the points that have been made in a very few minutes this evening. What I would like to suggest, if it is convenient to you, is that we find a convenient time when we can come back, convenient to the Petitioners, and, as Mrs James said, we can hear any other points they wish to make when they do not feel they are under a time pressure and I can then provide you with a comprehensive response.

9210. **Chairman:** That is very helpful. But at the same time you can keep negotiating with them to see if there are ways in which you can find a solution to their concerns.

9211. **Mr Mould:** Of course. What I was going to say, sir, if I may, is it has been extremely useful to hear aired in Committee some of the concerns that they have because although we have been talking to them, as Ms Kemp has kindly said, there is nothing like hearing these things aired in public to concentrate the mind on what people are looking to achieve. In particular, in relation to the way forward in terms of arranging details, assume, and I know there are points being made about the alternatives, we go down the line of what we propose, which is to use this cul-de-sac for concrete mixers and other smaller commercial vehicles at the level of usage I have mentioned, on that basis we—

9212. **Chairman:** What I am going to suggest is that we take up your suggestion and we will arrange a time when you can come back to hear Mr Mould's response.

9213. **Ms Kemp:** I would be grateful for that because we have not covered everything.

9214. **Chairman:** In the interim he has given the undertakings he has given. We have to move now because there is a division for a vote. I apologise for that. The Committee will recommence tomorrow morning at 10 am.

²⁵ Committee Ref: A107, Photograph of Green grass area to be used as car park spaces (HAVGLB-35805-007).

Wednesday 24 May 2006

Before:

Mr Alan Meale, in the Chair

Mrs Siân C James
Mr Ian Liddell-Grainger

Kelvin Hopkins
Sir Peter Soulsby

Ordered: That Counsel and Parties be called in.

9215. **Chairman:** Good morning, ladies and gentlemen. Today we will hear the petitions of Swanlea School, East London Line Group and Wan & Pang Limited. I will suspend the Committee sometime before 11.45, so that Members who may wish to attend Prime Minister's Questions can get a cup of coffee before they go. Anybody in this room who would like refreshments can go along the corridor to the central area, where tea and coffee will be on sale.

The Petition of Swanlea School.

Ms Nathalie Lieven appeared on behalf of the Promoter.

Miss Linda Austin appeared on behalf of the Petitioner.

Ms Sally Anne Faulkner appeared as Agent.

9216. **Ms Lieven:** Thank you, sir. This morning you are hearing the Petition of Swanlea School. I do not intend to go back over matters which relate to Whitechapel generally, as we dealt with those matters last night and the Committee has been on a site visit, but I would ask for the plan of the school itself to be put up.¹ There is a good colour code in the right-hand corner. The permanent infrastructure which slightly impinges on the school is the Durward Street shaft. There is a tiny sliver which extends on to the school land here and another small piece here, and the area there is landscaping, so the permanent infringement there is very small.

9217. The light green shows the work site. This is the area known as Essex Wharf which was mentioned yesterday, which is the roof of the tunnel of the East London Line. Brady Street is to the east, where there is the main entrance into the school in the morning, and Crossrail are intending to put in a route for construction traffic—although relatively small numbers of construction traffic—to come into the Essex Wharf work site through the existing school car park and over a piece of playing area.

9218. I would highlight that area further, because in Essex Wharf we have suggested to the school that we would be able to give them some compensatory land even during the works. The precise area is not yet fixed. The construction traffic might either be brought in so that the area to the west could be given in compensatory land, or it might be brought in

behind and the area directly adjoining the school premises could be given as compensatory land. At the end of the works, it will be possible to give a large area of Essex Wharf to the school for their purposes, and their purposes for that land are not yet fixed. It might be for some form of building, it might be for playing space or whatever.

9219. I think that is all I need to show you on this plan. The Committee are familiar with the school buildings and doubtless Miss Austin can explain that in more detail.

9220. We have written a letter to the school very recently which sets out a series of commitments we are prepared to make to the School. I hope it would be helpful to the Committee to go through that briefly now, to highlight it, so that we know what the base point is.²

9221. I would like to highlight the point in the opening paragraph, that we can give a commitment to the school that, both in the time leading up to the start of works and during the works, we will discuss all relevant arrangements with them to try to minimise the impact. That is an absolutely clear, unequivocal commitment.

9222. So far as noise is concerned, as we say in the first sentence: "The Promoter is satisfied that it is possible to provide adequate insulation . . ." and Mr Thornely-Taylor is here to give evidence on that.

9223. We then relate the level of mitigation to two potential standards. One is in the Building Bulletin 93 document *The Acoustic Design of Schools*. It is our aim to meet that standard, but, as Mr Thornely-Taylor will explain to you, we cannot unequivocally state that we will meet that standard, because it may not be possible, given that the school was not built to conform with those standards in the first place. We can, however, give a clear commitment that we will attain a standard by which the noise is no greater than the existing unoccupied indoor noise level and Mr Thornely-Taylor will tell you that we can meet that standard.

9224. We then set out some mitigation measures. Obviously the detail of these needs to be worked up at the appropriate time, but we thought it would be helpful to set out for the school the kind of things

¹ Crossrail Ref: P85, Whitechapel Station, Durward Street Shaft (TOWNHLB-30303-002).

² Crossrail Ref: P85, correspondence from CLRL to Swanlea School, 19 May 2006 (TOWNHLB-30304-037 to -040).

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that might be considered. There are two important commitments about specific activities. "... the Promoter undertakes that any particularly noisy activities that would disrupt the learning environment despite the application of the mitigation measures set out in this letter will be confined to the school holiday periods or other times that the school is not occupied by pupils." Then, over the page, "During defined exam periods at the relevant times agreed with the school the project will take further measures to ensure that noisy activities do not disturb pupils taking exams. This could include use of alternative locations if appropriate." I should make it clear that we will pay for alternative locations if necessary.

9225. We then say, four paragraphs further down, "We note your desire to maximise the outside play area/quiet space/garden during construction. We will undertake to review the site layout at Essex Wharf..." and to try to do what we can to help on that.

9226. Construction traffic has been another significant concern and we undertake, as I indicated to the Committee last night, that construction traffic will be prohibited from using Durward Street between 8.15 and 8.45 in the morning and 3.30 to 4.00 in the afternoon. We also made clear that construction traffic routes will be subject to approval from the London Borough of Tower Hamlets under schedule 7, and we will ensure that ties in with the undertakings we have given.

9227. So far as school access is concerned, we undertake: "... to provide an exit for pupils on to Durward Street during school term time for the duration of the works. I am sure Miss Austin will explain this in more detail, but there was a concern that pupils do not exit back on to Brady Street at the end of the day. That is an operational concern, if I may put it like that, from the school.

9228. There was a suggestion of an alternative access being used. We have looked at that and we do not think it is feasible. I am not going to say any more about it unless Miss Austin wishes to pursue it. We have examined it and we do not think it is going to be a good idea.

9229. There was a concern about cranes oversailing the school. We have undertaken: "... to agree the positioning of cranes on the land occupied by the school" and also to note that the Crossrail Construction Code states that: "Crane arcs will be confined within the site boundary unless agreed otherwise with the local authority and the property owners..." We will not be oversailing the school with cranes in a manner that is dangerous to anybody.

9230. In relation to school premises accommodation, you may remember from last night that we will have to demolish the existing accommodation during the construction phase. We

will provide temporary accommodation and then we will rebuild, if that is what the school wants, premises manager's accommodation at the end of the project.

9231. There was an issue about what happened if the school wanted to do further development. "As noted in our response to point 2 above, we undertake to minimise the land take and to maximise the alternative areas of Essex Wharf in consultation with the school both during the construction period and for the reinstatement of the site once works are complete."

9232. We make clear in the final paragraph that these undertakings are given by the Secretary of State.

9233. The letter did not go as soon as we would have liked. We say at the end of it that we are more than happy to discuss the matter further with Miss Austin, but there has not been time to discuss it between receipt of the letter, which was probably, to be truthful, yesterday, and now. The offer to continue to discuss with them of course stands open and obviously there are many detailed issues where there will need to be much more conversation with the school for the years to come, before the construction starts and once it is undertaken. We unequivocally commit to those discussions.

9234. Perhaps I should say now—and I would not normally say this in opening—that we do accept that the school is a special case. It is very close to a lot of work and we are trying to do whatever we can to meet their concerns, taking into account the fact that it is a special case and we do not want the pupils to be disturbed to anything approaching an unreasonable degree.

9235. **Chairman:** Miss Austin, would you like to make your case?

9236. **Miss Austin:** Thank you. I am the head teacher of the school and I am here representing the governing body of the school. I would just like to take a couple of minutes, if I may, to explain the context of the school before going specifically on to the Crossrail case.

9237. Swanlea School is still relatively new. It was built just over 12 years ago, in 1992, to accommodate rising rolls in Tower Hamlets. Of our students, 92 per cent are learning in their second language; 68 per cent are on free school meals. The school is located in one of the most deprived areas of the country in terms of the indicators of wealth. Therefore, an aspiration since I have been head of the school—and I have been there since it started—has been to ensure that our students get the best education possible. We have high aspirations which have resulted in our school becoming a specialist Business and Enterprise College. We are a leading-edge school and, indeed, we had an Ofsted Report last year which described the school as "good, with

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outstanding features”. We are aiming for the highest for our pupils, who come from circumstances of the lowest in terms of socio-economic deprivation indices.

9238. I would like to start off by saying that the whole lifetime of the child at school will be affected by this development. Five years may not seem a long time for us, but, for a youngster going through school, five years is an incredible amount of time: it is the whole of their school life. For us obviously we are gravely concerned that those youngsters may take part in the school for five years in the middle of a building site.

9239. Generally, we are concerned that the Crossrail plan could harm the reputation of the school whilst building works are taking place. We are concerned that it could lead to a fall in rolls and falling rolls in a school means that one has less money to come into the school to provide the high quality that one would wish. We are concerned that that could happen.

9240. We are concerned that over the time of the construction the learning of the students who are at the school could be affected by noise, dust and vibration and loss of play space. Loss of play space is something we are particularly concerned about, because, at the moment, as you will be aware, the DfES—quite rightly, in my view—has a strong push on developing healthy schools and the health of the children of our nation. Those of you who visited Tower Hamlets yesterday will understand that there is so little outdoor play space for young people in the borough—in fact, I think we are below certain national regulations on that. I go into a little more detail on this later on, but we are concerned, if we have to give up part of our garden and part of our playground, that that will go against the healthy schools agenda. We are concerned about the effect of dust and also noise pollution having an effect on the pupils and staff whilst the construction is taking place.

9241. I am also very concerned about harming the future development of the school, which could make future funding streams inaccessible. We have a very clear vision for our school at the moment which we are linking in the Building Schools for the Future Agenda. We want to make our school an extended school. We want to develop our post-16 provision, in tune with the 14–19 developments. We have plans for the expansion of the school in terms of buildings but we understand that this may well be put on hold in the light of the Crossrail plan. We have already been unable to develop our playground, where we had plans to remove the concrete and put on Astroturf. We have not been able to do that in the light of Crossrail.

9242. We would be requesting an undertaking that there is a strategic partnership between the school, the London Borough of Tower Hamlets, the DfT

and the DfES to minimise the limitation on opportunities to put in place compensatory arrangements as a result of the Crossrail plan.

9243. More specifically, going to the school and specific effects, on slide 1 you can see the back of the school, and to the right-hand side of this picture will be the throughway, where Crossrail wants to take away our space and put a car park and an area for their transport to come up and down into their site at the back.³ I am concerned that this loss of play space will limit football opportunities and play opportunities.

9244. Slide 2 shows behind the area we have just seen.⁴ On the right-hand side, part of that area will be taken up by the Crossrail plan and therefore will limit the size of our playground. Although this has been mentioned at the beginning, we would wish Crossrail to pursue the possibility of an entrance to their site from behind the school, through Trahorn Close. The governing body of the school would urge Crossrail investigate this option. The local authority has indicated it supports the investigation in order for all parties to be satisfied that the best option can be achieved.

9245. Also, Crossrail has talked about an emergency exit coming through the back of our playground. The governing body has concerns about who would have access to this, how would it operate, and how would it impact on the day-to-day running of the school if we had a large number of people exiting through it when the school is in operation.

9246. May I move on to noise and vibration, and the next slide. We only have one area of the school where we run public examinations and that is our sports hall.⁵ Those of you who visited yesterday saw this. We use this three months out of the whole year for mock exams, SATs, GCSEs, because it is the only area the school can put the whole school in December May and June that sports hall is largely used for examination purposes.⁶ Whilst we recognise Crossrail’s offer to move children offsite, our concerns would be the disruption of the children and the effect that would have on the children of having to go somewhere else to do their exams. The day-to-day management of that would incur quite considerable cost and we would urge that we try to consider options where the students can stay on site to do those examinations in their best interests.

9247. In terms of the effect of noise on the school, we recognise the undertaking to meet the standards specified on *The Acoustic Design of Schools*. It would be a welcome assurance if it were that the noise level

³ Committee Ref: A108, Photograph of the rear of Swanlea School (TOWNHLB-30305-006).

⁴ Committee Ref: A108, Photograph of the playground at Swanlea School (TOWNHLB-30305-007).

⁵ Committee Ref: A108, Photograph of the sports hall at Swanlea School (TOWNHLB-30305-008).

⁶ Committee Ref: A108, Photograph of the sports hall in use for examination purposes at Swanlea School (TOWNHLB-30305-009).

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was to be dB93—and I am not an expert on these things, so do forgive me—and that a lower noise level was taken rather than the dB93 level. We would like confirmation on the level of noise.

9248. We would also be grateful if Crossrail could confirm that they would meet the technical support cost incurred by the school and the local authority in assessing the proposals and we would also welcome confirmation that Crossrail would support the running costs for any ventilation equipment that may be installed as a result of construction mitigation.

9249. The undertaking that particularly noisy activities would take place in holiday periods is most welcome and accepted, but we would like to continue to look at taking further measures during periods of examinations of which we consider to not just be the GCSE exams but would include the mock exams and other school examinations that have to take place in that form.

9250. As I have already really said, off site accommodation for exams we would find difficult to manage, but if it has to take place we would want the cost of additional management and supervision resources that may be incurred as a result of that.

9251. I am also concerned about the effect of vibration on the school whilst the railway is being constructed and whilst Crossrail has asked for detailed construction information for the school, the school and local authority has searched archive material and have not been able to locate such information, so Crossrail is requested, therefore, to bear the costs of detailed investigations that would be required to formulate the proposals for mitigation measures against noise and vibration from construction and operation.

9252. If I could just move on to the next slide, please.⁷ At the back of the school, just outside of those doors, is a veranda area which will be taken away by the Crossrail proposals and we are concerned because it is a sheltered place for our youngsters when it is raining, we can go and stand under there, we line them up there on various occasions before they come into school or come into the sports hall, and so I am concerned that that is going to disappear. I am also concerned about fire regulations, because that is a major exit for the school under fire practices or indeed if we did have a fire I would be wanting to be reassured that fire regulations will be met by any plans that Crossrail has to limit that area at the back of the school. That is the veranda I was particularly speaking about, it would leave a gap in our provision for the youngsters having a kind of outdoor sheltered area for them to be in by that particular veranda going.

9253. The next slide.⁸ One of my biggest concerns is the garden that I think some of you saw yesterday. We do not have much garden, but the intention is for quite a lot of that garden to go and also if an exit is going to go through the garden on to Durward Street, which I would like to come back to in a minute, again that would reduce the garden facility even more. It is an important area for the school, it provides outdoor play, outdoor space. We have, just at the end of the garden, an outdoor amphitheatre which is used for outdoor plays and activities in the summer and is a very important part for us of the school; that would disappear under the proposals.⁹

9254. We have suggested two possible options to Crossrail, one is to provide an indoor play space which would not be quite as good, but which would go some way to accommodate the numbers of students who use the garden at play time or lunch time or to, as they have suggested, extend the garden facilities, but I would say hopefully with an amphitheatre, clearly if the garden was to be moved round to the back of the school, it would incur more management issues than a garden that is just right off the central part of the school, we would need to provide additional management in that particular area.

9255. In terms of the next area which we are concerned about is Durward Street, which I think you heard about last night as well and I am aware some of you walked along yesterday. In fact I think the slide makes it look slightly wider than it actually is.¹⁰ It is a very, very narrow street. It is a street where over a third of our pupils come to school and leave school along that street towards Vallance Road. It is also just a bit further behind the red van is what is called our City Learning Centre which is used by all schools across Tower Hamlets, not just Swanlea School, so during the day we have a sizeable number of pupils coming to use the City Learning Centre from all over the borough.

9256. We are clearly concerned about the safety of our students in that street. We have been concerned to the extent that in our travel plan we had already signalled up our concerns for safety of lorry routes in the existing framework along Durward Street and any future plans could hinder the safety features which we are trying to implement within the street. Also our fire regulations mean that on certain occasions over a third of the school has to evacuate at short notice along Durward Street, it is part of our fire regulations, and we are concerned about the use of that street. If the street is going to be a one-way thoroughfare I would be concerned that it very much could become a rat-run for cars going along there and clearly I would be very concerned about the safety of our youngsters on Durward Street at all

⁷ Committee Ref: A108, Photograph of the veranda at Swanlea School (TOWNHLB-30305-010).

⁸ Committee Ref: A108, Photograph of the garden at Swanlea School (TOWNHLB-30305-011).

⁹ Committee Ref: A108, Further photograph of the garden at Swanlea School (TOWNHLB-30305-014).

¹⁰ Committee Ref: A108, Photograph of Swanlea School from Durward Street (TOWNHLB-30305-016).

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times and indeed the safety of other youngsters in schools across the borough when they come to use the City Learning Centre and whilst we appreciate the offer of Crossrail to not use the street from 8.15, between the hours that it has signified, we would be pushing for that to be extended to periods of time when youngsters are coming to the City Learning Centre and we would urge that safety issues should be of the highest paramount in the way that that is then looked at in the future.

9257. Crossrail has also suggested that we also have an exit into Durward Street for our students. I am very concerned about that proposal at the moment because I worry that it would put more pupils on to the street, but I am also worried that if we did not go along that and took them out into Brady Street, which is the other street, that street there, if we were to let the students out on to that street, that also would lead to safety issues for our students, not just in terms of traffic, but also in terms of management of groups of youngsters which I explained to Crossrail when they visited last week and therefore if we were to exit on to Brady Street I would be seeking again further management compensation on that because it would require further management of the school at the end of the day more than we are actually providing at the moment.¹¹

9258. Finally, in terms of the last two issues, in terms of cranes, the undertaking from Crossrail is noted and accepted and in terms of the school premises' manager's accommodation, we would accept the proposals, but we would just like to say if there is to be a re-build we would like it to be re-built according to the school's specifications and that is the end.

9259. I have brought some of my students who are behind me just to give me some support this morning and to have the experience of being here. That is all I want to say for the moment.

9260. **Chairman:** Thank you very much indeed. Ms Lieven?

9261. **Ms Lieven:** Sir, can I call Mr Berryman to deal with a number of those points.

Mr Keith Berryman, Sworn

Examined by **Ms Lieven**

9262. **Ms Lieven:** I think the best thing would be to turn up the plan I referred to in opening and can you just go through the Crossrail work that is being done in the vicinity of the school and, if you can, with Miss Austin's concerns in mind, talk about how some of those may be met by the detailed layout of the works?¹²

(Mr Berryman): Yes. As members who were on the tour yesterday will know, we looked at some of the works which will be done yesterday and you may recall that we walked along the street here and then we walked back up the street and round the corner and went into the school here. We walked and looked at the garden just here and then we walked down the central aisle here and we looked out into the playground just there. The works which we are doing in the immediate vicinity of the school consist of constructing an escape stair and ventilation structure, which is the square box shown here, and a light well structure which is shown here, which on the plans is shown as a circular shaft with a skylight in the top of it. The substantial works that we are doing is building this box and providing access from that box to get to some of the works underneath. In addition, we are doing some works on the other side of the East London Line railway just here to provide the entrance which I explained to you yesterday on site from Crossrail's platform to those East London Line platforms and that construction of that box is the main work which is in the vicinity of the school. There are also works down here on the station building itself. As you can see they are rather more remote from the school and to some extent they are shielded by this building here which is called Trinity Hall, the block of flats that we were discussing yesterday evening which is just here. There are also works over here and the sinking of the shaft or the sinking of the tunnel and so on will be protected, as far as possible, by noise attenuation on the site. The main issue, I think, is the access to these works here which will be by lorries coming along this narrow street, Durward Street, as has been explained. The majority of the site access will be to there. There will be some site access by small vans and the like along this route here, but the main site access, the main deliveries of concrete and steel and heavy plant and so on, will come down here.

9263. Can I just stop you for a moment, Mr Berryman. Why do you need a secondary site access?

(Mr Berryman): At the moment we clearly want to take as little as possible from the school, so there is no way of getting to the area behind the shaft that we are constructing without going over the shaft, so although we can deliver bulk materials down here and crane them in into place, it is difficult to actually get to this back where we may have a lay-down area, workshops and the like. Can I just point out that the intention is that this access here will be used jointly by Crossrail and by the school, because these car parks which are set out along the top here are actually car parks for the school for the staff, their existing staff car park is just here and this was as a result of an earlier discussion that we had with the Bursar of the school, we suggested this lay out.

9264. Is that going to be Crossrail car parking or just school car parking?

(Mr Berryman): No, that is just school car parking. The intention is, and this may come up in other contexts, but the intention is to very severely limit Crossrail car parking. What we do not want is our

¹¹ Committee Ref: A108, Photograph of Swanlea School from Brady Street (TOWNHLB-30305-017 and 018).

¹² Crossrail Ref: P85, Whitechapel Station, Durward Street Shaft (TOWNHLB-30303-002).

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staff causing traffic jams by driving to work during the construction of the railway. It has not been raised before, but it is a general point which applies to the whole of the works.

9265. Just a few specific points. First of all, so far as Essex Wharf is concerned and the northern section of it, I mentioned in opening some compensatory land, can you just explain what the Promoter's thoughts are on that are A108.

(Mr Berryman): Yes. This area, I think, is probably best described as scrub land at the moment. The area to the south here of Essex Wharf is the area which was previously used as a site compound for the construction of the ideas' store and some of the members of the Committee looked through the hole in the fence to see that that is a hard standing area, but the area to the north has got vegetation on it, it is a kind of scrubby area. That, with a little bit of attention, could be made into a temporary or permanent garden for use by the school which may act as part compensation for taking away some of the existing garden area just here.

9266. And then in the long term, once Crossrail is finished, could further land be given there?

(Mr Berryman): Certainly we have no requirement for the land after construction is finished, it is purely for the purposes of construction, so, yes, that could be done. I think it is worth pointing out whilst we are on the topic, as it is a matter mentioned already, this building is an emergency staircase. The emergency staircase will discharge in that direction, north, so that the people do not discharge into the street here and get run over by vehicles, it will discharge north into the school area. However, that exit will not be used except in the event of an emergency on the station, in other words, we would expect it never to be used and certainly there would be no access round there for any of the Crossrail staff or any other members of the public, it is purely the emergency exit.

9267. And while we are on that area, Miss Austin mentioned, and perhaps we need to discuss this further with her outside, that she was concerned about being able to develop the school in the future and the building for schools' programme and she mentioned that she had already had a difficulty in making some development on the playground. Was that something you were aware of before?

(Mr Berryman): No, I was not aware of that until it was mentioned.

9268. And the area of Essex Wharf, and obviously subject to issues such as planning permission, but potentially will it be suitable for some form of development if that is what the school wanted in the future post Crossrail?

(Mr Berryman): Well it may be, but the issue here is that part of it is a tunnel, I believe it is a brick tunnel which straddles the East London Line and so I am sure there are some loading restrictions on there but,

subject only to that and, as you say, planning consent, I am sure that that area could be used by the school, yes.

9269. Just to close down this point, is Crossrail, once it is constructed, stopping the school's long term development potential?

(Mr Berryman): I do not believe so, no.

9270. While we have the plan out, another issue Miss Austin raised was loss of the garden. I think the garden is partially the area shown in light blue?

(Mr Berryman): That is the garden, yes.

9271. What per centage of the garden is being lost either temporarily and then permanently?

(Mr Berryman): Well permanently a very small per centage, one or two per cent, I am not sure exactly. Temporarily it would be about 30 per cent would be lost and of course, as I said earlier, I know it is not ideal because it is not next to the existing car park, but we ought to be able to provide some compensatory open space in this area.

9272. Before we come to Durward Street, there was mention of difficulties with investigating the built form of the school. Is that something that you would expect to have much problem investigating, given when the school was built?

(Mr Berryman): I am surprised that the records are not available because it is, as you say, a recent building. Judging by the structure, the only area that would be possibly of concern to us would be this little bit just here, which I think is the special resource centre which is used by a number of schools in the area.

9273. I think that is what Miss Austin describes as the City Learning Centre?

(Mr Berryman): That is correct, yes. That would be obviously the only area where there is any possible impact on our underground works. Judging by the overall look of the school and the kind of structure, it is a very light-weight structure, I do not imagine there are any deep piles or deep foundations there. That being the case, I think it is very unlikely that there will be, in fact I would go a bit further than that, I can confirm there would be no impact of vibration from the running tunnels of the railway on the school.

9274. That is vibration from the operation?

(Mr Berryman): Vibration from the operation. Of course in this area, just here, the tunnels will be constructed not by tunnel boring machines, but by lighter weight plant, as I think was mentioned yesterday, so there should not be any noise even during the construction from that source.

9275. And Miss Austin raised a concern as to whether or not fire regulations applying to the school would be capable of being met throughout the Crossrail construction programme. Is that something Crossrail will take into account and meet?

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(Mr Berryman): Yes. That is something that we would obviously need to liaise with the school on and clearly it is a statutory requirement and there is absolutely no question that we would not meet those requirements.

9276. Can I then move on to the other area of concern which is the routing of traffic and first of all choice of exits between Brady Street and Durward Street. Presumably that is a matter for the school to advise Crossrail as to which arrangement they would want?

Mr Berryman: Indeed it is and we would be perfectly happy, and I think we have already given a commitment, to provide an exit out on to Durward Street for pupils at the appropriate times and we are happy to do that. If the school wants to do something else that will be fine by us as well. I mean it is not something we have strong feelings on. In any event, as we have already undertaken to do, we will not have construction traffic going along here during the times when school is coming in or discharging.

9277. The other aspect I wanted to ask you about Durward Street is, and it arose last night with Miss Singleton as well, what does the Promoter have in mind in order to stop rat-running down Durward Street, because at the moment it is closed so there can be no rat-running, how are you going to control that?

(Mr Berryman): That is correct. You can see clearly on this plan a line of bollards across the street which prevent Durward Street being used for through traffic. What we would propose, but it is something we have to agree with the local authority, but what we would propose is to put a manned barrier on Durward Street somewhere at the appropriate point, probably at the entrance to it, who would stop all vehicles which are not Crossrail related, in other words coming down here, or requiring access to these flats, but that is something we will have to agree with the local authority because they are the highway authority and that would be our proposal, but something like that would no doubt be agreed.

9278. The only other thing I want to ask you about, Mr Berryman, is the alternative access that has been discussed and considered by Crossrail, so can you explain to the Committee where it is and what the difficulties with it are?

(Mr Berryman): Yes. The idea would be to break through here, there is a small garden here, and break through into the back of the Essex Wharf site and so instead of having this access here, have an access through there. The problem with this is that the route actually, as you can see I think quite clearly from this plan, goes through a residential area, it is a very quiet residential area, and I think there would be issues about that. We would also have to acquire access rights through here which we do not have at the present time and we would have to acquire a piece of land just there which is a garden, which again we do not have the powers to do at this time. In order to do this we would need to bring forward an additional provision to the Bill which of course is

something which we do not undertake lightly, but I think the main issue is the residential nature of the streets round here.

9279. Those are all the questions I have for you, unless you think we have missed anything out?

(Mr Berryman): I do not think so.

Questioned by the Committee

9280. **Chairman:** There is one question I would like to ask. When we visited the site yesterday and indeed adjoining areas, there was an impression of timescale which I thought seemed to be extraordinarily long. Can you tell me how long you envisage the roads being closed off and the work commencing, how long will that actually take in respect of the school?

(Mr Berryman): In respect of this immediate area, I think the total period would be about two years. I have to say that the total construction period for the station will be six years and this site here in particular will be operating for the whole of that period, but the works here around the school and the works here around the station, may not be coincidence, so there may be quite a long period when there are works going on in the vicinity, but I think the actual heavy work in this vicinity is a couple of years.

9281. **Ms Lieven:** There was one other issue which I should have asked Mr Berryman about, it does not actually relate to the school, but I understood, sir, that you did have a question about it yesterday to which we have an answer, which is the amount of time that construction will go past the primary school on Buxton Street.

9282. **Chairman:** I was actually going to bring that up at a later point because, as I understand, they are going to come in front of us some time in the future with the petition for that area. The reason I asked that in relation to this school was yesterday when we were in this area and in the other area which consisted of, I thought, very minimal time period of construction, maybe six or seven months or so, the general impression of the residents in that area was that it was going to take six to seven years?

(Mr Berryman): Yes. I am afraid that is a very widespread impression in many areas, because the total construction programme will take that long. That includes the heavy civil engineering work and the fitting out and the buildings' works and so on, so whilst the whole project will take that long, the duration of the individual works at individual sites generally will not take that long. Having said that, there are always exceptions and there are some sites, for example, Paddington, which we have not got on to yet, but where for the whole period there will be disruption, but on most sites, to a greater or lesser extent, the period of disruption will be shorter than that.

9283. **Chairman:** I would appreciate when we get to this other Petitioner some time in the future that that will be pointed out, because the impression of the

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local community are that it will take that period of time on that small route for that small demolition and building of the shaft, it is quite worrying that they have a misconception altogether as far as I can be aware?

(Mr Berryman): Yes, sir, and that is a problem that we have had real difficulty in overcoming, because the objectors' or the protestors' web sites all had that information on.

9284. **Chairman:** They are being told everything will be six to seven years?

(Mr Berryman): Yes, that is correct.

9285. **Chairman:** Miss Austin, do you want to ask Mr Berryman one or two questions?

Cross-examined by **Miss Austin**

9286. **Miss Austin:** Just in terms of possible relocation of the garden, my concern is if it was relocated there could be safety issues as well in relation to the site construction to where the garden would be, quite an isolated position, which I would want if that was going to happen for reassurance that that would be taken into account? Secondly, I was a bit concerned about the idea that if there was an emergency, and I suppose I am more sensitive about this, because actually we were an evacuation centre for the July 7 bombings, I am a bit concerned that if there was an evacuation it would come through our playground with the argument that it would not be all right for people to come out into Durward Street, whereas a lot of my children come out into Durward Street and will still come out into Durward Street and it seemed a slightly contradictory position. I also was concerned about the idea that in terms of relocating the entrance away from the end of our school, the argument about quiet residential areas. We were informed that there would only be five light vans using that entrance and, therefore, I would not have thought five light vans should be really problematic in a quiet residential area if that is what the number of vans is actually going to be every day. Also in terms of the Durward Street proposal of it being looked at 24 hours a day that is really what would have to happen, it would have to be manned 24 hours a day. Is that a serious proposal that that could happen if it is actually going to be built as a one-way street through to Vallance Road? Finally, our future development will be stunted by the Crossrail proposals. It has blighted possible development, in the uncertainty of the timing of Crossrail, because of the management implications of dealing with the proposal prior to implementation during the construction period. The local authority's Building Schools for the Future Programme is at present under development and the uncertainty created by Crossrail is really preventing our proposals from being fully developed. That is of grave concern to me and I want to reiterate that in coming back.

(Mr Berryman) The first point is the safety issues for the garden. We have not really worked a design for this yet but it is something that would need to be done in conjunction with the school. It is only

recently that we have developed this idea. Obviously the safety of pupils is the number one concern that needs to be taken into account in the design of that. With regard to the junction on to Durward Street, I want to emphasise again that is an exit which we fervently hope will never be used, but, if it were, the number of people coming out of here would be very substantial and, unlike the pupils from the school would not be aware of where they were going and issues of panic and so on would be a factor. So I take the point that it is a slightly different situation in a school where pupils discharge every day and where they are going on to a road and so on. Five or six light vans a day I can confirm is the kind of number we are talking about. I cannot promise it will be five vans every day or not more than five vans every day, but that is the order that we are thinking of. The 24-hour cover on Durward Street is precisely what we are proposing. The other point about the uncertainty and such like caused by Crossrail are a little bit outside our control.

9287. **Chairman:** You have mentioned additional provisions. We are going for additional provisions elsewhere.

(Mr Berryman) We are.

9288. What would be the time scale and the costs?

(Mr Berryman) If we were to bring in additional provision, it would be brought in our 83 batch, which would be dependent on your instruction of course, but would be brought forward in the autumn of this year. The likely costs would be a small number of tens of thousands: £50,000, £60,000, £100,000 maybe.

9289. **Chairman:** Thank you very much, Mr Berryman.

9290. Miss Austin, thank you very much indeed for your presentation.

9291. **Ms Lieven:** Sir, could I say one thing on the point on which Mr Berryman said he could not say anything: building for the future and the difficulty the school is having. I am authorised to say on behalf of the Department that we would be quite prepared to write to the DfES to explain—assuming that they are not building on part of the area that we need for Crossrail—that we can see no reason why Crossrail should impede their plans. It is important that there is some joined-up government here and the Department is quite prepared to help as far as it can in that respect.

9292. **Chairman:** That would be helpful.

9293. Miss Austin, thank you very much for your presentation today. Could I just say that you are very privileged today, because Mr Berryman, who has just given evidence, was the chief engineer and is now the managing director of Crossrail. I congratulate him on that quick move.

(Mr Berryman) Thank you, sir.

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9294. **Chairman:** He offered a way of land that may be able to be taken advantage of by the school. I think you should bear that in mind. It is very rare you get offers like that from managing directors.

9295. **Miss Austin:** Thank you very much.

The witness withdrew

9296. **Ms Lieven:** I did indicate in opening that I had Mr Thornely-Taylor here, if you want to hear more about the noise mitigation, but I think we have set the position out in the letter.

9297. **Chairman:** We have already agreed yesterday that we are going to hear a more detailed piece on noise. We will deal with that at some time in the future.

9298. **Ms Lieven:** Yes, sir, but the issues about noise for the school are rather different from those for Kempton Court. I was not particularly intending that Mr Thornely-Taylor would come back on the school on noise. It is entirely up to the Committee. We have put our position in writing as clearly as we can to the school. I suspect there is not much Mr Thornely-Taylor can tell you over and above the letter, but he is here.

9299. **Chairman:** I think there is no real need for that today because we need to have a look at the general thing. If we do have concerns we know Mr Thornely-Taylor is available.

9300. **Ms Lieven:** Yes, sir, and you can always ask him.

9301. **Chairman:** Miss Austin, we encourage Crossrail to keep the door open and continue to discuss and communicate with each other, in the hope that everybody can be as satisfied as they possibly can in any arrangements they are taken forward. We will take all these issues into account when we come to our final decision on the matter.

9302. **Miss Austin:** We wondered if it might be possible to request the right to come back to the Select Committee.

9303. **Chairman:** You can always write but you have had your opportunity today and we will be looking at the evidence you have presented and which will also be brought before us in the future. If you wish something extra to be taken into account, you can certainly write to the Committee. Thank you very much indeed.

9304. **Miss Austin:** Thank you.

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Mr Timothy Mould appeared on behalf of the Promoter.

Mr Archibald Galloway OBE appeared on behalf of the Petitioner.

Mr Archibald Galloway OBE appeared as Agent.

9305. **Chairman:** Sir, you are Archie Galloway.

9306. **Mr Galloway:** I am, indeed.

9307. **Chairman:** Thank God for that! We thought it was another Galloway—and we are not expecting him for a week or two yet.

9308. **Mr Galloway:** By way of personal introduction, sir, may I say I am no relation to the gentleman to whom I think you are referring.

9309. **Chairman:** Could I ask you to pause for a moment, Mr Galloway, while the case is presented by the Promoter.

9310. **Mr Mould:** Sir, I was not going to say anything about this because the East London Line Group, as I think their name implies, is a group who is keen to see the East London Line and passengers who use that line benefit from the existing and proposed improved transport infrastructure in this and other parts of East London that the line serves.

9311. We have considered carefully the petition they put to us in the proposals for Whitechapel Station in particular. We have set out our response to them in our written response, which they have seen, and they have very helpfully responded to us in turn and expressed a broad measure of comfort with much of what we have said in response to them. I know there are some issues which they continue to see as fruitful for discussion, as it were, but it seemed to me sensible, being where we are, if Mr Galloway explains to you the way they see things in the light of our response, and then I can pick up on any points that arise.

9312. I should perhaps also say that we do of course now have an understanding of where we are with Whitechapel Station. Mr Berryman explained that yesterday, around the model, to those Members who were present. In particular, he explained to you—and Ms Lieven mentioned this yesterday evening as well—what we are currently proposing in relation to the existing Whitechapel Road entrance to the London underground station. For our part, we were content that that should remain available to passengers. That was subject of course to the views of London Underground, who are the owners of that station and that entrance. We were content that that should remain open but it would be a secondary access. You know that our main access is the comprehensive new station, to serve all lines running through Whitechapel Station at Fulbourne Street, as was explained to you yesterday.

9313. **Mr Galloway:** Thank you, sir. I am learning things, before I speak to you, which are interesting, but I do have a statement which it is my intention to read to you. I trust I may continue to do that.

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9314. **Chairman:** This is A109.¹³

9315. **Mr Galloway:** Firstly, may I start by welcoming this opportunity to express the concerns of the East London Line Group regarding Whitechapel Crossrail Station and I thank the Committee for their time.

9316. Your Petitioner is the East London Line Group, a consortium that was formed in 1990 of local authorities, businesses, regeneration agencies, and other parties. The group exists to promote the East London line extensions for the betterment of London and the catchments and communities served. I have been pleased to be chair of the organisation since 1997 in which role I now appear in front of you as Petitioner.

9317. The group offers its strong support for the Crossrail project. We believe that, as a result of Crossrail's interchange with the extended East London line at Whitechapel, Crossrail will serve as an invaluable asset in catering for future growth in both south and East London. The Promoter has made available to us estimates of the PM peak demand of the Whitechapel interchange. We note this represents, on a 2016 forecast, over 20,000 passengers interchanging between the East London line and other rail services in these three hours, and other passengers using the street entrances.

9318. I would like now to turn to issues contained in our petition. I will start by dealing with the principle of a Whitechapel Crossrail Station which is dealt within paragraphs 12 to 18 of the group's petition.

9319. The group are pleased to note the Secretary of State for Transport's instructions to the Crossrail Bill Select Committee which stipulate the provision of the Whitechapel Station as a principle of the bill. The underlying purpose of the group's petition had been to secure the station in light of some emergent voices against its inclusion. The three line interchange at Whitechapel will provide the local catchments with the transport infrastructure and connectivity needed to deliver meaningful and substantial regeneration and economic and employment growth, in line with the stated objectives of the Crossrail project.

9320. As well as a local opportunity, the station will provide a strategic point for transfer between the new east-west express line (Crossrail) and the new orbital and north-south inner London line (East London Line). The point we emphasise is that Whitechapel is much more than a local station .

9321. However, beyond the principle of the Whitechapel Station, the group have some significant secondary concerns in relation to the Promoter's plans for the station, particularly in terms of negative impacts upon users of the soon-to-be extended East London Line.

9322. I would thus like now to turn to the issue of plain-lining of the District and Hammersmith and City Line platforms. This is dealt within paragraph 27 of our petition.

9323. The Promoter's proposed interchange between Crossrail and the other lines serving Whitechapel Station (East London, District and Hammersmith and City Lines) is dependent upon the timely delivery of plain-lining of the District Line platforms under current London Underground PPP arrangements.

9324. The present District and Hammersmith and City Line platforms are narrow island platforms and we understand that Crossrail will require large single platforms to cope with the projected passenger numbers interchanging between lines. At present this process, entitled "plain-lining", is part of the LU PPP rather than Crossrail and its timely delivery is not guaranteed.

9325. If the plain-lining of the District Line platforms were not to occur in advance of Crossrail construction, the Promoter has let it be known that, as the existing District Line platforms are not adequate to handle a direct interchange with Crossrail, an entrance to and from Crossrail will be built onto Cambridge Heath Road. This scenario would result in no direct underground interchange between either the District/Hammersmith and City Lines or the extended East London Line. Passengers would instead have to find their way along the street between the new Crossrail Station entrance and the existing station entrance. The group find such a scenario entirely unsatisfactory and against the principle of the Crossrail scheme.

9326. The group are however reassured by the Promoter's latest statement that they are "...confident that its work with the London Underground will be successful and that the District line and plain-lining will be completed before Crossrail commences."

9327. Whilst we recognise this does not amount to a guarantee, the group are nevertheless prepared to put faith in the Promoter concluding these negotiations successfully and we will therefore pursue the issue no further before the Select Committee. However, we trust that the topic of our concerns is now understood by the Committee.

9328. I would like now to move to the issue of the East London Line platform lengthening. This is dealt with in paragraphs 29 to 31 of our petition.

9329. The East London Line extension, phases 1 and 2, represent transport of London's current short and medium-term developments of this railway. However there are medium to long-term considerations to increase East London Line service capacity further, as the present design of some East London Line underground stations limits the train length to four cars. Some platform lengthening work

¹³ Committee Ref: A109, East London Line Group Exhibits.

The Petition of the East London Line Group

would be required at stations between Whitechapel and Surrey Quays to allow trains to be lengthened to six or eight cars.

9330. The group sought an assurance in its petition that the Promoter's station designs at Whitechapel would not preclude the eventual construction of East London Line platform extensions. The group also felt that, in order to minimise environmental impacts in the sensitive area around the Whitechapel Station, consideration be given to constructing the platform extension for eight-car East London Line trains at the same time as Crossrail construction.

9331. We have been pleased to receive assurance from the Promoter that their station designs will not preclude construction of the East London Line platform extensions by others. We are also pleased that both the Promoter (in their formal response) and TfL London Rail have now expressed openness to our idea for the opportunity of extending the East London Line platforms at the same time as construction of the Whitechapel Crossrail Station. We have annexed copies of TfL's recent letter to us on the issue for the Committee's information.

9332. Whilst recognising that further progress in this area will depend upon the identification of an appropriate funding stream, the group see no need to pursue this matter further with the Select Committee.

9333. A penultimate issue is the options for new underground access to the station which the group raised in paragraph 26 of our petition.

9334. The group's petition referred to the possibility of underground access to the Whitechapel Crossrail Station from the other side of the Whitechapel Road through what we understood to be by 2010 as disused rail tunnel, the St Mary's Curve. However, the Promoter has explained that this tunnel in fact will not be closed. We therefore see no need to pursue the matter further in front of the Committee, other than to express a desire for the opportunity to be re-examined were the status of the tunnel to change before the Committee concludes its deliberations.

9335. The final element of our petition that we wish to bring to the Committee's attention and to which we attach the greatest importance is the need to retain access to the station from the present Whitechapel Road entrance. This was covered in paragraphs 21 to 25 of our petition.

9336. I would now like to vary slightly, due to what I heard from Mr Mould a short moment ago.

9337. The most up-to-date designs by the Promoter for the Whitechapel Station that we have seen still entail the closure of the current Whitechapel Road entrance and exit. The current Whitechapel Road entrance is conveniently located in the centre of the Whitechapel Road Street market and is located close

to the London Hospital and bus interchanges. This is all visible in the Promoter's photographs of the station site.

9338. The East London Line Group remains unsatisfied by a Whitechapel Station accessed by the Fulbourne Street entrance and exit alone.

9339. A Fulbourne Street entrance and exit would require East London Line passengers to walk the full length of the District and Hammersmith and City Line platforms in order to reach staircases to each East London Line platform and a distance along the Whitechapel Road itself. Assuming existing East London Line passengers find the present entrance to the Whitechapel Station most convenient, they will be required to walk an additional 300 yards approximately to access East London Line services.

9340. We view the current Whitechapel Road entrance as well sited. The Whitechapel Road entrance is at the heart of—and the midpoint of—the daily market, a major hub of economic and social activity in the area. The Whitechapel Road entrance is well located for buses, with the main interchange stops lying just to the east of the station, rather than some distance to the west where the Fulbourne Street entrance is located. The Whitechapel Road entrance is located directly on to a pedestrian crossing to the London Hospital. There will be other developments and economic revival in the Whitechapel area which we envisage taking place around the station, including the London Hospital site, which will reinforce the appropriateness of the Whitechapel Road entrance. We consider that the London Borough of Tower Hamlets will be in the best position to comment on these proposed developments.

9341. We have highlighted to the Promoter that the East London Line has historically been used by passengers travelling comparatively short journey distances. This means that existing East London Line local passengers will perceive and experience significant disadvantage from the impact of lengthy access routes to and from East London Line platforms. Crossrail's Station Design Manager for Whitechapel accepted this point at a meeting between the group and the Promoter on 1 February 2006.

9342. The group also noted the Crossrail Bill Select Committee's statement on the importance of retaining accessibility in relation to the Romford Crossrail Station as a possible precedent.

9343. I thus move to conclude by requesting a second House undertaking from the Promoter on the matter of the Whitechapel Road entrance to Whitechapel Station. The group would like to express encouragement that the Promoter understood the group's position in relation to increased inconvenience to East London Line users. The group is therefore pleased "... the Promoter is

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currently investigating the engineering feasibility of providing an alternative link to the East London Line from the existing ticket hall.”

9344. If the Promoter is agreeable to a second House undertaking on this matter, the group would be content to suspend its objections on this aspect of the Whitechapel Station design in order to give the Promoter adequate time to conclude its investigation into alternative links to the East London Line from the existing ticket hall.

9345. Thank you.

9346. **Mr Mould:** Sir, first of all, in relation to plain-lining, as the Committee is aware, there is now ministerial commitment to that aspect of the Whitechapel Station proposals and, indeed, an additional provision is being promoted to enable that to happen.

9347. In relation to the other matter which you have just heard about, as Ms Lieven told you yesterday, and as I repeated this morning, we, for our part, have given an undertaking that we will keep the existing station entrance open as a secondary access to Whitechapel Station. The only qualification to that is the one I mentioned a minute ago, that it is London Underground’s station and station access, and that is subject to their thoughts. Our understanding is that there is every chance that will be the outcome.

9348. **Chairman:** Does that satisfy you, Mr Galloway?

9349. **Mr Galloway:** I am only slightly concerned with the adjective “secondary”. I would like it to be an entrance. I am slightly worried that secondary entrance might mean something slightly less than an entrance available to everybody. That would be of concern.

9350. **Mr Mould:** By that we mean that the proposed Fulbourne Street entrance, as you have been told, is to be a fully accessible entrance, providing access to the station, and, from that fully accessible interchange, provision for all passengers coming into Whitechapel Station from surface and going out of Whitechapel Station to surface, and interchanges between the various lines that serve that station. That is the context in which we refer to retaining the existing entrance as a secondary access, but I do make it clear that it is not proposed that the existing access should be one that is fully accessible. It is not at the moment and it would be extremely difficult in engineering terms to make it so. We do not think that is justified, given what is proposed at Fulbourne Street. I also note that what is envisaged is that the existing station should not function as a station where one can buy tickets. We would expect that would be an access that would be available for passenger who are able to get into the station

through the automatic ticket barriers. That is what I mean by a secondary access. It would remain open but on that basis.

9351. **Chairman:** One of the things that does worry members who attended the visit yesterday is about the access. For disabled people, in particular, the way it is engineered at the moment is totally inadequate. It was almost impossible for certain disabled people or groups to access from that point. Therefore, if it was to be kept open, some consideration would need to be undertaken by London Underground to alter, as best they can, the engineering structure that is there at the moment.

9352. **Mr Mould:** We have given consideration to that for our part. I have explained the very pessimistic view to be drawn in relation to that. Rather than go into that now—and very much hearing what you say about the matter being initially for London Underground to consider—as we are going to come back to issues in relation to Whitechapel Station when Tower Hamlets come to present their case to the Committee, could we consider what more we need to consider and to say to you about that, if anything, and we will deal with that at that point. Thank you very much.

9353. **Mr Galloway:** I am worried slightly, sir, on the question of buying tickets. If you have to walk around to Fulbourne Street to buy your ticket, not everybody carries a season ticket or even an Oyster card, so I would be slightly worried that secondary access and exit—certainly access—does mean secondary, which is not really what we were looking for.

9354. **Chairman:** I take the point you are making. At the same time, we do move on phenomenally with technology and it is not beyond the human mind to find ways to purchase a ticket without going to the office to do it. We will consider the point you are making in the course of our investigations.

9355. **Mr Galloway:** Thank you very much, sir.

9356. **Mr Mould:** We will obviously take that thought away and give further consideration to that.

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Mr Mould appeared for the Promoter.

Ms Choi Lin Wan appeared for the Petitioner.

Ms Choi Lin Wan appeared as Agent.

9357. **Chairman:** Our final petitioner is Ms Choi Lin Wan.

9358. **Mr Mould:** Ms Wan is the owner of a commercial property at 665 Commercial Road, London E14. On screen is a plan and we can see the footprint of her property.¹⁴ We can see the eastbound

¹⁴ Crossrail Ref: P?, Map of Petitioner’s Location Wan & Pang Ltd (The Tai Pan) (TOWNHLB-35503-001).

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and westbound lines of Crossrail, as they pass between Stepney Green and the Isle of Dogs to the west and east respectively. Under the Bill, we propose tunnelling works, to create the running tunnels for the railway, which either pass beneath her land or pass in close proximity to it, running at an angle across Commercial Road.

9359. The Petitioner runs a successful restaurant at the premises, the Tai Pan. The running tunnels at this point are to run at approximately 30 metres below ground level in tunnel. No surface works are proposed: it is entirely subterranean works. That being the case, the Bill proposed compulsory acquisition of the subsoil, at that depth which is required to enable tunnels to be constructed, to enable the tunnel boring machines to bore through. There is a restriction in the Bill on acquiring any land other than at a depth of more than nine metres below the surface, which ties in with what is proposed by way of works for the scheme in this location.

9360. I have had an opportunity to speak to Ms Wan before we began this morning, and I think it is fair to say that her concerns are related to the potential for ground settlement associated with the tunnelling works and the possible impact of that on her property and on the operation of her restaurant. In her petition she was concerned that there was no specific statement about the detailed compensation arrangements that would be available to property owners in her position in the event that any harm was caused by the Crossrail scheme.

9361. I would just remind you, sir, that the Bill does not set out in detail the land compensation provisions that are available to people, because we propose that the land compensation that exists generally in law in relation to those who are affected by public works should apply to Crossrail, as it does to road schemes and so on. The Bill does not set that out in detail, but that is the position. I have explained that to the Petitioner. I can deal with any concerns she has once you have heard from her.

9362. **Chairman:** Ms Wan, welcome. Would you like to make your petition.

9363. **Ms Wan:** First of all, my language is not very good.

9364. I am concerned about the Bill. I am running a business and it is quite successful, so while they are doing the job they will actually affect my business.

9365. Secondly, they will damage my property by the vibration while they are doing the digging. Another point is because the building is quite old I worry about the damage. That is what I am worrying about. How it works out, if it affects my business. Making compensation and how it is doing. I do not understand how it works. I do not know, are there actual proposals to have my building or just using the site of the building to digging the tunnel? While they are doing this, I am a bit worried that it will

affect my business. Because, while they are digging on the road, then the customers cannot actually go into my premises. That is what I am worried about.

9366. **Chairman:** I think it might be helpful, Ms Wan, if you talk to Mr Berryman.

9367. **Mr Mould:** Sir, I entirely agree. We were embarked on that process for about 10 minutes before we started, and I think it would be helpful if we continue with that, as you say.

Mr Keith Berryman, Sworn

Examined by **Mr Mould**

9368. **Mr Mould:** Mr Berryman, can we be clear, does Crossrail propose any surface works in the vicinity of the petitioner's property?

(Mr Berryman) No, there are no surface works in that area.

9369. Can we say anything about the likelihood of Ms Wan experiencing any impact from traffic and other disruption in Commercial Road, in the vicinity of her property, as a result of the construction of Crossrail?

(Mr Berryman) Commercial Road is a very busy road. There will be some construction traffic from Crossrail going along it, however, in the overall volume of traffic that is on Commercial Road, it is unlikely to be noticeable.

9370. Let us turn to the works that are proposed underground, passing beneath the Petitioner's property. Can you summarise what those works are going to be, please.

(Mr Berryman) Yes, the works are twin running tunnels—six metres in total, down into tunnels—which run at a depth of about 28 metres below ground at this point. The tunnels in this area will be driven by tunnel boring machines, therefore the risk of settlement is very low and the amount of settlement, if it occurs, will be very low. The tunnel boring machines will pass under the property separately—so one will go under, and then, perhaps three or four months later, the other one will go under. When the machines go under there maybe some slight noise but there should not be any vibration that can be felt. When the machines have gone by, there should be no further noise which is discernible from the restaurant, and certainly when the trains are operating there should be no noise which is audible in the restaurant. The 40 dB limit which we have set will apply.

9371. That is the construction phase. Staying with noise and vibration, once the railway has been built and the trains are running, what is likely to be the position in so far as any discernible noise or vibration within the restaurant premises are concerned?

(Mr Berryman) There should not be any detectable in the restaurant—not to the naked ear, if you like.

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9372. The Committee has heard from Mr Thornely-Taylor, explaining in a rather more detailed way why that is the position and the requirements that are going to be placed upon the nominated undertaker, the contractor who will be responsible for building out the railway in terms of design standards and so on.

(Mr Berryman) That is correct.

9373. Turning to the possibility of any ground settlement, can you help us with the way in which the Promoter approaches that issue.

(Mr Berryman) For every property on the route, an assessment is done of the likely settlement. If it is felt that there is to be significant settlement or if the building is in some way sensitive, that is carried forward to more and more detail. In this case, we think the level of settlement will be very small, so small that it will not cause any damage to the buildings. However, we do have, as with other property owners on the route, a document called Settlement Deed, where we undertake that we will survey your property before the tunnel is bored. If any damage results from those tunnels being constructed, we will repair that damage and make good the property to its existing stage. All the costs of those issues—the surveys, the repair works, the structural assessment or anything like that—will all be borne by us. We will not be asking you to do anything of that.

9374. To be clear on the question of settlement, Ms Wan is the freehold owner of a property beneath which we propose to run tunnels, so she is entitled to a deed in relation to her property. That is right, is it not?

(Mr Berryman) That is correct.

9375. And that deed will give her the contractual rights to survey, if appropriate, to monitoring, to assessment and to remedial works to address any damage that does occur, she will have those rights and those rights will be set out in the deed?

(Mr Berryman): They will be set out in the deed and the deed is a contract between you and the Promoter to actually make sure that those works are done.

9376. Thank you. I think that is all we need to say on that. Sir, I do not know if the Petitioner has any questions?

9377. **Chairman:** Ms Wan, is there any further questions you would like to ask?

9378. **Ms Wan:** No.

9379. **Chairman:** Might I suggest we get the Promoter to send somebody along to meet with you at your premises and give you more assurances and just to tell you that every word which has been spoken at this hearing this morning is actually written down, the stenographers are taking everything, and it will be written down as spoken. We will get a copy of that to you and it will outline the evidence which has been given, the undertakings you have been given, so that you can refer to them at any point in the future, is that satisfactory?

9380. **Ms Wan:** Yes.

9381. **Chairman:** Are you happy?

9382. **Ms Wan:** Yes, I am happy.

(Mr Berryman): And we will certainly arrange for that visit.

9383. **Chairman:** Thank you very much indeed.

The witness withdrew

9384. **Chairman:** Are there any other matters that the Promoters wish to raise?

9385. **Ms Lieven:** I do not think so, sir, we have dealt with all of today's business. I do not think there is any business for tomorrow. I do not know whether the Committee is meeting in private, so I think it is after the Whitsun break.

9386. **Chairman:** Some of us are actually working during the Whitsun break.

9387. **Ms Lieven:** I meant we would meet again after the Whitsun break.

9388. **Chairman:** Can I just say that tomorrow the Committee will be meeting in private and discussing some of the evidence that has been presented before us today and the next time we will meet is actually Tuesday, 6 June at 10 am.

Tuesday 6 June 2006

Before:

Mr Alan Meale, in the Chair

Mr Brian Binley
Mrs Siân C James
Mr Philip Hollobone

Mr Ian Liddell-Grainger
Sir Peter Soulsby

Ordered: That Counsel and Parties be called in.

9389. **Chairman:** Good morning. Mr Taylor?

9390. **Mr Taylor:** Good morning. Thank you very much indeed for the forbearance you have shown us this morning. I am happy to report that we have come to an agreement in relation to the position to Agrexco Limited. The position is that they are content subject to the provision of a signed undertaking. With that in mind, what we propose to do is defer the Petition at this time so that an undertaking can be provided which can be withdrawn at the future date. We need not trouble the Committee with the details of that Petition this morning.

9391. **Chairman:** Mr Turner, you have got the record because we were listed with 19 today and you have managed to get rid of 18 of them.

9392. **Mr Elvin:** I am afraid we have got one this afternoon.

9393. **Mr Taylor:** I have to say I cannot claim all the credit.

9394. **Chairman:** Seventeen is still the record so far. We will come back this afternoon at 2.30.

After a short adjournment

9395. **Chairman:** This afternoon we are going to deal with the LA21 Traffic and Transport Group Petition. Mr Elvin, do you want to outline this?

9396. **Mr Elvin:** Sir, all I wish to say is that Mr Lindon of LA21 is making the same case for an extension of the line to Ebbsfleet as was made to the Committee on 16 May, day 32. I do not propose to add anything to what I said on day 32 nor to call any evidence. Our case was put on that day and I have explained that to Mr Lindon. I think Mr Lindon simply wants to tell you his views on the matter. Unless there is anything you would like me to deal with, I am simply relying on our position set out on day 32.

9397. **Chairman:** Thank you very much. Mr Lindon, can I first of all apologise to you because on the date when you were originally scheduled to appear in front of the Committee we were not aware that you

had already phoned in and made alternative representations to have another date. It is on the record but because of what I have just said it will be taken off the record. Would you like to proceed?

9398. **Mr Lindon:** My name is Ian Lindon. I am Chairman of the Local Agenda 21 of Bexley, and I am also Chairman of the Local Traffic and Transport Group. The trouble with Bexley is the fact that we have got a very poor public transport network. We feel that this is an ideal opportunity for Crossrail to be extended to make it into a proper Crossrail across the whole of London. We have grave concerns about the determinants at Abbey Wood, especially if the new bridge, the Thames Gateway bridge, gets the go-ahead and the whole of that area will become swamped in traffic. The trouble with our local roads is they are not built for modern day traffic and they already suffer from too many cars on the road as it is.

9399. In order to prevent this snarl-up at this particular location of Abbey Wood we would prefer it to be extended to Ebbsfleet. We realise that the Thames Gateway has to be developed and this would be an ideal opportunity for Crossrail to be extended to Ebbsfleet, although the cost would be some £300 to £400 million extra. In the whole scheme of things, it would be worth doing it now and that would then make it a proper transport service across the whole of London. That covers everything I want to say today.

9400. **Chairman:** Thank you very much, Mr Lindon. Mr Elvin, are you sure you do not want to add anything to that?

9401. **Mr Elvin:** No. That is fine.

9402. **Chairman:** Mr Lindon, your Petition has been heard, and thank you very much for your attendance.

9403. **Mr Elvin:** Sir, I understood from your clerk that the Committee might like a discussion, although perhaps in a formal session, with regard to timetabling?

9404. **Chairman:** We will do that immediately after we adjourn. Can we reconvene tomorrow morning at 10.00 am.

Wednesday 7 June 2006

Before:

Mr Alan Meale, in the Chair

Mr Brian Binley
Kelvin Hopkins
Mr Ian Liddell-Grainger

Mrs Linda Riordan
Sir Peter Soulsby

Ordered: that Counsel and Parties be called in.

9405. **Chairman:** Today we are going to hear the London Borough of Tower Hamlets' Petition. Can I just remind everybody in the room that this Committee will suspend this morning at 11:45 or thereabouts, so that members can leave the Committee and go down to Prime Minister's Question Time, and it gives you the opportunity, if you are remaining, to go along the end of the corridor and have a cup of tea or coffee if you so wish. It is on the landing just at the end of this corridor. Mr Elvin, are you dealing with this today? Would you like to give a summary background?

9406. **Mr Elvin:** Sir, the Committee has before it today the Petition of the London Borough of Tower Hamlets represented by my learned friend Mr Drabble and Mr Forsdick. Tower Hamlets' Petition, as the Committee will be aware, raises a large number of issues and I am pleased to say that there has been extensive discussion over the months between ourselves and Tower Hamlets and the issues themselves for the Committee are down—it was three—now to only two, I think. Can I just outline, therefore, what the issues are going to be for the Committee. Can I ask to be put up map C8(iii) from the Environmental Statement volume 4a, please.¹ The principal remaining issues concern Hanbury Street shaft and Whitechapel Station. The first issue is the question of whether there should remain a shaft at Hanbury Street. The position, as the Committee will be aware, is that the Department announced a change to the tunneling strategy for Crossrail. That has been the subject of an additional provision and further environmental assessment in due course, but the essence of the tunnelling strategy means that there is no longer a need to launch tunnel-boring machines from Hanbury Street. Therefore, the current proposals for Hanbury Street which will be presented through an additional provision will be a much reduced scheme. It will be a ventilation and intervention shaft on a much smaller scale and of much lesser impact on the local area. The position of Tower Hamlets is this: they wish consideration to be given to an alternative location for that shaft in Woodseer Street, which I imagine you saw on your site visit. It is one street to the north of Hanbury Street. The site in question is the square site just to the north of Woodseer Street on the plan

which has got Spital Street to the right. The use of that site would involve a change in the alignment of the Crossrail tunnels. I will be asking Mr Berryman just to explain to you what that would involve. My understanding from Mr Drabble is Tower Hamlets' position this morning is that Tower Hamlets do not have a positive view as to whether Woodseer Street should be preferred to Hanbury Street, but this issue should await the completion of the environmental statement for the additional provisions for the tunneling strategy. Our position, which Mr Berryman will explain this morning, is we think Woodseer Street is likely to be inferior to Hanbury Street and he will explain to you why. I should note, and again I will ask Mr Berryman to explain this this morning, that there are a number of options for the shaft at Hanbury Street which will have a series of slightly different effects in terms of what might be constructed afterwards. I will ask Mr Berryman to explain briefly to the Committee what those options are. I should also say just so the Committee is aware, and no doubt this will arise next week, that on 22 May we wrote to the local residents, who are petitioning the Committee, explaining, we hope, in clear terms with two plans what the implications for the change in tunneling strategy were, explaining that this was still likely to lead to the need for a reduced shaft at Hanbury Street, but this would have a much lesser impact than was previously proposed. That is the first issue.

9407. The second issue is a much shorter one. This concerns effectively the visibility and presence of the Fulbourne Street ticket station for Whitechapel Station. Tower Hamlets are concerned that a larger area of land should be taken to create a plaza entrance between Whitechapel Street and the Fulbourne Street entrance to create a greater presence for the station. Our position on that is a very simple one: it is not necessary to the scheme and Mr Berryman will explain to you why we do not think it is necessary. Perhaps we could put up an exhibit, please, Tower Hamlets 21804, page 17.² This is the illustration of the Fulbourne Street entrance. Whitechapel Street is, of course, down to the right. Could we put up the next page.³ This is an artist's illustration of how the view may be from

¹ Crossrail Environmental Statement, Volume 4a, Whitechapel Station, Project Works and Permanent Impacts—Map C8(iii) <http://billdocuments.crossrail.co.uk> (LINEWD-ES16-036).

² Crossrail Ref: P86, Whitechapel—Fulbourne Street Ticket Hall from Durward Street (TOWHLB-21804-017).

³ Crossrail Ref: P86, Whitechapel Station—Fulbourne Street Ticket Hall Visualisation from Whitechapel Road (TOWHLB-21804-018).

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Whitechapel Street. Our view, as Mr Berryman will explain, is that will be more than sufficient as a presence for the station. Tower Hamlets' view is that McDonalds and other units around there should go and our position is that it is simply unnecessary and, therefore, I am making no comment.

9408. **Sir Peter Soulsby:** An attractive comment!

9409. **Mr Elvin:** However, one might see a public interest in a number of different perspectives. If Tower Hamlets considers that the public interest so justifies the plaza development, it has its own powers under the Town and Country Planning Act for a redevelopment scheme, and if it wishes to bring that forward we would not stop them. That is a matter for them not for this Bill.

9410. The third issue relates to the use of local labour. You recall that we had this issue with Newham and gave them a revised undertaking. A similar undertaking is given to Tower Hamlets. We have agreed a slightly different form of words on a trading issue. I understand from Mr Drabble that he is happy with that. He will read to you the form of words with which he is content and therefore that should not be an issue any longer. There are two issues for the Committee.

9411. **Chairman:** Mr Drabble?

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Mr Richard Drabble, QC appeared on behalf of the Petitioner

9412. **Mr Drabble:** Sir, as you know, I appear together with my learned friend, Mr Forsdick, for the London Borough of Tower Hamlets. It is sensible to start by stating what will be well-known to the Committee, which is that the Council welcomes the Crossrail project. It sees it as an important, indeed very important, catalyst for regeneration and an opportunity which will both be warmly welcomed and maximised. As you will see Mr Elvin has said, the Petition raised a large number of issues, some of fundamental importance such as the tunnelling strategy and the impact of the originally proposed scheme on the community around Hanbury Street and Pedley Street; others are of a different and a more detailed kind.

9413. I am happy to place on the record the fact that there has been a long and detailed dialogue between the Council and the Promoters of the Bill. In the nature of things, the dialogue has not been without its ups and downs, but it has been both constructive and productive. I say at once, whereas we first thought we were dealing with an appearance in front of the Committee measured in terms of a large number of days, we are now happy, which is apparent from what Mr Elvin has said, that this can be dealt with comfortably within the day. The issues that remain are important but very limited in number and they have diminished during the course

of the morning. In recognition of the constructive nature of the dialogue, recognition of in particular the importance of the change in tunnelling strategy long-advocated by the Council that removed the need to launch tunnel-boring machines from a general vicinity of Hanbury Street and of the recent indication that "plain lining" will definitely take place at Whitechapel enabling there to be certainty about the basic form of the station and removing the uncertainty that dogged the original version.

9414. I turn to the issues that do remain. They are two. They are first the approach to the alternative sites for the ventilation and evacuation shaft that is still thought to be needed in the general location of Hanbury Street or Woodseer Street. Secondly, the issue about the proper treatment of the Fulbourne Street entrance at Whitechapel. I thought when I wrote this opening there were going to be three, but, as Mr Elvin has indicated, we have reached agreement on the local labour and business support issues in an agreed form of words that I shall read to you at the end of this very short opening. Going then to Hanbury Street and Woodseer Street, as part of the background, and as the Committee will know better than me, it will be recalled that following the change in tunneling strategy, there remains an apparent need for a ventilation shaft in this general location. I should mention that advice to the Council indicates that this apparent need may change as the project proceeds and that either in this specific location or generally for Crossrail a strategy might be worked up which did not involve intervention shafts at prescriptive distances of one kilometre as in the strategy but might instead involve alternative strategies dependent, for example, on the use of cross-passages. The Cross-Channel Rail Link, for example, does not have an evacuation strategy dependent on intervention shafts of this sort at all. The consultant advising us, whom you will hear from very shortly, Dr Keith Bowers from Arups, has a close familiarity with that project and is satisfied there is at least a possibility the need for an intervention shaft will disappear as the scheme is progressed. In recent discussion, the Promoters have indicated that they will co-operate with our consultants in keeping under review the need for an intervention shaft. We welcome that indication. I say no more about it in opening. At the moment we must proceed on the basis that an intervention shaft might be needed in this general location. Despite the welcome considerable reduction, the scale of the necessary works construction of the intervention shaft still remains a major exercise which will last about 26.5 months, something over two years. The basic stance we wish to put forward today in relation to the choice of Hanbury or Woodseer Street is the two alternatives have simply not been examined properly in the context which is now present. Plainly, the Council is most concerned about the local environmental impacts and with the selection of a site which minimises those impacts. In real terms, a major local impact is the impact of construction, noise and traffic. In the circumstances that have arisen, those impacts, as we shall explain,

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have not been fully assessed as yet. The reason lies in the history of the consideration of the Woodseer/Hanbury Street alternatives. The reason is understandable, but the absence of a relevant comparative assessment is a clear fact. It will have to be made good and, as I understand it, Crossrail will have to be acceptable to that being made good because a supplemental environmental statement will have to be prepared to take account of the changes in impact resulting from the changes in the tunnelling strategy. Our basic plea today accordingly is that the Committee should indicate firmly before any final decision is made on the choice of Hanbury Street as opposed to Woodseer Street that a fully fledged assessment is made of the impacts of both.

9415. The case we wish to develop today contains five points. The first is this: the original environmental statement for the Bill scheme discounted the Woodseer Street alternative on railway engineering grounds. The alignment considered in the original environmental statement to Woodseer Street was, and as it has become known now, Woodseer alignment 1. In railway standard terms, it was sub-standard and we accept on advice that it was not appropriate but the result of using alignment, effectively a non-runner at that stage, was the detailed comparative assessment of construction and noise and other impacts was not undertaken. That is the first point. The second point, in the period after the environmental statement was published, a detailed and fruitful discussion took place in terms of the Woodseer alignment. A second version, now known as Woodseer 2, was worked up. This alignment was and is acceptable in terms of railway standards. It is said by the Promoter to have some drawbacks in engineering terms and again, by the Promoters, it has drawbacks in terms of its relationship with a development at Bishops Square. We shall say something shortly about Bishops Square in evidence. The third point: in the relatively recent past, the Promoters have worked up what is known as a GOMMMS analysis purporting to compare their preferred option at Hanbury Street with that of Woodseer Street. That GOMMMS analysis places negative weightings on the comparative engineering issues and the relationship with Bishops Square and on that basis Hanbury Street wins.

9416. We will explain in evidence that those negative weightings do not represent anything resembling knockout blows to the Woodseer Street alternative. We remain of the view that there is still scope for the optimisation of the Woodseer Street alignment to avoid conflict with Bishops Square; and that in any event that relationship is manageable and far from unusual in a tunnelling project of this kind. Any wrinkles in the relationship between Bishops Square and the railway can, in our view, be ironed out relatively easily.

9417. Finally, the fifth point. No detailed comparative assessment of construction noise and other effects has been undertaken. This is the crucial missing link which must be supplied. In the absence of that assessment, it is apparent that the relationship between the housing and construction site at Hanbury Street is much more problematic than is the case at Woodseer Street. We should be asking you to form a preliminary judgment about that relationship from your knowledge of the site visit and from the illustrative material we shall be showing you.

9418. I repeat the Council's basic case which is that it would be wrong to make a final decision between the alternatives before a more detailed assessment is made, both in terms of optimising the alignment, which has become known as Woodseer 2, and in the light of a detailed assessment of construction impacts, should some be made.

9419. I turn now to Whitechapel, and I can deal with this terribly shortly. The Council's remaining concern relates to the relationship between the new entrance to the Crossrail station in Fulbourne Street, and the wider public realm, including the Royal London Hospital. We do not consider that adequate attention has been given to this relationship, with the result the presently proposed scheme leaves the Fulbourne Street entrance down a side street and not properly integrated with the wider area. This issue could be addressed by a modest further property acquisition—you know the business concerned—to provide a fitting station entrance.

9420. Sir, with your permission I shall be calling three witnesses who will each give short evidence. Mr Owen Whalley, who is Head of Major Project Development at Tower Hamlets. He will provide a short overview of the Council's case. Next is Dr Keith Bowers, who is the Associate Director of Arup, which I have mentioned already. He will deal with aspects of the GOMMMS analysis at Hanbury Street. Finally, we have Stephen Turner, who is a noise consultant. He will also give short evidence about aspects of that GOMMMS analysis.

9421. With your permission, I propose to ask all three to introduce themselves at the beginning and deal with the Hanbury Street issue first. I suggest a convenient course would be for all three of them to give their evidence in chief before any cross-examination so that the Council's case is clear before questioning.

9422. Sir, can I finally make good promise to read onto the record the form of words which the parties have agreed to this morning to deal with local labour and business promotion issues.

9423. That form of words is that the Promoter will continue discussions with the London Borough of Tower Hamlets and the London Borough of Newham on local labour and business opportunity

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provisions using terms agreed for the Docklands Light Railway and the East London Line Agreements as the basis for discussion.

9424. Sir, I will now call Mr Whalley, Dr Bowers and Mr Turner.

Mr Owen Whalley, Dr Keith Bowers and Mr Stephen Turner, Sworn

Examined by **Mr Drabble**

9425. Mr Whalley, can I ask you to introduce yourself formally. I think in the proof you have in front of you, you set out your position and your qualifications. Perhaps you can tell the Committee what that is.

(Mr Whalley) I am Owen, Colin Whalley. I am the Head of Major Project Development within the Directorate of Development and Renewal at the London Borough of Tower Hamlets. I am presenting this evidence on behalf of the Borough. I hold a degree in Town and Country Planning, and I am a member of the Royal Town Planning Institute. I have been working in town planning for some 28 years, with my experience being based exclusively in inner city London. I have worked across a wide range of town planning issues, including development control, forward planning and policy formulation, as well as project implementation. I have worked on behalf of Tower Hamlets on the Docklands Light Railway (Lewisham) Act, both in its passage through Parliament and subsequently on its implementation. I have led the Council's team, which responded on behalf of the borough to the Docklands Light Railway, through Three Car Enhancement Transport and Works Act Order, and I am currently liaising with the Transport for London East London Line Extension Team.

9426. Dr Bowers, can you again introduce yourself? You are an Associate Director of Arup. You have been advising the London Borough of Tower Hamlets on geological and engineering matters and are presenting your evidence on behalf of the borough.

(Dr Bowers) My name is Keith, Henry Bowers, as described.

9427. You have various qualifications in geology, but I do not think we need to read them. You have got a PhD, amongst other things, for work on sprayed concrete tunnelling.

9428. **Chairman:** That is very helpful!

9429. **Mr Drabble:** Can you give us a flavour of your experience in tunnelling issues in London.

(Dr Bowers) I have been working in tunnel design, construction and also transport tunnel operations for about 17 years. In that time I have worked for both Government and industry at different times. I am currently the tunnel design manager for London Underground's King's Cross Station upgrade and immediately prior to that for a period of some five

years. I was a principal engineer on the Channel Tunnel rail-link, working on the project's tunnels through London and the Thameslink 2000 tunnels.

9430. Mr Turner, you are Stephen Turner and you are the Director of Acoustics with Bureau Veritas, again presenting evidence on behalf of the borough. *(Mr Turner)* That is correct, yes.

9431. Once again, you have got various qualifications from the field of your expertise, namely noise. Amongst other things, you Vice-President and a fellow of the Institute of Acoustics and Chairman of the working party established by that institute and the Institute of Environmental Management which is developing guidelines on noise impact assessment.

(Mr Turner) That is correct, yes.

9432. Can you give a flavour to the Committee of your experience with construction projects of this sort?

(Mr Turner) I have worked on many environmental noise projects, including the effects of noise from rail transport and construction sites. In particular, I have worked on many projects in the London Borough of Tower Hamlets, including the Docklands Highways and Canary Wharf. I have also been providing technical advice to the noise and nuisance team at the Department for Environment, Food and Rural Affairs since 1999 on a wide range of environmental noise issues. I was commissioned by London Borough Tower Hamlets and some other clients regarding the impact of Crossrail since January 2005.

9433. Mr Whalley, can we start with your proof. First of all, I think you are going to tell us what the scope of your evidence is and what you are intending to cover.⁴

9434. **Chairman:** For the record, Mr Drabble, can we read in that this is document A110.

(Mr Whalley) My evidence focuses on the impact of the proposal on the borough as a whole. In light of the discussions which have occurred over recent hours, I want to cover two main things. One is the strategic importance of Crossrail to the borough, and secondly the remaining concerns and objections which the borough have. Here I want to deal with the mitigation on the construction impact on the borough and finally a map summary of matters we have agreed. In giving my evidence I will draw attention, as appropriate, to the Council's response to the Promoter's formal response. Looking at the context first, strategically the Council strongly supports Crossrail because of the economic and transport benefits it will bring to the borough. This is different from the situation in 1990 when the Council also Petitioned against the then Crossrail Bill. That was because the 1990 proposals did not include stations at Whitechapel or the Isle of Dogs, which

⁴ Committee Ref: A110, Structure of Evidence (TOWHLB-21805B-002).

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meant that the borough would suffer the construction impacts but receive none of the long-term benefits. Before coming to the detail of my evidence, I think it is important for the Select Committee to have a broader understanding of the character of Tower Hamlets.⁵ In many people's minds when Tower Hamlets is mentioned they will either think of Canary Wharf and the Isle of Dogs with its multi-national corporations occupying some of the tallest office blocks in London, or perhaps luxury residential apartments overlooking the river. In other words, there is a perception that Tower Hamlets is seen as a fairly prosperous area. While in some respects this is true, the borough also manifests great diversity, not just culturally but also economically. In national terms, the borough has one of the highest levels of deprivation in the country. Locally, 70 per cent of the wards in the borough, including many of those through which Crossrail will run, are among the one per cent most deprived wards in England. Unemployment is 9 per cent compared with the inner London average of 6 per cent. Unemployment levels amongst black and minority ethnic communities are three times higher than in the white community. According to the 2001 Census, unemployment amongst black and ethnic minority communities was 22 per cent compared with 7.2 per cent amongst white communities. These unemployment levels exist, notwithstanding the fact that there are over 150,000 jobs in the borough. With regard to business structure, the pace of growth in the borough has not been confined to the increase in large companies. There are now estimated to be some 10,500 businesses in the borough. Encouraging small and medium-sized enterprises to take advantage of large-scale investment is a key priority of the Council. In terms of the project as a whole, the Council welcomes the many changes that have been made to the project since the Bill was first published. These changes show positive benefits that can arise from pro-active negotiation and discussion. Clearly the Promoter's acceptance for the Council's end-to-end tunnelling strategy has been the most significant change. The Council also welcomes the other important revisions to the Bill which were anticipated, including the revised proposals for the Eleanor Street travellers' site, changes to the Whitechapel Station and the positive negotiations that are now taking place on hours of working, noise and re-housing policy. The promoter's formal response to the Council's Petition has also provided helpful clarification and assurances on a number of issues raised in the original Petition. I can now turn to the remaining objections and concerns that the borough has. As Mr Drabble said in his introductory remarks, the Council's original position included 35 specific objections to various aspects of the Crossrail proposal. The most important being the Crossrail tunnelling strategy which originally proposed the tunnel site in Spitalfields. Since the Bill was first published in February 2005, through a process of negotiation and

discussion, we have resolved all but two of our original objections. These relate to the location of the intervention shafts in Spitalfields and finally the issue which Mr Drabble has outlined with regard to Whitechapel Station. Perhaps I can deal with each of these in turn. Can we have slide 4, please.⁶ Firstly, I would like to strongly welcome the acceptance by the Promoter of the Council's case for the end-to-end tunnelling strategy. As a result of this major change in strategy, the Council accepts that the adverse construction impacts of a Spitalfields shaft will now be significantly less than was the case when it was proposed as a tunnelling site. Nevertheless, the even more limited construction impacts of an intervention and ventilation shaft will still cause concerns in such a very congested and built up area. Slide five please.⁷

Ideally, the Council would prefer there to be no intervention shaft anywhere in the Spitalfields area. I and the Council's consultants consider that both engineering, technology and railway safety regulations are developing all the time, and that there remains a prospect that with working with the Promoter's engineers it may be possible to obviate the need for any such shaft. The Council accepts that the requirements of an adequate safety and ventilation strategy are predominant, but it does not accept that it is inevitable that any such strategy—which will inevitably have to be kept under review as the project progresses—will require the construction of ventilation shafts at the currently proposed intervals when the railway is built.

The Council has sought and obtained assurances from the Promoter that it will carry out this work which the Council hopes will achieve the objective of avoiding any form of intervention shaft in Spitalfields area. If once this further work has been completed it still proves necessary to construct a shaft in Spitalfields, the Council has requested that the Promoter should investigate further the possibility of reducing the scale of the shaft in Spitalfields, for example, by not providing forced ventilation equipment at that site. The exact function of the shaft may affect the site requirements, so the Council considers that no final decision on the location of the shaft in Spitalfields should be made before this work is completed. The Council has received undertakings that the Promoter will carry out these further investigations. Slide six, please.⁸ I now turn to the issue of the site location of the intervention shaft in the Spitalfields area. Following the announcement by the Secretary of State for Transport on 30 March that the Crossrail tunnelling strategy would be revised to avoid launching tunnel boring machines from this part of Tower Hamlets, it is understood that Crossrail have been revising the works required in this area. Chairman, if you see the two sites outlined

⁵ Committee Ref: A110, London Crossrail—London Borough of Tower Hamlets (TOWHLB-21805B-003).

⁶ Committee Ref: A110, Remaining Objections and Concerns (TOWHLB-21805B-004).

⁷ Committee Ref: A110, Spitalfields Area (TOWHLB-21805B-005).

⁸ Committee Ref: A110, Crossrail—Impact of Proposed Worksites in the Spitalfields Area (Aerial View) (TOWHLB-21805B-006).

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in red, the lower of the two is the Hanbury Street shaft area and the rectangular site is the Woodseer Street option.

9435. Before we move on, have you any comment on the relationship between the Hanbury Street site and residential property as compared with Woodseer Street?

(Mr Whalley) I think, Mr Drabble, if we move to the next slide, I can show that perhaps more helpfully.⁹ Again this is effectively the same slide, but with the land uses and you can see that the brown areas are housing and, as you can see, the southern site, Hanbury Street, there is housing to the west and housing to the south-east. What you do not see on this slide is this area in Princelet Street which is commercial premises on the ground floor with residential accommodation above, so the rear windows of those flats would look over the Hanbury Street worksite. It is clear that the scale of the construction works required would be reduced from the original proposals. Furthermore, it is understood that were the Hanbury Street location to be kept for the shaft, there would no longer be the need to demolish Britannia House and Britannia House is the building there, which was in the original proposal as part of the worksite. The use of the Woodseer Street site located north of Woodseer Street and close to its junction with Spital Street has been a suggested alternative for the shaft location in this area for some time, even before the tunnelling strategy was revised. Now with this revised proposal, the Council is keen to see that this alternative is explored thoroughly to ensure that the chosen option provides the optimum solution. On 16 May this year Crossrail provided an initial comparative assessment between using Hanbury Street or Woodseer Street. For the latter, there were two options concerning route alignment, either avoiding the Bishops Square development, which is Woodseer Option 1, or passing under it or close to it, which is Woodseer Option 2. The Council accept that the Woodseer Option 1 is not appropriate, so I am going to concentrate on the Hanbury Street and Woodseer 2 Options. Further documents were subsequently received from Crossrail on 1 June and these describe in more detail the type of works that would be involved and also provided further information regarding the comparative study. The comparative process adopted by Crossrail is known as the “Guidance on the methodology for multi-modal studies”, otherwise known as “GOMMMS”. This will be discussed in more detail by my colleagues Dr Bowers and Mr Turner. The Council’s general concern about this process is that it has given too much weight to geological and engineering issues and insufficient weight to the site-specific impacts. In particular, no detailed assessment has been undertaken of the noise and vibration impacts of the two options. The Council’s general conclusion is that it is possible that, with more detailed information, the GOMMMS analysis could give rise

to a different outcome. Without this information, the Council considers that the case for Hanbury Street over Woodseer Street is not proven and that a decision should be deferred until sufficient evidence has indeed been provided. Thank you, Chairman.

9436. You are handing over now to Dr Bowers. The slide which has just come up is more within Dr Bowers’ province, I think, than yours.¹⁰ Dr Bowers, could you first of all tell us very shortly what the scope of your evidence is going to be?

(Dr Bowers) My evidence focuses on the issues arising from the GOMMMS analysis that has just been described and I shall concentrate only on the comparison between the base case, the Hybrid Bill scheme, and the Woodseer Street Option 2. As we have already heard, we accept that Option 1 is not appropriate. The GOMMMS analysis finds in favour of Hanbury Street. However, our consideration with the scoring information presented to us shows that this conclusion is substantially attributable to two factors. These factors are both areas where the Borough does not feel it has received sufficient information to be fully satisfied that the conclusions are robust. What I shall do is highlight the additional information that will be needed for the Borough to be satisfied that the analysis is robust.

9437. First of all, I think you are going to deal with the Bishops Square issue. Is that right?

(Dr Bowers) Certainly. I should say that the two areas of concern are essentially Bishops Square and ground conditions and I shall address Bishops Square first. Bishops Square is a large building development on piles. In the Hybrid Bill scheme the building is just offset from the Hybrid Bill scheme tunnels and the lower pair of lines on that slide represent the Hybrid Bill alignment and it clears the footprint of Bishops Square. In the Option 2 alignment, which is also shown on the image here, the two tunnels are displaced a little to the north and it can be seen immediately that one of the tunnels passes under the footprint of the Bishops Square building. The Option 2 alignment was developed following requests from the Borough to demonstrate possible alignments that pass through the Woodseer Street site and to establish what issues, if any, they gave rise to. This was an iterative process and in fact a number of variations were considered before we got to this stage. The important point is that the Option 2 alignment is not the only alignment which passes through the Woodseer Street shaft; others are possible. As it is apparent that moving a tunnel under Bishops Square is a significant concern to the Promoter, my suggestion would be that it would be appropriate to further consider additional iterations on this alignment and, in particular, I would suggest that there is a fairly small amendment to Option 2 which would move the tunnel away from Bishops Square. Such an alignment would be achieved at this

⁹ Committee Ref: A110, Crossrail—Impact of Proposed Worksites in the Spitalfields Area (TOWHLB-21805B-007).

¹⁰ Committee Ref: A110, Crossrail Central Tunnels—Woodseer Street Shaft Alignment Option 2 (TOWHLB-21805B-008).

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end, which is Whitechapel Station, and you will see that in Option 2 we swing a little to the north as we come out of Whitechapel Station. That horizontal curvature there is not down to the minimum desirable radius. It would be possible for that curve to be a little tighter to take the railway a little further to the north. In doing that, the angle of attack, if you like, at Woodseer Street shaft would be slightly different and, therefore, the route down between Woodseer Street and Liverpool Street would be slightly different with a different and, we believe, improved relationship with Bishops Square. That is an iteration we would like to see. Even in the event that such a change of alignment will not be possible, it does not actually follow that the arrangement under Bishops Square is not achievable. If we go to the next slide, this is a figure we received on 5 June and it illustrates the arrangement with the Option 2 tunnel under Bishops Square.¹¹ It is a cross-section. We have the lower part of the building shown, the foundations of the building, which are an extensive array of piles illustrated here, and the running tunnels in Option 2 are shown. Clearly this tunnel is away from the building and the other one comes under the foundations. It is apparent, however, from an inspection of this figure that there are several metres' clearance available between any of the foundations and the tunnel. The desire of Cross London Rail Links to minimise the interface between the two in terms of both settlement and noise is entirely understandable. Nonetheless, this arrangement is such that both construction and noise mitigation would clearly be possible using well-established tunnelling and railway noise mitigation technologies. This arrangement is well within the bounds of past construction experience on other tunnelling schemes. I will now turn to the second recurrent theme in the GOMMS analysis, recurrent in the sense that it influences heavily the scoring in favour of Hanbury Street. This is the significance of the ground conditions. Cross London Rail Links have argued that the Woodseer Street alignment needs to be relatively deep to minimise the risk of meeting foundations or being in close proximity to foundations. This in turn leads to the shaft bottom being located in the top of the Lambeth group strata rather than slightly higher just into the London clay, as would be the case at Hanbury Street, and perhaps I can just draw your attention in the figure to the geological section on the side. It is London clay, then Lambeth group underneath and we are talking about works in this interface area between the two. This movement of the shaft slightly deeper into the Lambeth group is presented as a problem in terms of ground movement, constructability and safety, but the issues are not explained in detail. I agree that in general the risk of difficulty with the ground conditions and most particularly groundwater increases as excavations drop into the Lambeth group. However, it is not a simple transition as it is also a function of local geological variation. There have been experiences of

problems with groundwater pressure from the London clay being encountered in shafts several metres above the base of the London clay, so water pressures which exist in this area have had an influence on construction up in this area.

9438. **Kelvin Hopkins:** Can you tell me precisely what the Lambeth group strata means, what does it do? **(Dr Bowers)** Certainly. In summary terms, the London clay is a relatively homogenous clay material. The Lambeth group is a geological term which actually covers quite a number of different units and there is quite a lot of variability across London, so local variability is a big issue. The group is characterised by quite a range of different materials. There are very stiff clays, there are clays quite similar to the London clay in some places and elsewhere there are sands. The particular engineering issue that commonly arises is where you have sands and those sand bodies can contain water and the water can be under pressure, so you can imagine that if you started to excavate through the clay and you met water under pressure, you would have a new set of construction issues to deal with. What I was just saying is that there is experience of these water issues I have just been mentioning, albeit based in the sands at this level affecting construction a little above, hence I will suggest that locally within these ground conditions there is not a step change in construction risk as when you meet the line on the drawing. What there is is a gradational change in risk and it tends to be an increase in risk as you go deeper down. The Promoter has indicated that the depth increment for Option 2 is around two metres compared with the Hybrid Bill scheme. Given the inherent uncertainty of dealing with the ground and this very small difference in depth, I would anticipate that ultimately similar and fairly conventional mitigation measures would be needed for the construction of this shaft. Whether or not the bottom of the shaft was in the bottom of the London clay or the top of the Lambeth group, the risks are broadly similar and they have to be addressed. Therefore, it seems likely that this issue in itself will not make a substantial difference to the works that are necessary and it is, therefore, not clear that it should be a major driver in the selection of the shaft site.

9439. **Mr Drabble:** Before you get to the conclusion, can you just say a little bit more about the mitigation measures that would be required either in the London clay or the Lambeth group and give us an explanation of why you think a similar strategy would be adopted in relation to both of those?

(Dr Bowers) There are a number of issues which arise with excavating different types of material, should you encounter them, and you may need slightly different equipment. The water issue is, I believe, the dominant concern here because it has an effect on the stability of the ground and the excavation. The course of action to address that is fairly well established as this is not an unusual problem and there are a good many excavations through these materials. Clearly the first stage in

¹¹ Committee Ref: A110, Bishops Square Development—Option 2 Section A-A (TOWHLB-21805B-009).

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mitigating the risk is site investigation and exploratory bore holes to establish what materials are there. Those will be of great assistance, but will not remove all uncertainty. In the event that the ground investigation or indeed the subsequent excavation does establish that there are water-bearing bodies there and that the water is under pressure, the usual solution would be to use bore holes down into those water-bearing bodies as effectively wells. You would be able to extract water, but in fact you would not need to extract a great quantity of water, but through a relatively small bore hole what you can do is extract sufficient water to bleed off the excess pressure. Now, if that is done slowly over a considerable period of time in a planned fashion, so effectively advanced works prior to the main shaft sinking, it should be possible very largely to mitigate the risks through that sort of process.

9440. Conclusion?

(Dr Bowers) In conclusion, therefore, on these points, for the Borough to be persuaded that the GOMMMS conclusion is robust in engineering terms, there is some further information that is needed. Firstly, it needs to be clearly demonstrated that the alignment considered through Woodseer Street, and by that I mean the alignment in a final comparison, is one that is optimised both in railway operational terms and also in terms of the interfaces with the existing structures, so that would be an iteration beyond Option 2, as we see it at the moment. Secondly, in the event that such an optimised alignment still required the tunnels to pass closer to Bishop Square than the base case, the precise implications for the project need to be clarified. Thirdly, if the variation in geological risk of depth is considered to be a dominant factor in the choice of alignment, the extent to which this risk is worse and the mitigation needed is greater for a Woodseer Street alignment needs to be clearly demonstrated.

9441. Now you hand the baton over, as it were, to Mr Turner who will now deal with the noise aspects of the same GOMMMS analysis. Mr Turner, you first of all just give a short description of the timing of the documentation which has been provided by Crossrail.

(Mr Turner) Yes, as Mr Whalley has said, we first got some information about the comparative study in the middle of May and then last Thursday we received some information which included details of the likely construction programme and importantly an indication of the sort of noise sources that were then likely to be needed in the construction of a new shaft at Hanbury Street. My evidence is just to concentrate on one element of this comparative study under the heading 'Environment', and perhaps I could have the next slide please.¹² That is an extract from the comparative study showing the

assessment that was done regarding the relative noise and vibration impact for the Hanbury Option compared to the Woodseer Option 2.

9442. We are looking at an extract from the Promoter's GOMMMS analysis. Is that right?

(Mr Turner) That is correct, yes. It can be seen that under the 'Comments' section, there are broadly two comments against Hanbury and two against Woodseer. The first sentence against each option is in fact identical, saying that the construction effects on residential properties will be much greater than for operational noise and vibration. I would argue that actually that is not the relevant point because it is the same for both option and, therefore, we can put that to one side. The second comment is that for Hanbury the noise and vibration impacts on the Bishops Square development have been mitigated in its design based upon the base case alignment, and that is the principle that Dr Bowers was talking about just now, whereas at Woodseer there is an increased risk of impact from noise and vibration at the Bishops Square development, in particular, during construction. Therefore, the scoring, which can be seen in the last column, shows Woodseer as more adverse compared to Hanbury and a justification of the points I have just outlined which of course, regarding Bishops Square, was covered by Dr Bowers. Importantly, as anticipated by Mr Whalley, there was no consideration that appears to have been given in its assessment to the relative noise impact during the construction phase of the shaft on those properties located nearby. The next slide is a photograph looking towards the Hanbury Street shaft probably in a westerly direction and the light brown building is where the site is.¹³ The buildings to the left, the three-storey ones with the blue heading, are the commercial properties with residential properties above. The next slide shows a simple set of lines showing distances from the new worksite with the revised proposal at 25, 50 and 100 metres from the boundary of the site.¹⁴ It can be seen that within 25 metres the line cuts through several of the properties nearby.

9443. Let us just be clear of what the key is. How do we identify residential property?

(Mr Turner) Residential properties are broadly those in the yellowish colour, but, because of the limitations of the technology, it misses the fact that immediately to the south of Hanbury Street there are in fact residential properties there and in fact I have been in one of those flats and looked over what would be the Hanbury Street site.

9444. What is the relationship between those flats and the construction site?

(Mr Turner) It is effectively down below their window, where the site would be working. If we move to the next slide, that is a picture of the corner

¹² Committee Ref: A110, Qualitative Comment on Noise and Vibration (TOWHLB-21805B-010).

¹³ Committee Ref: A110, View of Woodseer Street (TOWHLB-21805B-011).

¹⁴ Committee Ref: A110, Crossrail—Impact of Proposed Worksites in the Spitalfields Area (Hanbury Street Worksite) (TOWHLB-21805B-012).

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of the Woodseer site, I think, looking towards the north-west.¹⁵ Then the next slide is the equivalent diagram showing the Woodseer site boundary and the 25, 50 and 100 metres distance.¹⁶ There you can see that within 25 metres, for example, it looks as if there are possibly three properties in Woodseer Street itself which fall within that distance, but certainly further away from the site than those properties we were talking about just now in Hanbury Street. Therefore, at first blush, just simply looking at the distance of the properties to the sites, it looks as if Woodseer Street would be the preferable option. The point is that we have not received the proper impact assessment with the associated noise calculations to be able to form a detailed view of the relative impact.

9445. There is one thing about Woodseer Street while we have the slide up. Can you just tell us, and the Committee may know this already, its current use? Do you know anything about its projected plan in the future?

(Mr Turner) I understand its current use is that there is little business on it and there is some car parking that is used. It is certainly part of the car park for the brewery and I understand there is some planning consent on that, and Mr Whalley could probably give you more details. If we could go back to slide 12, we have already spoken about the properties immediately to the south of the site.¹⁷ With the original Hybrid Bill scheme, those properties were identified as having such a severe noise impact during the construction phase that they would be eligible for temporary rehousing during the construction phase element. I do not know for certain yet, but I would not be surprised if they would also be eligible for similar treatment with the new scheme simply because they are so close to the site, whereas, if we could go back to slide 14, there are properties that close to the site and I would be surprised if any properties there would be similarly eligible.¹⁸ Therefore, it seems from that cursory assessment, and do bear in mind that we do not have the details, that it is quite possible that once the noise and vibration impacts during the construction phase are properly taken into account, the Woodseer site could be clearly the preferred alternative on this aspect, whereas at the moment in the analysis presented by the Promoter, they have Hanbury Street as the proposed option.

Cross-examined by **Mr Elvin**

9446. **Mr Elvin:** I think I will stick for the moment, if the other two will forgive me, with Mr Turner and the comparative position of Hanbury Street and

Woodseer Street and just draw attention to a couple of features. Can we please go back to slide 12.¹⁹ Hanbury Street, Mr Turner, so far as residential properties in close proximity is concerned, although it is not shown on this plan as orange, there are the upper storeys and the shops at Princelet Street you were drawing attention to, the ones with the blue fascia which we saw on the photograph.

(Mr Turner) Yes.

9447. Other than those, all the other residential properties in close proximity to Hanbury Street are shielded by other properties, are they not? For example, in the revised scheme Britannia House does not come down and it will remain as a substantial barrier to noise affecting those to the west along Hanbury Street and Princelet Street?

(Mr Turner) That is quite correct, yes.

9448. Similarly, in Princelet Street, other than those who back directly on to the site, those on the opposite side of Princelet Street will have the houses which do back on to the site again as a barrier?

(Mr Turner) That is right, yes.

9449. Secondly, so far as the temporary rehousing is concerned, of course that was in the scheme when Britannia House was going to be demolished, was it not?

(Mr Turner) Indeed, that is in the Hybrid Bill scheme.

9450. And you would accept that a significant element of change in the new proposals is that Britannia House does not have to go and it remains there? It is no longer a noise source in itself through demolition and it remains a substantial barrier protecting a lot of the residential properties in Hanbury Street and Princelet Street?

(Mr Turner) I cannot disagree with that. I think simply the point you are making is that we do not know yet know and, when we have got a proper assessment, then we can form a view.

9451. I am just drawing your attention to what the comparative position might be. Then the only other properties that remain without any direct barrier are those in the flats across the road, are they not? That is a block of flats.

(Mr Turner) That is right, yes.

9452. Members of the Committee will have seen that on their site visit.

(Mr Turner) Sure.

9453. Can we just look for comparative purposes at Woodseer Street and can we look at photograph 13 which is the next exhibit.²⁰ In terms of the main residential properties, this in fact is looking the wrong way, is it not?

¹⁵ Committee Ref: A110, View of Woodseer Street (TOWHLB-21805B-013).

¹⁶ Committee Ref: A110, Crossrail—Impact of Proposed Worksites in the Spitalfields Area (Woodseer Street Worksite) (TOWHLB-21805B-014).

¹⁷ Committee Ref: A110, Crossrail—Impact of Proposed Worksites in the Spitalfields Area (Hanbury Street Worksite) (TOWHLB-21805B-012).

¹⁸ Committee Ref: A110, Crossrail—Impact of Proposed Worksites in the Spitalfields Area (Woodseer Street Worksite) (TOWHLB-21805B-014).

¹⁹ Committee Ref: A110, Crossrail—Impact of Proposed Worksites in the Spitalfields Area (Hanbury Street Worksite) (TOWHLB-21805B-012).

²⁰ Committee Ref: A110, View of Woodseer Street (TOWHLB-21805B-013).

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(Mr Turner) It is, yes.

9454. The main residential properties are on Spital Street and the back of the photographer is to the gardens of the flats on Spital Street, so if we look at the next plan, which is 14, we have here Woodseer Street and we have here in close proximity a series of blocks of flats which will directly overlook the Woodseer Street site.²¹

(Mr Turner) Yes.

9455. Indeed in terms of comparative proximity and numbers of flats, there are far more here than you would have overlooking the Hanbury Street site.

(Mr Turner) Well, in terms of the total count, the difficulty is that we do not have the information. The point you are making about the effect of localised barriers is perfectly valid and would be taken into account in the calculations. On a simple property count and distance, Woodseer Street is the favoured option, but the detailed points you are making are quite right. What we are asking is that we have that information so that we can form a proper view. I think dismissing it at this stage is premature.

9456. Mr Turner, I understand your point and there will be a further Environmental Statement. I am simply trying to draw out why in fact one might already begin to form at least a preliminary view based on some of these characteristics. Of course we have got some dwellings there, but of course the buildings in the Woodseer Street site will have to come down and there will be no significant noise barrier along the lines of Britannia House to protect the residents here or here, and the residents in the flats here cannot really have any acoustic barrier treatment because they are at a much greater height because it is a multiple block of flats overlooking Woodseer Street.

(Mr Turner) There would be less opportunity to shield the upper storeys, I would agree, but the standard mitigation being proposed for all worksites includes fencing of various heights and I would imagine that the plan would be for a five-metre fence at least.

Indeed, but what we lack on Woodseer Street is anything akin to Britannia House providing significant shielding, so these dwellings here will have to rely simply on the five-metre acoustic shielding or whatever else is determined at the time as being necessary.

(Mr Turner) They do not have a Britannia House to protect them, yes, that is correct.

9457. Thank you. Can I then just turn please to Dr Bowers. I just want to deal with the possibility of revising the alignment and can we look at exhibit 8, please.²² Could you zoom in a little bit so that we can have the end of Whitechapel to Liverpool Street but

just a little bit more visible detail. As I understand the situation, it was thought that there may be some scope for further iterations of this alignment to allow the track to go slightly further to the north to produce a tighter curve and possibly miss Bishops Square.

(Dr Bowers) That was not the suggestion. The observation was firstly associated with this section of the curve west of Whitechapel. That section of the curve is of the order of 600 or 700 metres radius, depending on which tunnel you look at, which is a rather greater radius than the minimum desirable, which clearly one wishes to stay within. If one were to tighten that curve—and I exaggerate because it is necessary on this scale—one would reach a point somewhere more in this direction and could then go back into a curve the other way. Again, I exaggerate the difference in angle but it would pass through the shaft, say, more towards that orientation and that would have an effect down here. Putting it in numerical terms, the differences are small but we are only looking at a few metres over here in plan.

9458. I will ask Mr Berryman just to give a view on this. The Committee knows our concern and I will get Mr Berryman to explain the position. Our concern—and as Mr Berryman will explain, there has been considerable consideration given to alternative alignments—is that the curve here gets tighter. Are you aware that the curve going into Liverpool Street is already substandard and that any further tightening of that curve will be unacceptable? *(Dr Bowers)* Yes, the curve in this area is, I believe, around 300 metres radius minimum which is, as you say, substandard and we would not be anticipating any change that made that worse.

9459. The risk here of course is if that curve is tightened by any change in alignment it has unacceptable effects at the western end of Liverpool Street, does it not?

(Dr Bowers) Indeed, which is exactly why we would not seek any tightening of that curve.

9460. I will ask Mr Berryman to express a view in a moment. Can I then ask you this: qualifications apart, your position so far as increasing the depth of the tunnel by the order of two metres, the greater the depth of course the greater the need to impinge into the Lambeth group which, as you say, has certain different characteristics to London clay.

(Dr Bowers) Indeed.

9461. The greater the risk of further engineering problems the further down you go?

(Dr Bowers) And by extension, potentially the need for greater engineering measures to overcome those issues.

9462. So the Committee can go away with the clear view that if it is essential to lower the tunnels to avoid the Bishops Square piles and foundations then that increases the risks in terms of engineering in terms of dewatering and settlement issues when you get to Woodseer Street?

²¹ Committee Ref: A110, Crossrail—Impact of Proposed Worksites in the Spitalfields Area (Woodseer Street Worksite) (TOWHLB-21805B-014).

²² Committee Ref: A110, Crossrail Central Tunnels—Woodseer Street Shaft Alignment Option 2 (TOWHLB-21805B-008).

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(Dr Bowers) I believe, in summary, it is fair to say that that change is likely to increase those risks. What we do not have is the information which quantifies that and gives us an exact tangible feel for the difference.

9463. Thank you and then finally I think either Mr Whalley or Mr Turner can answer this one. Can we go back to the Hanbury Street plan, perhaps number 12.²³ In terms of issues relating to construction, I imagine there is no issue between us that the routing of lorries and construction lorries will be the same in essence whether it is Woodseer Street or Hanbury Street because the lorries will have to come along here and if they are going towards Woodseer Street they will go here and if they are going to Hanbury Street they will go there.

(Mr Whalley) In broad terms you are right, Mr Elvin. What I would say in terms of the revised Hanbury Street site, is that large vehicles will not be able to get on to the site, they will need to offload from the street. That is my understanding.

9464. You are wrong, Mr Whalley. I do not want to trouble the Committee with all the plans at this stage. There are a number of options, are there not, for the Hanbury Street site. Some involve greater intervention in terms of below ground level construction than others?

(Mr Whalley) Yes.

9465. If you take either our option A, which is where the majority of the plant is put underground and there is a greater opportunity for above site development, or option C, which is a similar option but puts a little more above ground, there is room in fact to get the lorries off the street on to the site and as the reports have made clear to you, what those options are are matters for further discussion between Crossrail and yourselves as the proposals are refined?

(Mr Whalley) That is a fair point to make. What I would say is we have not considered in any great depth the variations on the options for Hanbury Street because of the various issues we have been discussing this morning.

9466. I understand that you have not focused your minds yet on the option to build on Hanbury Street and whether it should be Hanbury Street or Woodseer Street but you accept that options that have been presented to you so far some of those options will allow taking the lorries off the street and that is a matter which can be worked up in agreement between yourselves and CLRL?

(Dr Bowers) I am sure there may be options that could be pursued which would allow that. My understanding however is that the hybrid option, as it is described, will not allow that to happen.

9467. **Mr Elvin:** But so far as the issue of lorries is concerned, which is of great concern to many, the lorries issue does not change whether one goes for Hanbury Street or for Woodseer Street?

9468. **Chairman:** I think we will deal with that with Mr Berryman.

9469. **Mr Elvin:** That is all I have by way of questions.

9470. **Mr Drabble:** I have no re-examination on that issue. What I propose to do now is for Mr Whalley to stay and Mr Elvin will have him in one go. Both Dr Bowers and Mr Turner can leave the stand.

Dr Bowers and Mr Turner withdrew

Mr Whalley further examined by **Mr Drabble**

9471. **Mr Drabble:** I think you have got two remaining tasks. The first is to explain the case in relation to Whitechapel and the second is I think you wish to read on to the record a short comment on the areas where progress and agreement has been made. *(Mr Whalley)* That is indeed the case, Mr Drabble. Could we go to slide 27 first, please.²⁴ As has been indicated, this is an issue that remains of concern to the Council. I will preface my remarks about Whitechapel by saying the provision of stations at both Whitechapel and the Isle of Dogs are fundamental to the Council's support for this project, although for different reasons, quite clearly. Without the Isle of Dogs Station, for example, the economic growth of Canary Wharf and the rest of the island could not continue at the same pace since the existing public transport systems will not cope with the expected number of people working in the area. I am aware that consideration of the Isle of Dogs station issue has been deferred for further discussions between the Council and other petitioners and the Promoter and we will be giving evidence on that in due course. The benefits of Whitechapel Station are somewhat different since in this case the Council seeks to maximise the potential benefits which the greatly improved public transport accessibility could provide to one of the Borough's most deprived areas. At the present time, many businesses and residents are not convinced of the benefits of Crossrail themselves, as vocally demonstrated to some you I think at the site meeting a couple of weeks ago. The Council is now in the process of preparing a master plan for that area to seek to maximise the regeneration benefits of Crossrail and indeed the redevelopment of the London Hospital. Within that context I welcome the proposed additional provisions set out in the letter from Crossrail of 24 May which seek to provide more certainty that the station will have a fully accessible interchange between London Underground and the Crossrail lines. The Council also welcomes the commitment to retain the existing

²³ Committee Ref: A110, Crossrail—Impact of Proposed Worksites in the Spitalfields Area (Hanbury Street Worksite) (TOWHLB-21805B-012).

²⁴ Committee Ref: A110, Remaining Objections and Concerns (TOWHLB-21805B-027).

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station entrance at Whitechapel Road. Notwithstanding the substantial improvements in these proposals, the Council does consider that there is a missed opportunity because of the limited integration between the new station entrance and the wider public realm. Perhaps we could go to the next slide, please.²⁵ If I could just show you and perhaps we can zoom in a little on that as well. You can see the proposed station there. This is the western ticket hall and the entrance to Fulbourne Street. To the north you can see the existing Royal London Hospital and this is the Whitechapel Road. If we move on to the next slide and again perhaps we can zoom in on this: this is effectively the ground floor plan of the proposed hospital.²⁶ As you will be aware, approvals have recently been granted for the redevelopment of this hospital to provide a 905-bed teaching hospital with a separate renal unit, a women and children's unit, as well as a conventional in-patient facility and very significant accident and emergency facility. Just taking you through the layout of this, again here we see Fulbourne Street. The current accident and emergency facility is here in what is called the Alexandra Wing. As part of the proposals this facility will remain but will become the dental hospital. The main entrance to the hospital will be through the existing portico on the front of the listed building frontage in Whitechapel Road which currently is accessed through either steps or ramps. As part of this proposal, the floor level will be reduced to street level so there will be level access through the existing listed buildings at the frontage there into a new London Square and then the main clinical element of the hospital is this part here which comprises not only the ground floor elements but two towers rising up to 20 storeys. We have what is called a "health mall" here which leads into the in-patient facilities. The A&E unit will be on the eastern side of the hospital with the blue light entrance here. So you can see that in terms of access to the hospital it will be through this street here, which is quite close to the existing station entrance and then through the main entrance here. At the moment, about 4,000 people work in the hospital and as part of the Green Transport Plan for the hospital redevelopment, it was anticipated that about 37 per cent of staff would come to the hospital by Tube. Can we perhaps move on, thank you. We have already seen this slide this morning.²⁷ This is an illustrative slide looking from Durward Street eastwards to the potential station entrance at Whitechapel. Clearly it is an illustration, it is not a firm proposal, but it gives an indication of the quality of the design. The next one, and again we have seen this one earlier this morning, again this shows Fulbourne Street from the south looking northwards up to the entrance with the McDonald's

building and the snooker hall above it on the right.²⁸ What we are suggesting is that perhaps the McDonald's building should be incorporated within the wider Fulbourne Street to create that greater entrance. Perhaps we can have the last slide here.²⁹ This one simply shows Fulbourne Street as it was last Saturday morning on which you see the enclosure created by the McDonald's building and the building on the other side of Fulbourne Street. The proposal as currently indicated shows that this road will be pedestrianised and the McDonald's building itself will remain as is, perhaps with a lick of paint.

9472. **Chairman:** Could I remind you, just to stop you for a second that the whole of the back of that is going to be widened considerably into a piazza, as I recall.

(Mr Whalley) Behind the frontage buildings there will a rather grander entrance to the station. The point I think I will be going on to make is that to get to it from the main part of the ground, which is Whitechapel Road and all the activities associated with the market and the hospital, is through this relatively narrow street. Perhaps I can go on to talk to the Committee about that in more detail. As I say, we think there is a missed opportunity here. Indeed, Crossrail's own Design Review Panel noted that "Fulbourne Street is a minor sideturn off Whitechapel Road" and "skilful urban design will be needed to ensure that the station continues to address Whitechapel Road and it is appropriately integrated with the public realm and adjacent sites." It is our view, Chairman, that this limited consideration given to the integration of Whitechapel Station entrance with the public realm as represented by Whitechapel Road is unfortunate, having regard to the time and commitment the Promoter is giving to design in the urban realm throughout the project and in terms of the work of the Design Review Panel. We have sought undertakings from Crossrail to remedy that deficiency and although we have received some comfort in relation to making the station and its entrance more visible within the confines of the existing Fulbourne Street the Promoter has not agreed to include the additional property comprising the McDonald's building. I invite you therefore to consider whether a more generous link would be desirable and beneficial in terms of that integration.

9473. **Mr Drabble:** And that is your case on Whitechapel Station. I think you have got some short comments on matters which have been agreed which you want to read on to the transcript.

(Mr Whalley) I want to illustrate to the Committee the progress that has been made and the matters on which we have agreed. Looking first at design and oversite development, one of the most gratifying

²⁵ Committee Ref: A110, Whitechapel Station—3D Layout Visualisation (TOWHLB-21805B-028).

²⁶ Committee Ref: A110, Plan of Barts and The London (TOWHLB-21805B-029).

²⁷ Committee Ref: A110, Fulbourne Street Ticket Hall—Illustrative view from Durward Street (TOWHLB-21804-030).

²⁸ Crossrail Ref: P86, Whitechapel Station—Fulbourne Street Ticket Hall Visualiation from Whitechapel Road (TOWHLB-21804-031).

²⁹ Crossrail Ref: P86, View of Fulbourne Street (TOWHLB-21804-032).

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aspects of the Crossrail project is the way in which the principle of good design has been integrated into the project from the very beginning. There is a good precedent for this approach in Tower Hamlets with the high-quality design that was used in the construction of the Jubilee Line Station at Canary Wharf, which is very impressive. The Council has been very pleased with the work of the Design Panel and the positive work that it has been doing to ensure that both stations and other railway structures will be built to a high-quality design. Although construction work is still a long way off and although the Bill provides a number of formal mechanisms for approving the design of the railway infrastructure, the Council sought assurances that discussions on these design issues will take place well in advance of formal approval stage to allow the Council to influence the design. I am pleased to say the Council has received the necessary assurances from the Promoter. If I can turn to community consultation, the Committee will be aware from many other petitioners, apart from the Council, that there has been criticism of the Promoter's past consultation procedures. I do not wish to repeat here the concerns expressed in our original petition in that regard but the Council has sought undertakings to ensure that more effective consultation and communication takes place in the future. I am also mindful that communications with the black and minority ethnic community in Tower Hamlets particularly need to be more effective in the future. In respect of this issue, the Council considers that a major step forward has been taken with the publication of the draft Community Relations Strategy. Whilst changes need to be made to the document to ensure more effective communication with the Borough's ethnic minority community, the Council has received assurances from the Promoter that the strategy will become one of the formal Bill documents and thus commit the Promoter to operate in accordance with the strategy. The Council also considered that the Promoter should fund the employment of a community engagement worker with responsibility for Tower Hamlets and again the Promoters have given us assurance that they will take that on board.

9474. Mr Whalley, I wonder whether a sensible course might be rather than to go through this to give some consideration over lunch to putting this relatively soon into a slightly shortened form to the Committee.

(Mr Whalley) I am very happy to do that.

9475. That might be a sensible way forward if you are happy with that.

(Mr Whalley) Absolutely.

9476. **Mr Drabble:** And we can move on to Mr Elvin's cross-examination.

9477. **Chairman:** Mr Elvin, are you content?

9478. **Mr Elvin:** I know you want to rise at quarter to. If Mr Drabble has another five minutes, I have not got very many questions of this witness and we can still finish by quarter to and then I will resume with my case at 2.30.

9479. **Mr Drabble:** We can take this reasonably shortly. The other issues on which progress has been made are, first of all, construction sites and Code of Construction Practice.

(Mr Whalley) Again, I think it would be helpful if I did not read from this. There are a number of issues around which we have made progress and I am pleased to record that before you. In broad terms, they revolve around the mitigation of construction impacts. In summation, they involve construction sites and the Code of Construction Practice; highways and traffic impacts; loss of parking; travel to work; settlement; and then there are certain site specific issues that we have raised, one of which is the loss of open space. Tower Hamlets is very deficient in open space and the open spaces that we do have are very intensively used and in this instance there are two areas that will be affected by the proposals. One is Stepney Green and there is an existing astro-turf football pitch there. There is a football pitch also at Mile End Park. Both of these facilities will either be temporarily or permanently lost. Again, we have received assurances from the Promoters that they will be relocated either permanently or temporarily to allow for the worst. You have already heard evidence from Swanlea School, and again I do not want to repeat the information that you heard on that day except to say that the Council supports the position adopted by the school. The use of Durward Street: we received assurances around the protection of pedestrians from traffic during the construction process. At Stepney Green, there is a street called Garden Street which will be closed during the construction, and this is a street that provides access to two schools from the north. Again, we have sought and received assurances that an alternative safe access will be provided. Similarly, Stepping Stones Farm, which is an urban farm in Stepney Green, is to be reconfigured and we received assurances from the Promoters around the reasonable cost associated with that physical work. Eleanor Street we are coming back to to talk about as part of the additional provisions and in the course of that we will be looking at the utility diversions that are being proposed as part of the additional provisions in the east of the borough. If I can conclude my remarks, Chairman, I do need to reiterate the Council's support for the construction of Crossrail and for the provision of stations at Whitechapel and the Isle of Dogs. However, the Council has always taken the view that its support is dependent on mitigating the adverse environmental impact of the construction works. As I hope is clear from my evidence, the Council has made considerable progress in achieving this objective through a process of discussion and negotiation. I

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am sure that many other issues will arise over the coming years and I hope that this co-operative approach can be continued. Thank you.

9480. **Mr Drabble:** Mr Whalley, just one point which I think we rushed over that I think we should get on with. If you can go to 6.1.3 of the document in front of you. You deal there at the second half of the paragraph with the position of Kempton Court. The Committee will no doubt recall when Kempton Court gave their evidence the noise issues were effectively deferred. I think what we are going to do, having done this at greater length, is put down the marker that we reserve the right to comment on the noise issues about Kempton Park and that part of Whitechapel Station when the noise element is more fully carried out.

9481. **Chairman:** Mr Elvin?

9482. **Mr Elvin:** I have never asked a question as a single individual. I think it is quite important, given the situation of Whitechapel, if perhaps you could explain to the Committee a little more why Whitechapel Station is fundamental to your Council's support for the scheme?

(Mr Whalley) There are two elements to that, Mr Elvin. One can see Whitechapel Station as an important interchange facility in terms of providing access to other lines that go through the station and to facilitate greater ease of access to other opportunities in the borough as a whole. Also when considered in connection with the Royal London Hospital, the creation of an improved and enhanced public transport facility will, we believe, stimulate confidence in the area and promote the regeneration process.

9483. So the key elements are regeneration and interchange?

(Mr Whalley) Yes, and accessibility.

9484. And accessibility. One leads us neatly to the issue about McDonalds. In terms of the entrance to the new station, we have got a pedestrianised Fulbourne Street. Those walking along Whitechapel Road will have no doubt that there is something new happening there and a great deal can be done about entry treatment and making perfectly clear that the station entrance is there. If we go to 31, please, this is mainly one illustration.³⁰ Something much more imaginative could be done as a gateway feature; as you say, high quality design is one of the key elements of the project. A lot could be done to mark the entrance to the plaza where the entrance to the new station is.

(Mr Whalley) As you say, Mr Elvin, you have one example of effectively a street sign and clearly there are other options. As part of a fallback position, we have indicated we want to talk with the Promoters with regard to that, but what I would say to you clearly if we go to the next slide which is the existing

situation as opposed to perhaps a rather beguiling computer reproduction. That is the situation, although somewhat truncated, of the existing situation. I think we are missing a trick.

9485. There is an issue between us. Can we just get one thing absolutely clear. You have your own powers under the Town and Country Planning Act, do you not?

(Mr Whalley) Yes, indeed.

9486. The well-being powers. You can compulsorily purchase and carry out a development yourself to assist in regeneration if you thought that was appropriate?

(Mr Whalley) The point I make in this regard is in terms of the consideration of Crossrail's position on various matters that we have discussed and a great deal of effort and commitment is being expended in time, energy and other resources to secure high quality design. It seems to me, as part of this overall railway, it is not unreasonable to expect. Given this is expense that is to be incurred in terms of the design of the western ticket hall, the quality of that, the significance of Whitechapel Road and the activity between the hospital, market and the new station evidence, something rather more generous than is currently proposed would be appropriate to be provided by the Promoter.

9487. Can we agree this, Mr Whalley, in terms of the exercise of your well-being power, that it is common ground between us that there would be ample basis for you to exercise it upon if, as you have said, part of Tower Hamlets' support is predicated on a wider regeneration of the area, you would have an ample basis to exercise your own power?

(Mr Whalley) I do not dispute that, Mr Elvin. What I am simply suggesting as part of this Committee's consideration of this proposal is I invite them to encourage the Promoters to engage in that activity at this stage.

9488. One final question, and I think this is an easy one. The plan of the hospital you showed the Committee, that does not yet have planning permission, is that right?

(Mr Whalley) Yes, it does.

9489. It does? When did it receive planning permission?

(Mr Whalley) It received permission on 31 March last year.

9490. **Mr Elvin:** Mr Drabble is whispering that he defended it, so I think enough said. Thank you.

9491. **Chairman:** Mr Drabble?

9492. **Mr Drabble:** I have no submission.

9493. **Chairman:** In that case, we can continue this afternoon. I suspend the Committee until 2.30.

³⁰ Crossrail Ref: P86, Whitechapel Station—Fulbourne Street Ticket Hall Visualisation from Whitechapel Road (TOWHLB-21804-031).

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After a short adjournment

9494. **Chairman:** Mr Elvin, would you like to begin?

9495. **Mr Elvin:** Sir, before I call Mr Berryman, can I state for the record that we have provided the Committee, through the Committee clerk today, with the note that they asked for on general heads of compensation and an explanation of the different circumstances when they arise during the course of the Bill. You will recall that was requested some weeks ago.

9496. **Chairman:** For the record that is A111.

9497. **Mr Elvin:** It does not go with this particular Petition, but I thought it was as well to mention it as we were handing it in today. Sir, as I call Mr Berryman, who the Committee is very familiar with, can we deal with the two issues which remain.

Mr Keith Berryman, recalled

Examined by **Mr Elvin**

9498. Can I first ask you to describe what is proposed now at Hanbury Street in place of what was originally proposed in the Bill scheme?

(Mr Berryman) What was originally proposed was a shaft which would be used for three purposes: first of all, for emergency intervention by the emergency services, secondly, for ventilation and, thirdly, for the purpose of launching some build issues. Subsequently, we have revised the tunnelling strategies so the shaft will now be used for the first two purposes, that is the emergency intervention by the fire brigade and others and the ventilation of the tunnels.

9499. What are the implications of that in terms of the construction activity and the construction requirements at Hanbury Street?

(Mr Berryman) It reduces the volume of the shaft which has to be excavated by about 60 per cent, which is quite a significant saving. It reduces the number of lorry movements per day from something like 27 to something like 15. It makes the period over which those lorry movements would occur much shorter, reducing it from about three years to a little over two years.

9500. If Mr Fry would please put up exhibit 21804, page 25.³¹ This shows the comparative footprint of the shafts at Hanbury Street?

(Mr Berryman) That is correct. The key difference between what was proposed before and what is being proposed now, apart from the excavations which I have mentioned, is that with the smaller shaft it is not necessary to demolish Britannia House, which is a substantial concrete frame of brick building of six storeys which is immediately adjacent to the site.

9501. Can you also explain very briefly to the Committee what the options are for the ventilation and intervention shaft at Hanbury Street, ie to what extent there needs to be much construction above ground or what the various options are in terms of that and a combination of that with over-site development?

(Mr Berryman) There are three basic options for what can be done, with a number of sub-variations, but the three basic options are to put the mechanical equipment associated with the ventilation in a basement, to put it at ground level, or to have a hybrid where half of it is at ground level and half of it is at the basement. The thing that that affects is the over-site development which can occur on the site. In any of the proposals, the external appearance of the over-site development would probably be very similar—we have not got the architectural designs back yet—but clearly if we have a basement location for plant equipment, the amount of usable space on the surface is increased.

9502. Can we look at exhibit 218048A-48.³² This is an illustration of option A where the majority is put underground. Can you explain this to the Committee, please?

(Mr Berryman) These buildings here are the existing shops with residential accommodation above them on Princelet Street, they would not be affected. This building on the corner here is an old pub but is currently being used as some kind of other business or charitable premises. The area that we are talking about where we would be developing is this area here. What we are talking about there is the option where most of the mechanical plant and equipment is located underground in the basement of that development. Even taking aside these areas, this is the ventilation stack out of which the fans would discharge. This is the head of the staircase down which the firemen would run. Even taking those things out, there is quite a substantial site left there for redevelopment.

9503. Can we go to the other extreme which is putting less underground? Can we go to 21804A, page 59?³³

(Mr Berryman) There we have, as you correctly described it, the other extreme. This one is a slightly different rendering in that it shows the possible flaws of the over-site development. You can see that we have got a building here which combines both some of the plant and equipment and also the stairs down which the firemen would run, with the stack for the discharge of air from the ventilation fans immediately above it. It is just worth mentioning in passing that at this, and indeed at other intermediate shafts, the normal intention is that these vent shafts would not run, they are primarily there for the event of smoke extraction in the event of a fire underground or in the event of some perturbation of

³¹ Crossrail Ref: P87, Hanbury Street Shaft—Hybrid Bill Scheme Worksite Comparison (TOWHLB-21804-025).

³² Crossrail Ref: P87, Hanbury Street Shaft—Option A: Basement Option Variation 1 (TOWHLB-21804-025).

³³ Crossrail Ref: P87, Hanbury Street Shaft—Option B: Above Ground Option Variation 1 (TOWHLB-21804-059).

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the service underground which would lead to an excessive discharge into the tunnels. Normally they would not operate.

9504. I would like to go to one other aspect of option B. The point was raised about access by lorries, if we go to the next page, page 60, please, we can see that the work site for option B would include the ability to take large lorries off the street.³⁴ We can see Spelman Street on the right-hand side.

(Mr Berryman) That is correct. The route for lorries into the site would be down into there and this is just the first thing to play around with. For example, we could put these offices on the other side here and have lorries coming in there. There are a number of things we could do. The purpose of the plan is to show the dimension of the site and how much room there is to manoeuvre vehicles. I should emphasise, by the way, that these vehicles are all to scale.

9505. Assuming, for the purpose of these questions, that Hanbury Street is the site which remains the site for the vent shaft and intervention, how will the final option be brought forward? How will the balance of how much to go over, how much to go underground and how much OSD, be determined?

(Mr Berryman) This is something that we need to determine jointly with the local authorities. Indeed, we have already said to them that we will do this jointly with them. The balance will be struck between the environmental impact of the various options balanced against the benefit of having more on-site developments. Clearly, a solution which has all the equipment in the basement requires the basement to be constructed, and that is more civil engineering work than having a solution which has got the equipment on the surface. Clearly the one on the surface gives you less usable area at the end. We will work with the local authorities to form a balance as to how it should be done. Indeed, we have had useful discussions with them already.

9506. Mr Berryman, thank you. That is all I wanted to do by way of explanation to the Committee as to the state of play so far as the proposals for Hanbury Street were concerned. I will come back to Woodseer Street and the comparison in a moment.

9507. **Chairman:** Mr Berryman, before we move on, when we visited this site there were a lot of discrepancies with people's views on the length of time of work to be carried out in the area. We were being told by residents that it was going to be up to five and a half years in the Hanbury Street area, and clearly that is wrong. Can you be more explicit?

(Mr Berryman) I can. Perhaps I can ask Mr Fry to put up number 22.³⁵ This is a histogram showing the lorry movements, which is a good reference for the level of activity that will be going on on the site at any time. Here we have a histogram showing lorry

movements over the construction period. This period here, the purple, is material being taken off site and the purple represents the spoil being removed from the shaft. You can see the first activity is demolition and then material is being taken away, five lorries per day for those periods, and then the shaft sinking is done. This option is option A, the one where the equipment is put in the basement. You can see the basement being constructed just here. If we went for the other options, particular option C which is the one that is on the surface, that blob would not be there, it would end there. Then we would get occasional deliveries for a fairly long period while the mechanical equipment is fitted out. We have shown it at one lorry a day, but in practice it may be one lorry and then nothing for a couple of weeks and so on. I would not be surprised to see quite a few wide vans, but the traffic levels and the activity levels on the site will be very low after the end of year two.

9508. **Mr Elvin:** Even assuming the above ground more intensive build, there is unlikely to be much vehicular activity beyond the two years?

(Mr Berryman) That is correct. This is the worst case because this is the basement option. You can see it says form basement and shaft and rooms. If you were forming those on the surface that heavy construction would not exist, it would go away.

9509. Can we then deal with the alternative alignments? Can we go to 21804, page 30, Mr Fry?³⁶ Here we have shown the Bill alignment in blue and the option 2 alignment in orange. It was suggested that there was scope for further work in terms of iterations of alternatives which might allow you to avoid clipping the protective basement areas of the Bishops Square development. Before going directly to that question, can I firstly ask how much time has been spent doing work on alignments in this area by Crossrail?

(Mr Berryman) I cannot answer the question with an exact number, but I can tell you that we have spent a very long time looking at this and we spent a very considerable amount of money with our consulting engineers and with our own resources. This has been, without any doubt, the most controversial issue on the whole of the Crossrail route. We spent a tremendous amount of time trying to optimise what we have done, trying to look at alternatives to what we have done and trying to think of improvements. I cannot say how much, but it has been certainly several dozens of man years, I would imagine.

9510. The suggestion was made that you could alter the alignment coming out of Whitechapel and possibly come from Woodseer Street towards Liverpool Street and adjust the alignment so it did not have such a close impact on the Bishops Square development. Do you want to comment on that suggestion?

³⁴ Crossrail Ref: P87, Hanbury Street Shaft—Worksite Layout Sketch—Piling Operation (TOWHLB-21804-060).

³⁵ Crossrail Ref: P87, Hanbury Street Shaft—Lorry Histogram Revised Scheme (TOWHLB-21804-022).

³⁶ Crossrail Ref: P87, Woodseer Street Alignment Option 2—Overview Plan (TOWHLB-21804-030).

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(Mr Berryman) Yes. We had the luxury of the lunch hour to look at this. As I said, we have looked at many, many alignments over the years and this was one of the options which we did consider, and we managed to find the information for that. It is possible to do what Dr Bowers suggested, the problem is that you finish up with curves here and here which are substandard to the 100 kilometre per hour design scheme that we have got, and they are very short reversed curves. A reversed curve is where a curve is going around in a clockwise direction and suddenly switches to an anti-clockwise direction. Reversed curves are not desirable. When they do occur, we like to make them as slow as possible. Obviously the reasons are for passenger comfort. I am sorry to say that most passengers on Crossrail will be standing, not sitting, and when a sharp reverse curve occurs, you get jolted. The other reason is for wear on the vehicles. Reverse curves are not good for vehicles. It is just about possible to meet the minimum design requirements for those on the alignment suggested, but it is on the undesirable side of what we would want to do.

9511. Is this an alignment you would select if you had other options?

(Mr Berryman) No, it is not. If there was another way of doing it we would do it.

9512. Can I ask you to explain briefly the position on the Bishops Square development? We know from Dr Bowers that it is accepted that the risks and difficulties increase the deeper you go. What is Crossrail's position on the implications for the Bishops Square development?

(Mr Berryman) I could not argue very much with what Dr Bowers said. I think possibly due to modesty he did not mention that his firm designed the Bishops Square development, so he probably has some knowledge of that. There are instances on the Crossrail route where we go under piled buildings. We do not do it lightly because it is not something which is desirable or easy to do and it introduces risks. If you could imagine a pile, particularly an end-bearing pile, where we go underneath it, it is equivalent to going very shallow under a building. You will remember that Professor Meyer explained that the settlement of impacts very much depend on the depth. You could go on the path of this, but in this case we certainly could not go under it with the level alignment that we have got because we would be physically too close to the paths. We would need to go down. Dr Bowers explained—I could not put it any better than he put it—that going down below the London clay, although it is not impossible and it is not a sort of magic horizon when you cross the line and it becomes impossible, it does increase the risks. This would be a lower point on the route, that is to say, it would be the lowest point between Liverpool Street Station and the shaft site, whichever one is selected. That would mean we would have to build a drainage sump near the site of the Bishops Square development, which again is breaking out of the tunnel into poor ground. What we have tried to do on the rest of the project where we have to put

drainage sumps in, and there are one of two places where we have to do it, is to do it in the London clay, or if that is not possible, to make sure that we are not underneath any sensitive buildings. We would regard an alignment which goes under Bishops Square as unfortunate and something that we would not pursue if there was an alternative. If there was an alternative, we would do it. I think it is worth also mentioning that the alignment here, and what happened at Bishops Square, was extensively discussed with the designers of the foundations of the building and if we were to change the position of our tunnels that would all need to be revisited with them.

9513. **Chairman:** One of the things I was talking about this morning was about drainage in the lower section. You said that it would have to be done very slowly. How long would that be to drain off the kind of level of water?

(Mr Berryman) For groundwater?

9514. Yes.

(Mr Berryman) I cannot answer that question immediately. It would require more investigation, more measurement of water pressures and so on to know how quickly that would be done. It is something that is usually done over a period of time. I think on the Channel Tunnel Rail Link it was done over a couple of years.

9515. What do you call “subsequent delays”? You used the phrase “very slowly”?

(Mr Berryman) Yes. I would like to say I would, but I do not think I honestly could. As long as it was pre-planned properly.

9516. **Chairman:** How much would the mitigation cost be to ensure that the ground water would not return?

(Mr Berryman) You would have to continuously pump during the period of construction. It is significant.

9517. **Mr Elvin:** You say it is not an approach you would take if you had an alternative. I would like to turn then to the question of Woodseer Street and Hanbury Street as the alternatives. I appreciate that an environmental statement has yet to be prepared for Hanbury Street as now proposed as the alternative to Woodseer Street. Has Crossrail been able to form at least a view on the information currently available and what is known about the area?

(Mr Berryman) Yes, we have. Although you are right in saying that the supplementary environmental statement for this area has not yet been published, obviously most of the work which will lead to the publication of that has already been done. I think it has been brought out pretty well already that as far as highway access to the site is concerned there is nothing at all to choose between Hanbury Street and Woodseer Street, it is identical. As far as noise is concerned, we think that the impacts are pretty neutral, much the same on

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Hanbury Street and Woodseer Street. In fact, since we have now changed our strategy so that we do not need to demolish the large building at Britannia House, which I must admit would have been a noisy thing to demolish, that position is even firmer that there really is nothing to choose between them on noise grounds. As those are the only two significant environmental impacts in this area, our view is it is neutral.

9518. Mr Berryman, let us just make it clear because I do not want the Committee to misunderstand the situation. The comparison in the supplementary environmental statement last year was, of course, between Woodseer Street and Hanbury Street when they were proposed as alternatives for the tunnel launch site, were they not?

(Mr Berryman) That is correct, yes.

9519. The environmental statement has yet to do the comparison strictly in terms of the alternatives as ventilation and intervention shafts?

(Mr Berryman) That is correct.

9520. Can we just look, please, at 21804, page 27 which shows the two alternative locations.³⁷ We know that there is a general agreement about the barrier effects of Britannia House and we can see the flats opposite in Spital Street. I should say to the Committee this is something I am going to ask Mr Thornley-Taylor to express a view about next week. Unfortunately, he was not available today, but he will express a view in the context of the considerations arising in the Petitions next week and so you will hear from him on this particular issue next week. Mr Berryman, what is the expectation as to there being any significant difference in terms of environmental impacts between Woodseer Street and Hanbury Street?

(Mr Berryman) The expectation is there would be no significant differences. Different people would be affected, of course, but the total impact in the round would be the same. In the case of Hanbury Street, the people who would be primarily affected would be the people who live in the residential properties above the shops just there and in this block of flats. In the case of Woodseer Street, it would be primarily people in this block of flats here and people in the street here. It is worth just noting that there are no buildings between the site here and the houses in Prinlet Street and this building here is a lower-rise tin shed whereas these buildings are significantly tall buildings, which I think the Committee members saw when we went on the tour.

9521. Mr Berryman, with all the qualifications absent of the ES for the alternative provision, if the expectation that you have expressed were correct, namely in terms of environmental impacts, in terms of noise and construction and operational noise and everything else along those lines, that the situation was broadly neutral between the two. That is to say

Woodseer Street was no better than Hanbury Street in terms of its overall impact. Given the engineering differences and the potential issues arising from the alternative alignment, what would that mean for the choice of which site would be preferred?

(Mr Berryman) In events where the two alternatives which are being considered are neutral as far as the environmental concerns are concerned, then the engineering concerns become the dominant factor. Our selection would definitely be Hanbury Street absent of any difference in the environmental impacts.

9522. In which case, can I then just ask you to deal with the McDonalds question, please?

(Mr Berryman) I will do my best.

9523. **Mr Elvin:** I do not want to spend a great deal of time on this, because I am sure the Committee has got a clear view on what the respective positions are. Mr Berryman, what is your view about the visibility and prominence for the proposed location of the new ticket hall given the current scheme proposes the pedestrianisation of the street but not the creation of a mini plaza onto Whitechapel Road?

(Mr Berryman) I think we did show this site to members of the Committee while we were on a visit there and we accept that the existing street will need landscaping. It was described as a narrow street earlier on, it is not that narrow. It is currently used by buses. When you take the cars and vehicles out of it, sort out footways and do a proper landscaping job, it will make quite an attractive entrance to the station. I am not suggesting for a second that a marvellous piazza could be created by knocking down McDonalds. I am sure it could, but it is not essential for the purpose of building the railway or for making sure that passengers, customers, can find the railway. Therefore, it is not something that we would be able to undertake. I am sure members of the Committee will be aware, we are under tremendous pressure to get the cost down in the scheme and adding nicer paths is something which is very unlikely to be well-thought of by the people who fund us. I would like to just add that if the Council decided that they were right to use their powers and their money to acquire this building and demolish it, then we would be very happy to co-operate with them on the design of the station and to optimise it in all respects. One final point is we have a rather nice photograph there showing what the building could look like if it was given a coat of paint. The Council produced a photograph of what the building does look like, and it would be fair to admit it is not as nice as that! It is just worth going back to what Mr Whalley said in his evidence at some length that the principal purpose of building the station at Whitechapel is to lead to regeneration of the area so the chances that the building on that side will still look like the previous photograph at the time the railway opens or shortly after are just not very likely.

³⁷ Crossrail Ref: P87, Hanbury and Woodseer Street—
Worksite Location (TOWHLB-21804-027).

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9524. **Chairman:** As I understand it, when we did the visit, after you get through the narrow streets, you are already agreed to widen it considerably, putting bridge in this, so there will be a mini piazza type?

(Mr Berryman) Indeed there will.

9525. **Mr Elvin:** Mr Berryman, two final questions. Finally, just to remind ourselves the land acquisition policy in the information papers is not to acquire any more land than is necessary for the project?

(Mr Berryman) Yes. I think that is a settled government policy for many years.

9526. How would the suggestion of acquiring the McDonalds accord with that policy in your view?

(Mr Berryman) It would contravene that. It is definitely not needed for the operation and construction of the railway.

9527. Finally, if it were necessary, could more be made of a gateway feature to point potential passengers in the direction of the station?

(Mr Berryman) Yes, it could and indeed it will. This was a sort of first stab by one of our engineers at creating something that looks nice, but when we get the architects involved and the landscape architect, they will no doubt improve on that.

9528. That will involve discussion with the local authority?

(Mr Berryman) Indeed, as would all design issues on all stations.

9529. **Mr Elvin:** Thank you, Mr Berryman.

9530. **Chairman:** Mr Drabble?

Cross-examined by **Mr Drabble**

9531. **Mr Drabble:** Mr Berryman, can I start out with what I understand to be complete common ground which is that Crossrail accept that they will need to produce a further environmental statement, assessing the position that now prevails, mainly an end-to-end tunnelling strategy, no need to launch tunnel-boring machines, reduced shaft, in general the Hanbury Street-Woodseer Street alignment?

(Mr Berryman) Yes, that is correct.

9532. It is inevitable that that environmental statement will include a comparative assessment of the environmental impacts of locating the shafts at Hanbury Street in comparison with Woodseer Street?

(Mr Berryman) Yes, it could do that.

9533. It would do that?

(Mr Berryman) It would do that.

9534. If the original environmental statement did?

(Mr Berryman) I was trying to refresh my memory what the original environmental statement said. You are right.

9535. That environmental statement would be informed by modelling work which has not yet been undertaken?

(Mr Berryman) I think Mr Thornley-Taylor next week will be talking on that point, but certainly the modelling work has not been published which is slightly different.

9536. Or given to us?

(Mr Berryman) It has not been published to anyone.

9537. Whether Mr Thornley-Taylor has done it, we did not get any data showing noise sources on Hanbury Street site until, I think, late on Thursday and no-one has either given to us or, as far as we know, carried out any modelling work of the sort that would inform the ES?

(Mr Berryman) Certainly we have not given any.

9538. It follows from the all the conversations that we have been having in the course of the day that the modelling work will need to be fairly careful because the relationship between, say, noise barriers around the Woodseer Street site and the top floors of the flats immediately opposite will need to be modelled to understand how the mitigation works and what the effect is?

(Mr Berryman) As indeed for all sites, yes.

9539. The purpose of the environmental statement is to allow the decision maker to make an informed decision in the light of the assessment contained in the environmental statement?

(Mr Berryman) That is correct. I feel I am bound to say that environmental comparison was done when the intention was to launch tunnel-boring machines from here where the environmental impacts would have been rather more severe than they are now, principally because of the demolition of Britannia House and even at that stage the Woodseer Street site did not come out particularly better than the Hanbury Street site.

9540. It did come out better in the first environmental statement.

(Mr Berryman) Mainly due to the demolition of Britannia House.

9541. Anyway, do you accept the hard logic to the final decision on two alternatives not being taken until the environmental assessment, whichever one accepts, be produced or being produced and digested? It is a simple question. Ordinarily, one decides the planning issues having read the environmental statement, not before that.

(Mr Berryman) That would be a finer point as to how the design process works. I understand the need for the environmental assessment. We are confident of the outcome of that.

9542. And no decision in advance of the assessment? The whole point of an assessment is to inform the public in the process. So you are saying the Committee should make a final decision before the assessment has been produced?

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(Mr Berryman) I think that is for the Committee to decide, not for me.

9543. Can we go on then to the alignment at Woodseer Street.³⁸ You have given evidence that a large number of man years have been dedicated to the examination of issues in the vicinity of Woodseer and Hanbury Street?

(Mr Berryman) Yes, that is true. I can assure the Council will be happy to confirm that because they were counter-party to most of those discussions.

9544. I want to tease out how much of that was about end-to-end tunnelling discussion and the alignment of Woodseer Street. The first environmental statement rejected the Woodseer Street alternative fundamentally on the basis of alignment one?

(Mr Berryman) It did, yes.

9545. Presumably alignment one had been in the minds of Crossrail throughout the whole period the environmental statement was worked out?

(Mr Berryman) Certainly the need to avoid the Bishops Square development was in our minds all the way through, as you would expect. As we had made an agreement with the Promoters of that scheme advised by their own team to avoid that foundation, so clearly that was one of the factors taken into account when deciding on the alignment.

9546. It was not quite the question. The first environmental statement was based on alignment one. Alignment one was the alignment that was being examined throughout the period the first environmental statement was being considered?

(Mr Berryman) Yes, that is correct.

9547. How many iterations on alignment one did Crossrail carry out before being asked to do so by us following the publication of the environmental statement?

(Mr Berryman) On that specific alignment of Woodseer Street, I do not know. Woodseer Street was not on the initial list of eight potential ventilation shaft sites. It was only added at the request of local residents.

9548. It appears to us, and this is your chance to say we are wrong, that there were no iterations on alignment one before we effectively asked for the iterations in the autumn of 2005.

(Mr Berryman) No. As I said earlier, it was not on our original list of eight possible sites for ventilation shafts in the area, and so it was not looked at in the first pass, but it was much later than autumn 2005, it would have been sometime in 2003.

9549. Not asking when you looked at alignment one. We know you looked at alignment one then. I am asking how many variants of the Woodseer Street alignment you did before the publication of the first environmental assessment.

(Mr Berryman) I do not know how many situations they did. Normally, in design of this kind you just keep doing them until you get something that works.

9550. You got something at Woodseer that did not work, that is absolutely common ground.

(Mr Berryman) Absolutely. That is correct. They would certainly have looked at several. It is not a big task to look at an environment like this and fiddle around with it.

9551. Have you shown the pre-alignment one iterations?

(Mr Berryman) No, we have not. There would be internal work with other consulting engineer officers.

9552. You heard our evidence this morning about the possibility of what we would call a “tweak” on alignment two?

(Mr Berryman) Yes.

9553. Which did emerge during the autumn of 2005 following collaborative work between Dr Bowers and a member of your staff?

(Mr Berryman) Yes.

9554. What Dr Bowers is suggesting, if I can put it crudely, is that you shorten the curve as you leave Whitechapel, take as a fixed point the end of the sub-standard curve that goes into Liverpool Street and see whether or not an up-to-standard alignment can emerge which does not clip Bishops Square. Has that iteration been carried out?

(Mr Berryman) Something very similar has been carried out.

9555. Have we seen it?

(Mr Berryman) You have not seen it. It has been carried out in our consulting engineers’ office.

9556. Have the Committee seen it?

(Mr Berryman) It would not be my intention to share with the Committee every option which has been looked at in terms of the alignment of the railway. That would be an enormous undertaking.

9557. So where we have got to is that at the moment the decision of Woodseer Street or Hanbury Street will not be informed by the ES as made now and it will essentially reject the possibility of iteration which no one but internal Crossrail staff have seen?

(Mr Berryman) Well, we could certainly publish what we have done on that point, if you wish, but I just want to emphasise that, as with any other alignment study that is done, there are literally hundreds of, perhaps not on an individual case, but on the whole project, hundreds of options that are looked at.

³⁸ Crossrail Ref: P87, Woodseer Street—Alignment Option 1 Overview Plan (TOWHLB-21804-028).

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9558. You heard my opening, and our case today is not that Woodseer Street is plainly better, but that a decision should not be made until it has been robustly demonstrated both that the Environmental Statement does not point conclusively to Woodseer Street, and we have not seen it yet, and that the Committee, because they are essentially the people who matter, are satisfied that it is not possible to optimise the alignment if Bishops Square was going to count strongly against us. What is your comment on that? Indeed do you have a comment on why the Committee should proceed now as opposed to ensuring that that information that is available has been digested?

(Mr Berryman) Well, I think it may be desirable to give certainty to the parties affected as to what is actually going to happen. We have dragged this on for a very long time now certainly since 2002 and I think we need to get to the point where a decision is made.

9559. So that is the answer, is it? Can we move on to another related topic which is ground conditions as opposed to clipping Bishops Square, the other objection to the Woodseer Street alignment.³⁹ I think I heard you say that you accepted the evidence that we gave this morning about the relative weights to be attached to working or not working in the Lambeth group?

(Mr Berryman) Yes, I do not think I could put it any better than Dr Bowers. He explained, I think quite well, that it is a gradation, not a sudden change where you pass a horizon and immediately you get into terrible working conditions. That does happen in some places, but it does not happen at this particular horizon, I do not think.

9560. So his perspective is that mitigation measures to deal with the possibility of groundwater problems are going to be necessary whether or not the depth of the tunnels is lowered in the vicinity of Bishops Square. Do you disagree with that?

(Mr Berryman) I would put it the other way round and say that the risk that mitigation measures would be needed would increase with the depths of the tunnels.

9561. The practical engineering view, as I understand it, is that you are going to need them anyway. A sensible engineer will be looking at, in advance of the project, the geological information, obtaining more detailed geological information, and it is almost inevitable that they are going to have to put in the machinery to deal with dewatering.

(Mr Berryman) Well, that depends, as you say quite rightly, on what the sensible engineer, which I strive to be, would ensure was further carried out in terms of geological exploration and the decision would be made at that point as to whether further dewatering was needed and that would be something that would be part of the last stages of the design work. I ought to emphasise that when we are talking about the

dewatering, we are really focusing much more on the shaft and the works at the base of the shaft rather than on the areas which will be driven by tunnel-boring machines.

9562. I follow that.

(Mr Berryman) The point I made earlier, which I must admit only occurred to me over lunch, was that if the low point of the tunnel is near Bishops Square, which from a very quick look at the horizontal alignment it appears it would be, it would mean we would be breaking out of the tunnel to form a drainage sump. A drainage sump is quite a substantial structure underground and we would be making that in bad ground and that may require more work to be done in terms of dewatering than would otherwise be the case, and that in turn would have more impact on Bishops Square. I have to say all these might and maybes because obviously we just do not know at this stage, so I am just talking about the level of risks which would exist.

9563. Presumably you would accept first of all that the likely length of time for dewatering in advance of the project, as Dr Bowers told me, is three to six months. Are we in the same ballpark?

(Mr Berryman) Yes, it could be up to a year, but, as I said in answer to the Chairman's question, that could be accommodated within the programme and I do not think it is a showstopper if that were to be the case.

9564. Finally on this topic, there are many examples in London of shafts of this sort being dug through the Lambeth group or through the interface between the Lambeth group and the clays?

(Mr Berryman) Indeed there are. What we are saying here is not that it is impossible and not that the alternative is impossible. I do not think we have ever said that and if we have done, it has been in error, but what we are saying is that, on balance, it is less desirable than the shallower Hanbury Street shaft.

9565. There are two more issues on Hanbury Street and Woodseer Street, first of all, the shielding effect of Britannia House. Mr Elvin put a series of questions this morning to Mr Turner about what was effectively a direct line of sight, as I think of it, from the Hanbury Street workplace in residential terms. Perhaps we could have slide 12 again please.⁴⁰ If we take the Hanbury Street workplace and go pretty well due north of that, you come to a block of flats called Boden House, as I understand it.

(Mr Berryman) That is right, yes.

9566. In direct line of sight from the Hanbury Street workplace, there is a four-storey block of flats? Is that right?

(Mr Berryman) It is about that. I am not sure if it is four or five.

³⁹ Crossrail Ref: P87, Woodseer Street—Alignment Option 1 Plan at Shaft (TOWHLB-21804-029).

⁴⁰ Committee Ref: A110, Crossrail—Impact of Proposed Worksites in the Spitalfields Area (Hanbury Street Worksite) (TOWHLB-21805B-012).

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9567. We will get the information because I do not know. Plainly there would be some noise mitigation measures which no doubt Mr Thornley-Taylor will talk about next week in terms of a noise fence and so on.

(Mr Berryman) Indeed.

9568. If we move slightly to the east, we come to Vollasky House. Once again there is very little shielding effect actually from buildings, is there not?

(Mr Berryman) Yes, that is correct. Those two buildings, together with this block here, would not be shielded by other buildings.

9569. And neither would the houses at Hanbury Street there?

(Mr Berryman) They would get some shielding because the building on the corner there goes up to about there.

9570. It is direct line of sight and that is quite a lot of the site.

(Mr Berryman) Yes, you get some of it.

9571. Hobsons Place which is the block furthest to the east.

(Mr Berryman) That would be shielded by these other buildings of course.

9572. But it is not, is it? Are they townhouses on the southern part of Hobsons Place? There is direct line of sight through there, is there not?

(Mr Berryman) I do not think they would get much noise impact if you draw a line.

9573. If you can skip to slide 14 and the relationship that you are concerned about, McGlashon House, that is a very similar distance in relationship to those houses in Hobsons Place, is it not?⁴¹ Certainly on the southern bit of Hobsons Place, and I accept that there is some shielding effect on the northern part, but the relationship in terms of distance and line of sight is very similar actually.

(Mr Berryman) To what?

9574. To McGlashon.

(Mr Berryman) Well, it is, except it is closer. The distance there is less.

9575. If we can go back to slide 14—

(Mr Berryman) These lines represent 25 metres and 50 metres, so it is roughly 50 metres, so it is, I do not know, 35 metres to the nearest point, 50 metres maybe to the most distant point of that building and it is roughly 25 metres to these residential properties here. This distance (indicating) is considerably longer, although this distance is shorter. What we are saying is that, on balance, although it is different people who are affected, the total impacts are broadly similar.

9576. There is nowhere within Woodseer Street with a relationship to the residential flats, is there?

(Mr Berryman) There is nowhere with the same relationship as those Princelet Street flats, yes, that is true. If I can make one point about the site though, this will be a normal daytime site, not a 24-hour site, generally speaking.

9577. **Sir Peter Soulsby:** I just wonder if I might make an observation about these plans and just say that, as a member of the Committee, it is unfortunate that the plans have been drawn to slightly different scales, the plans of the two sites. It is also, I think, unfortunate that the rather misleading impression has been given of the distances between the centre of the site and the lines that have been drawn here. By applying the profile of the site to the wider area, you actually get a very misleading impression of the distances involved. If I take us, for example, to the first of the two, one sees the Hanbury Street site and it makes the point, I think, rather clearly. If you just go to the north of the site, the line that purports to show 100 metres from the site is in fact significantly more than 100 metres from the site. It is actually about 160 metres, according to my very rough rule. I just suggest to those who are responsible for drawing it that it is not the most useful illustration from the point of view of a Committee member.

9578. **Mr Drabble:** I understand the point about the 100-metre line. The very short answer to this is that we produced our best stab at getting a very rough picture of the comparative impacts in the absence of any data. I come back to the point that there will be a properly modelled assessment in due course with noise contours. I do not pretend there to be noise contours as the red lines drawn around the site in the way in which you have just described it.

9579. **Sir Peter Soulsby:** I just make the point, Chairman, that I assume that these were drawn up by those who are professionally competent and I might have expected something that was a little more accurate or easier to interpret for members of the Committee than the ones which have actually been presented to us.

9580. **Mr Drabble:** Mr Berryman, there is one last point on Hanbury Street and Woodseer Street. Does Crossrail, or do you, have a further alternative to add to Options A, B and C?

(Mr Berryman) I think we really need to negotiate with the Borough on the grounds of amenity, environmental impacts, costs and what they want on the site. We are guessing they want housing, but there may be other social functions that they want to put there and we have not really got into a dialogue with them on that, but we are committed to, and intend to, work fully with them to develop the optimum solution for all concerned.

9581. Option C is described in the comparisons report as an attempt to mitigate the disadvantages of Options A and B without losing their merits. It

⁴¹ Committee Ref: A110, Crossrail—Impact of Proposed Worksites in the Spitalfields Area (Woodseer Street Worksite) (TOWHLB-21805B-014).

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sounds like they choose proposals which just maximise the advantages, or is that a misreading of it?

(Mr Berryman) Yes, I think that is probably what it is. I think Options A, B and C are first stabs at these. I need to get our electrical and mechanical engineers to have a good go at the size of the rooms needed, but certainly they are intended to be demonstrative rather than actually be firm proposals

9582. Option C is the optimised synthesis between A and B.

(Mr Berryman) Yes, that is the idea of it.

9583. It does involve unloading lorries in the street, does it not, at least the larger lorries?

(Mr Berryman) When the building above is being built.

9584. I do not think that is right. Perhaps we can look at 21804A-069, Option C.⁴² It says, “Large delivery lorries unloaded in road”.

(Mr Berryman) Yes, well, thank you for drawing my attention to that. I do not think that is what we will be doing. That clearly requires a bit more work.

9585. Can we move on now to Whitechapel Station and I can take this shortly. I would not mind having our Exhibit 32 up while we have this short debate.⁴³ At least we know what 32 is. If you either look at the illustration or you know generally from the site visit, there is no doubt that, in order to integrate the station into the wider scene along Whitechapel Road, something more than a narrow entrance down a side street is desirable.

(Mr Berryman) I would not describe that as a narrow entrance. I do not know what width it is, but it must be at least 15 metres wide, just scaling it from the vehicles that are sitting in the road there. Maybe it is 15 or 12, I do not know, but I certainly would not call it narrow and indeed members of the Committee visited the site and looked at it.

9586. Once again we can scale it up. My understanding of the thrust of your evidence is that you understand the desire of Tower Hamlets to have a better relationship between the station and Whitechapel Road and in particular the hospital?

(Mr Berryman) We certainly do, yes, of course.

9587. One way of articulating the debate that is going on is that the issue is whether that better relationship should be delivered as part of station design, in which case it is for you, or whether in truth it is only a Tower Hamlets townscape aspiration, in which case you would say it is for us.

(Mr Berryman) I think that is a pretty fair summary, yes.

9588. Presumably you do not contend that in station design issues you are simply going to deliver something that works, is safe and functions, but you would accept a design responsibility to integrate the station into the wider townscape as part of station design?

(Mr Berryman) I think we are aiming to have good design in that matter, yes, but that has to be balanced against what is actually needed. You can always produce better design if you have got more space, but it costs more money. As I said earlier on, we have a responsibility to keep the costs of the scheme down and this is just an example of something which occurs in places all over the scheme where local authorities and others would like us to expand the scope of our works to make it better. If we lived in a perfect world with inexhaustible supplies of money, I would say that is a great idea, but we do not, as you know, and we have issues of funding to consider. I think one of the things that leads to is a requirement only to build the things which are necessary for the efficient functioning of the railway.

9589. Is a piazza which you are proposing necessary for the efficient functioning of the railway?

(Mr Berryman) Yes, it is, yes. It is a circulation space outside the front of the station entrance.

9590. Do you in fact contend that it is only Crossrail’s responsibility to provide an adequate circulation space? Does design come into it?

(Mr Berryman) Of course design comes into it. We need to provide an adequate entrance and we need to provide a highly visible entrance, a well-signposted entrance with sufficient circulation space. All of those things are important. However, this building is not needed for the purpose of building the railway. A perfectly satisfactory and well-designed railway can be produced without taking this building. If others want to take it, that is absolutely fine by us.

9591. That is for us, not for you. I will just have another go at formulating the issue. The Committee has got to decide whether the access that is presently being proposed is commensurate with the functioning of the station. If it is not, you ought to do something better and, if it is, then it is for us because it is a townscape aspiration.

(Mr Berryman) Your description of it as a “narrow side street” I would not accept. It is a side street, but it is a full-width street. It is used for two-way traffic and it is used by buses as well.

9592. **Mr Drabble:** Thank you.

Re-examined by **Mr Elvin**

9593. **Mr Elvin:** I just want to come back to the question of Hanbury Street, Woodseer Street and the alignment and I just want to check that we have this right. In terms of the rejigging of the alignment that Dr Bowers has suggested, has an alignment similar to that which he was suggesting already been considered as part of the work carried out by Crossrail?

⁴² Crossrail Ref: P87, Hanbury Street Shaft—Worksite Layout Sketch—Piling Operations (TOWHLB-21804A-069).

⁴³ Crossrail Ref: P86, View of Fulbourne Street (TOWHLB-21804-032).

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(Mr Berryman) Yes.

9594. Secondly, in terms of the comparative exercise which has already been done on Woodseer Street, can we look at the first Supplementary Environmental Statement of May 2005, page 6-26, and could we focus on Option 6, Woodseer Street.⁴⁴ There we can see that the first point is dealing with the alignment issue, the railway issue, which is irrelevant to the present considerations, but we can see in terms of the environmental impact the fourth bullet point and the fifth bullet point, the demolition issues, less noisy than on Hanbury Street as the buildings are less substantial. This was of course for the tunnel launch site when Britannia House was to be demolished. Is that right, Mr Berryman?

(Mr Berryman) That is correct, yes.

9595. And then lorry routes, the point is made, would be substantially the same. We can then go over to the next page please, paragraph 6.3.2. "By inspection, it is possible to see that Woodseer Street had the slightly lower environmental impact during construction of these three alternatives. The detailed appraisal of this against Hanbury Street was carried out. As a result, Hanbury Street was confirmed as the best available."⁴⁵ That was because of the railway issue?

(Mr Berryman) That is right, but of course by that site inspection it was possible to see that Woodseer Street had the slightly lower environmental impacts which was when the demolition of Britannia House would have been happening and that is a major impact which has gone away from the Hanbury Street site.

9596. Mr Drabble put to you the need to know the environmental information and the Environmental Statement and that line of questioning, but just looking at the view which has been formed today, is this an area where Crossrail has little knowledge of the surroundings and the relationships of the various buildings to the various sites?

(Mr Berryman) On the contrary, I would say it is an area we have probably studied in more depth than any other equivalent area on the job.

9597. What degree of confidence do you have that your assessment, even ahead of the technical noise appraisals, is a defensible suggestion?

(Mr Berryman) I am completely confident.

9598. **Mr Elvin:** Thank you.

The witness withdrew

9599. **Chairman:** Before you proceed, Mr Elvin, I would like to recall Mr Whalley and ask him a question.

Mr Owen Whalley, recalled

Further examined by the Committee

9600. **Chairman:** I am sorry to have recalled you, Mr Whalley, but I really do want to ask one or two questions in relation to your evidence in relation to the Fulbourne Street development. Could we have up photograph 32 please.⁴⁶ Can you tell me who owns the McDonald's? Is it the authority?

(Mr Whalley) It is not the local authority, no.

9601. Is it a private owner? Is it McDonald's?

(Mr Whalley) I do not know. The ground floor is occupied by McDonald's and the upper floors are a snooker hall. I can find that out for the Committee.

9602. Has there been any attempt by the local authority in liaison with McDonald's and the snooker hall and the landowner to see if they would be prepared to come together in a partnership?

(Mr Whalley) We have not made that approach, no.

9603. I tell you why, because if we have a local authority brought before us on a planning matter which is a planning gain, it seems to me it is the role of the local authority in all instances. What seems to me is that we have a Bill going through Parliament which is effectively being used for a planning gain for a local authority. Is that not a thing that you could do without that?

(Mr Whalley) There undoubtedly may be other mechanisms available to us. The point I was seeking to put in my evidence this morning is that in terms of the visibility, importance and significance of the western ticket hall, this indeed was related to the provision of the railway.

9604. You are obviously a town planner, so you are well aware of the value of this property in relation to the new hospital which is going there and the new railway station which is going there. Working in partnership, as you frequently do for planning gain and advantage, it surprises me that you have not made some approaches to the owners to see if they wish to share in what possibly could be a very interesting development without having recourse to bringing it to Parliament.

(Mr Whalley) Thank you for that, Chairman. The position as far as the local authority is concerned is as I indicated, that we are doing a master plan which is looking at the broader regeneration impacts of the overall scheme, so that may be one of the options that we want to pick up as part of that. However, I return, at the risk of boring the Committee, to the earlier point I made around my perspective, that the responsibility, if you like, for maintaining the

⁴⁴ Crossrail Supplementary Environmental Statement, May 2005, Further Consideration of Options, Overview, Option 6, Woodseer Street, billdocuments.crossrail.co.uk (SCN-20060607-001).

⁴⁵ Crossrail Supplementary Environmental Statement, May 2005, Further Consideration of Options, Overview, Para 6.3.2, billdocuments.crossrail.co.uk (SCN-20060607-002).

⁴⁶ Crossrail Ref: P86, View of Fulbourne Street (TOWHLB-21804-032).

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visibility and the interaction between Whitechapel Road and the station entrance indeed lies with Crossrail.

9605. I understand that, but, as you know, one of the main purposes of a Bill in transport and infrastructure projects is to bring about regeneration and planning gain, but that does not necessarily mean that it should be out of the public purse. Best value is the thing which is as much for the planning authority as it is for the parliamentary budget.

(*Mr Whalley*) I note the point you make, Chairman.

The witness withdrew

9606. **Chairman:** Mr Elvin?

9607. **Mr Elvin:** There are only two matters, as you know. On the bigger issue of the location of the shaft, whilst understandably Tower Hamlets would like as much information as possible at this stage, sir, we say that the issue has to be viewed in this context: first, a large amount of information is known about this area, the locations of the two shafts are well known and they have already been the subject of a comparative study in the light of the earlier Bill proposals to have a tunnel launch site, which of course had far greater environmental effects. The comparison was done for the Bill scheme, as you have just seen, in the first Supplementary Environmental Statement of May last year, pages 626 to 627, when Woodseer Street scored only marginally better in environmental terms, when the environmental impacts on Hanbury Street were far greater because of the demolition of Britannia House. It is now common ground that Britannia House will remain and, as Mr Turner for Tower Hamlets made clear, it would have substantial barrier effects and protect a number of residential properties which would not have been protected under the Bill scheme. Sir, this is not a case where we are coming to a site fresh without any knowledge or experience. In the view of Crossrail, we have sufficient information to be able to reach a view absent of even detailed noise evidence that there is unlikely to be any significant environmental benefits in selecting Woodseer Street over Hanbury Street in terms of lorry movements and construction noise; the position is likely to be broadly the same. The Committee has the relative proximity of the residential buildings to both sites and even though those red contoured plans are less helpful than they might be, nonetheless you have your site visit and you can see for yourself on the plans where each of those blocks of flats are. Clearly different people will be differently affected, but in broad terms the impacts are likely to be similar. Therefore, the question which I respectfully suggest the Committee has to ask itself is: what benefit would there be in requiring another additional provision to change the vent shaft location from Hanbury Street to Woodseer Street? The answer is, we say, none because if the environmental benefits of Woodseer

Street are neutral as against Hanbury Street or even if there are minor benefits, but not great, you are faced, on the other hand, with the potential increased cost and increased difficulties and risk of engineering solutions because of the need to avoid the Bishops Square development basements and piles. Because the tunnel alignment would have to be changed and go deeper, you would have the additional difficulties because of that depth and, because you then go into the Lambeth group, there is then the probable need for extensive dewatering and the need for a sump near the Bishops Square development. As Mr Berryman explained, this is not an alignment or a situation you would choose if you had an alternative.

9608. Similarly, in terms of the alignment, although it was suggested by Dr Bowers that there might be possibilities of tweaking the alignment, Crossrail has looked at a wide variety of scenarios, including something broadly similar to the alignment suggested, as Mr Berryman made clear. This is not a situation, therefore, where again we are walking in unknown territory. Therefore, if one asks oneself the question, "Is there a good reason to prefer Woodseer Street over Hanbury Street?", the answer is no. Woodseer Street could be made acceptable, but only at cost and with greater difficulty for no great benefit. It is a site which would only be selected if you had no better alternative. A better alternative exists because Hanbury Street is broadly similar in terms of its impacts, but a much better, much simpler and less costly engineering solution.

9609. Therefore, we say, even short of the additional environmental information which will be delivered in due course, the Committee can form a sufficiently robust view as to the comparative merits of the sites, as Crossrail has done.

9610. So far as Whitechapel Station is concerned, sir, this is not a situation where the local authority has not got its own powers to improve the situation on Whitechapel Street. It has powers for the wellbeing and the economic or social benefit of its area to make compulsory purchase orders itself under section 226 of the Town & Country Planning Act or, as you suggested to Mr Whalley, some sort of arrangements could be encouraged by the Council itself in its role as planning authority. We think that the proposals that are suggested are a vast improvement in any event. You have a pedestrianised street, a plaza area in front of the new station entrance and the ability to make that entrance with sufficient presence and visibility to those in Whitechapel Street that it will function very well indeed with a high level of design. If the authority wishes to do something better and create a new plaza and stimulate more regeneration in Whitechapel Road, then it is for the authority to promote that itself using its own planning powers. Thank you, sir.

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9611. **Mr Drabble:** This closing will be very short and I start with two, relatively simple points. The first point is that we say it is inappropriate to make a final decision on the Hanbury Street or Woodseer Street issue before the Environmental Statement which contains a comparative assessment of that issue is drawn up on the basis of properly modelled noise information and before, indeed, if there has been further iterative work on the Woodseer Street alignment beyond alignment 2 similar to that which we are proposing, that is placed in the public domain and shown to us. It is a very simple timing point, we say, and one which is plainly right.

9612. The second simple point is that at Whitechapel, as Mr Whalley put it in his evidence this morning, a trick is being missed, and I shall come back in a moment to why we say it is Crossrail's responsibility rather than our responsibility. You have seen the illustrative material so taking a step back from who does it, the fact that it is plainly sensible to do it—that is, to widen the plaza down to Whitechapel Road—is beyond doubt.

9613. Just a bit more detail on the Woodseer Street/Hanbury Street debate. We say that there is no obvious knock-out blow to Woodseer Street at this stage. It is now accepted, as it was not for quite a long time, that Woodseer Option 2 is feasible in railway operational terms. As Dr Bowers said this morning, it may be possible to reconfigure Figure Alignment 2 slightly to avoid Bishops Square power foundations with minor adjustments to the curve currently proposed and without making worse the substandard curve into Liverpool Street. Certainly we have seen no material which suggests that such a tweak is not possible.

9614. Even if a tweak is not possible, and an element of the northern tunnel has to clip the Bishops Square footprint, as Dr Bowers has demonstrated by the references to the sections we looked at this morning, the relationship between the foundation and the tunnelling will be capable of being satisfactorily accommodated using, in his words, “well-established tunnelling and railway technologies”. I do not understand Mr Berryman's evidence this afternoon to be fundamentally different from that. Dr Bowers said the technologies would be well within the bounds of past construction experience.

9615. Turning to geological impacts, we are only talking here of Woodseer Option 2 being about two metres deeper. We accept that, in principle, an increase in depth would increase the risk, but we also state, and I think Mr Berryman accepts, that the methodologies to deal with that, including risks, in a conventional and safe way are widely available and, indeed, widely used in London. So without seeing the further work on the northern alignments and without knowing the ground conditions, we say there simply is not sufficient information to justify Hanbury Street more than Woodseer Option 2.

9616. Sir, accordingly, we repeat that it is only when these issues have been resolved, in accordance with the Environmental Impact Assessment law, that a properly informed choice between the two sites can be made. In essence, it is our case, at the moment, that the necessary work has not been undertaken.

9617. Whitechapel. This does come down to a relatively simple issue, and an issue which is simple to express, which is: does the benefit that would obviously be created if McDonalds were purchased and the vista—the relationship between Fulbourne Street station entrance and Whitechapel Road—altered in the way we wish to achieve logically form part of a station design programme or ought it to be put down to Tower Hamlets' general townscape provisions? We accept that we have compulsory purchase powers to purchase McDonalds on the basis Mr Elvin has suggested. We also accept that no doubt it will be possible to see whether one could push issues in that direction by negotiation against the background and the availability of those powers—we accept that. We do, however, say that the line that Crossrail are taking, which is that it is not for them to do anything that provides more than is necessary to provide a functioning railway, is not sustainable. It is obvious the moment you think about it: Crossrail must accept the responsibility to design their stations in order to ensure that they deliver the objectives for which they are being provided. Again, it is a matter of judgment as to where this issue falls into play. Test it like this: we say that if Crossrail were not promoting the piazza outside the Fulbourne Street entrance (the one they are saying they will provide) it will be no answer to a criticism that that was a wholly inadequate station entrance, even if it worked in conventional terms, to say: “Well, Tower Hamlets can come along and purchase and use their powers to provide a decent piazza”. It is a matter of judgment which side of the line the extension of the piazza into McDonalds falls.

9618. We say, looking at the illustrative material, that it is just a natural part of the station's treatment to ensure a decent relationship with the Whitechapel Road and that, for that reason, it is a station issue and not a townscape issue. That is my closing.

9619. **Chairman:** Thank you very much. I understand we may still have unfinished business.

9620. **Mr Elvin:** I wish I knew what the answer to that was. It is the Stockley Park Consortium and there are still negotiations. I think Mr Walker is going to whisper in my ear. Mr Walker says that probably the best thing, rather than have the Committee here just for that, is to defer them and have them come back if we cannot settle the matter. There have been quite significant negotiations on undertakings, and I suspect a deferral might assist

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that. If that is the case, then we do not need to trouble the Committee tomorrow. The Committee is going to have a very full week next week.

9621. **Chairman:** Thank you very much indeed. We will take your advice and the next meeting will be next Tuesday at 10.00 am.

Tuesday 13 June 2006

Before:

Mr Philip Hollobone

Kelvin Hopkins
Mrs Siân C James

Mr Ian Liddell-Grainger

In the absence of the Chairman, Mr Liddell-Grainger took the Chair

Ordered: that Counsel and Parties be called in.

9622. **Mr Liddell-Grainger:** As usual, I inform the Committee that it is my intention to suspend at a convenient time, some time or thereabouts at 11.45 so that everybody can have the opportunity of a comfort break. As there are so many cases to hear today, I will now explain exactly how we will proceed.

9623. The Committee wants to hear every Petitioner's case. However, as you know, the Committee will not listen to the same evidence being made more than once. We understand that many people here do have similar concerns. We would ask you to listen carefully to the case being made to you and other responders by the Promoters and try not to repeat, if possible, anything that has been said. If you agree with the case that is being made, you can tell us which points you support, that is absolutely acceptable, and you do not then need to repeat the argument. Some of the issues which are revolving around Hanbury Street and Whitechapel have already been raised by the London Borough of Tower Hamlets in last week's committee and have already been taken into account from what was said last week. Equally, we encourage, dare I say it, counsel for the Promoters to refrain also from repeating counterarguments, where possible. I remind everybody that any witness brought forward by the Promoters may be cross-examined by each and every Petitioner, should they wish to, after they have made their case, but we understand it would be helpful to hear the first two cases and then we will ask counsel to respond. We will then call each additional Petitioner to make their case after the first two. Mr Elvin?

9624. **Mr Elvin:** Sir, the first two Petitioners, and I am not entirely sure which order they are being presented, are the Spitalfields Society and Dr Pedretti.

9625. **Mr Liddell-Grainger:** I think we are going to take Dr Pedretti first.

9626. **Mr Elvin:** Sir, I am going to give an introduction which will just go over some of the main issues the Committee will be hearing from Petitioners today. This will cover not only issues raised by Dr Pedretti and the Spitalfields Society, but some of the more general issues that are raised because I do not propose then to repeat myself, taking my guidance from what you have just said.

9627. As the Committee has already noted, the Petitioners this week follow on to some extent from the issues raised by Tower Hamlets last week and there is a degree of overlap, particularly on the issue of the Hanbury Street shaft. Sir, since a large number of the Petitioners are raising similar issues and there is considerable overlap, I will go through the main issues, although Petitioners should note that I am not dealing with each and every issue in their Petitions, just the very broad issues which are in common.

9628. Those issues appear to us to include issues relating to a station at Whitechapel, secondly what is now proposed as a ventilation and intervention shaft at Hanbury Street, construction impacts on individuals and on the community, the alignment of the tunnels and the impacts in terms of noise and settlement, especially on the many Listed buildings in the Spitalfields area, and compensation issues.

9629. If Mr Fry could please put up plan A2 from the Environmental Statement, volume 4A, and zoom in please on Hanbury Street, that is the main area under consideration.¹ Of course the Committee are very familiar with this, having had a site visit and seen the documents on a number of occasions. Whitechapel of course is to the east of this plan. We have also provided for the Committee, and I will have paper copies distributed, a plan which is GEN-0101 which shows you the location of most of the Petitioners' properties in the area.² It is a bit difficult to read on the screen, so I have asked for A3 copies to be provided, but what this will do is give you the Petition numbers, and some of the Petitioners have properties which are off the plan, but the intention is to give you an idea of where the Petitioners are living so that you can cross-reference to Petition numbers.

9630. I remind the Committee, and really say this more for the benefit of the Petitioners than the Committee, that concerns about the various types of impact have been assessed at considerable length, particularly those relating to noise, vibration, construction, lorries, settlement and heritage issues. They have been assessed in various parts of the Environmental Statement, not only the main Environmental Statement, but the first Supplementary Environmental Statement deals with

¹ Crossrail Environmental Statement Volume 4A, Whitechapel Station, Construction Works & Impacts (LINEWD-ES16-035).

² Crossrail Ref: P87, Location of petitioners based in the Spitalfields area (TOWHLB-GEN01-001).

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Hanbury Street and the first Environmental Statement relating to AP1 deals with the revised proposals for Whitechapel Station.

9631. As the Committee also knows, in addition to the various volumes of the Environmental Statement and the technical reports on matters such as noise and settlement, there have been available to the public for some time not only those matters, but the IPs, the information papers, and each Petitioner has received an individual Petition response document which the Committee also has.

9632. I will deal firstly then briefly with the issues around Whitechapel Station. As you know, sir, the current proposals were revised in the first AP and described in chapter 4 of AP1. Perhaps Mr Fry can put up the illustrative drawing which the Committee has already seen of the proposed Fulbourne Street ticket hall.³ The justification and the benefits will be explained briefly by Mr Anderson when I call him. The Committee will recall that in the Tower Hamlets evidence, Mr Whalley, the officer from Tower Hamlets who gave evidence to the Committee last week, spoke strongly in support of the Crossrail station here and of the enlargement of Whitechapel Station and said that it was fundamental to Tower Hamlets' support for Crossrail. The reference to that is the transcript for Day 38, paragraphs 9471 and 9482. Indeed Tower Hamlets' position is that they want the station, as the Committee may recall, with even greater street presence than proposed and they were arguing for the demolition of McDonald's to allow an even greater access to the station. The importance of the station is underlined by the Mayor's London Plan which targets Whitechapel as an opportunity area. These are areas in association with regeneration areas in the London Plan. It is areas targeted for the regeneration of jobs and homes, the promotion of social inclusion, increased accessibility and it is all tied to improvements in accessibility and public transport, such as the East London Line and Crossrail. The key issues which justify a station at Whitechapel are the assistance of regeneration in Whitechapel, which fits in with the Mayor's Strategy in the London Plan and the fact that the station acts as a major interchange, as the Committee knows, between a number of different rail lines, the Tube, the East London Line and Crossrail itself.

9633. I turn then to the issues with Hanbury Street and the Hanbury Street shaft. As the Committee is also aware, Hanbury Street was originally a proposed site for the launch of a tunnel-boring machine. This was revised following the revision to the tunnelling strategy in April with a proposed change in the tunnelling strategy. The proposals at Hanbury Street have been scaled down to a much smaller intervention shaft for emergencies and for ventilation and the position with regards to the new Hanbury Street proposals, which will be the subject of an AP in due course, are set out in a revised

information paper D8. As the Committee also knows, the intervention shaft is needed for access during emergencies, particularly by the fire brigade. The Committee is also familiar from the evidence given during the Greenwich Petitions on Arsenal Way that a one-kilometre spacing criterion is preferred by the fire brigade because of the difficulties they have in getting down the shaft and accessing the points of any emergency and getting out again safely. That guidance, I can remind the Committee, is Exhibit 21804-023.⁴ The guidance which is currently given by the HSE the Committee can see there and it was produced some weeks ago, but the Committee can see that the reference to the distance is of the order of one kilometre where there are twin single-bore tunnels with adequate intermediate cross-passages which is what is proposed here.

9634. The revision to the tunnelling strategy, as I have already mentioned, led to the revision of the proposals for Hanbury Street and the shaft and its impact will be much reduced over that originally intended. For example, as the Committee will have heard last week, Britannia House will no longer need to be demolished and the shaft itself will be much smaller. Can I ask Mr Fry to put up 21804-025.⁵ This is a plan which I think the Committee saw last week. The left-hand side is the original Bill scheme and it shows the land-take needed for the original version of the Hanbury Street shaft. The Committee can see on the right-hand side the considerably reduced land-take, less than half of what was required originally, and Britannia House is outlined which will no longer be required to be demolished. These matters were drawn to residents' attention not simply by general publicity, but a letter was sent to the Petitioner residents on 22 May, which is Exhibit 21804, page 001, which is the first page of it, and it runs over five pages.⁶ It was a letter written to the Petitioners living in the area which explains to them what the revised tunnelling strategy meant in terms of the Hanbury Street shaft and the Committee can see that it sets out the information, including the confirmation that the Pedley Street shaft and the additional tunnel will not be required, Britannia House will remain, no need for a conveyer, no need to store excavated material at Mile End Park, et cetera, but it did not mean the alignment would be affected; the running tunnels would remain where they were.

9635. It also made it clear on the second page that the revised tunnelling strategy did not remove the need for the works at Hanbury Street, and it referred to the fact that an additional provision would be required, and then attached are a couple of plans and a diagram. The issue of where the shaft should be has

³ Crossrail Ref: P87, Whitechapel Station, Fulbourne Street Ticket Hall from Durward Street, (TOWHLB-21804-017).

⁴ Crossrail Ref: P87, Railway Safety Principles and Guidance, Part 2 Section A Extract, Emergency Intervention Point Requirements (TOWHLB-21804-023).

⁵ Crossrail Ref: P87, Hanbury Street Shaft, Worksite Comparison (TOWHLB-21804-025).

⁶ Crossrail Ref: P87, Correspondence from CLRL to The Spitalfields Centre, 22 May 2006 (TOWHLB-21804-001 to -002).

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been debated with Tower Hamlets, and I do not propose to go over that. As the Committee knows, the main alternative contender is Woodseer Street which is two streets away.

9636. So far as the additional provision is concerned, it will have its own Environmental Statement in due course, although I will ask Mr Thornely-Taylor to give a brief view as to the comparative position in environmental, noise and vibration, impacts of the two locations. You will recall I said I would do that last week during the course of Tower Hamlet's Petition, but Mr Thornely-Taylor was not available last week.

9637. Crossrail has taken the view that, even before the Environmental Statement has been provided, it is likely that the environmental impacts, in terms of noise and vibration, of the two locations will be broadly similar, and there are good engineering reasons for preferring Hanbury Street over Woodseer Street. As the Committee will be aware from Mr Berryman's evidence last week, there is a range of options for a Hanbury Street shaft. He described Options A, B and C going from a maximum underground intervention where there is much of the equipment placed underground and that involves more excavation, but there is then less equipment and shaft on top of the ground, which allows, if it is thought necessary, greater over-site development, to an option which puts more overground and has less construction impacts and a lesser construction period. That is all a matter which is open for discussion with the local community through Tower Hamlets, as we made clear last week. The options as to what will go on the shaft site precisely remain to be determined.

9638. It is the case that we consider the impacts of the Hanbury Street shaft to have been exaggerated, for example, in terms of lorry movements and perceived impacts on the community over a lengthy construction period, and I just wanted to make it clear now, and this came out in Mr Berryman's evidence last week, that Crossrail's view is that the construction period for the Hanbury Street shaft should be, on the worst case, of the order of two years, not four or six or eight, but two, and that the two years is probably the maximum if you go for the maximum intervention and underground construction as opposed to the option which puts more of the equipment above ground. If you will recall, in terms of lorry movements, Mr Berryman last week said that he thought of the order of five lorry movements a day for that two-year period and less frequently than that, maybe one a day or less, after that. It is important to put those impacts in context.

9639. On the issue of noise and vibration, Mr Thornely-Taylor will explain the position. It is clear that there are likely to be some impacts from noise and vibration during construction. That is unavoidable with any scheme of this sort. They will be fully assessed for the revised Hanbury Street shaft

with AP3 and the ES which comes out with that. We have of course assessed the comparative position of Hanbury Street and Woodseer Street for the original Bill scheme with the greater impact and that is, as we dealt with last week, in the first Supplementary Environmental Statement, and Mr Thornely-Taylor will explain the position briefly.

9640. On the issue of the alignment of the tunnels, Mr Berryman will explain that a number of alignments are being considered, not just the three that were considered with Tower Hamlets last week, and the alignment of the tunnels is dictated, as the Committee will be aware, by the need to get a tunnel from Liverpool Station to Whitechapel Station. The Committee will also be aware from last week that the tunnel has to go relatively deep to avoid foundations of various buildings and other tunnels which are in the locality, such as the Post Office tunnel. Again Mr Berryman will explain this. The tunnels clearly go under a number of Listed buildings, but in terms of settlement issues and concern for those, the alignment has been drawn to protect them as best as possible, and we have to bear in mind not only the individual buildings in the area of Hanbury Street and Princelet Street, but there are also buildings, such as Christ Church, Spitalfields and the Brick Lane mosque which also have to be protected as well. The settlement policy and the settlement assessments which have been made more than demonstrate, we say, that there should be no difficulties in terms of settlement and that there are means in place, and we will call brief evidence on this because I appreciate the fact that the Committee heard at some length from Professor Mair on these issues, there are means in place, including the settlement deed, for resolving any issues should they arise. The Committee will recall that settlement has been the subject of considerable experience in recent years, particularly through central London with the DLR, the Jubilee Line Extension and CTRL, and the Committee may recall, if they cast their minds back to January or perhaps it was 1 February, that Professor Mair showed you the photograph of the Jubilee Line Extension underneath where we are now and the grout shaft, just out there next to Big Ben.⁷ The experience shows that tunnelling, even in as sensitive a location as this, with major public buildings in very close proximity, the techniques and the know-how exist to allow such tunnelling to take place without causing difficulties with the buildings above them.

9641. Finally, on the issue of compensation, the Committee has heard from us at length on the issue of compensation. The Committee will be well aware that our position is that which Parliament has endorsed time and time again, which is the National Compensation Code, and I just remind the Committee of my submissions when I first addressed these matters in detail in the Smithfield Market Traders' case, Day 14, paragraphs 4023 to 4051 of

⁷ Crossrail Ref: P23, Ground settlement and its effects, Professor Mair, Cambridge University, 1 February 2006 (LINEWD-MJ01-041).

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the transcript which I put in writing and is Committee document P52.⁸ Our position is there set out. We ask the Committee to follow the principle which Parliament has established over many years, which is that the Compensation Code, although it may not be perfect for every case and it may not provide compensation for every case, provides a broad, fair and equivalent treatment for everyone affected by works, including major public works.

9642. Sir, those are my matters of introduction which I hope will be sufficient as a general introduction for the majority of the Petitioners appearing today, if not for the rest of the week.

9643. **Mr Liddell-Grainger:** Thank you, Mr Elvin. Do you want now to call—

9644. **Mr Elvin:** What I was proposing to do was to call my witnesses after both Dr Pedretti had given her evidence and after the Spitalfields Society had presented its evidence.

9645. **Mr Liddell-Grainger:** Dr Pedretti, would you like to come forward please.

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Dr Pedretti appeared in person

9646. **Dr Pedretti:** I had a problem with the medium, and by that I mean things like these pens. I think the whole project suffers from that problem, so I am not just wasting time, but it is actually a crucial problem. What happened with my computer was that all my files were being treated as if they were viruses, so I was trying to organise my photographs and I ended up having to reboot the computer with every picture I tried to look at, so yesterday at about 10 o'clock I realised I was not going to get my slides in. They include photographs of maps and all the material that I have collected over the years about how the Bill has been presented to us. I tried to contact Mr Walker and I got back an email to discuss it with me later and I got back an email suggesting that using an overhead projector would work. Therefore, at 2.30 yesterday afternoon, I went and got myself the equipment needed to use an overhead projector, expecting that it will work. If it will not work, I will be flexible enough to try and improvise without, but I do draw attention to the problem of an entire, large Bill which is prepared on a medium which looks something of that size (indicating) and is dependent on an electronic medium.

9647. **Mr Liddell-Grainger:** Dr Pedretti, I think you should try and give your evidence as best you can. Do remember that I have just been flicking through your evidence which you presented, the file which you presented—

9648. **Dr Pedretti:** I did not send you a file.

9649. **Mr Liddell-Grainger:** Have you got your photographs with you?

9650. **Dr Pedretti:** No, they are on my computer and I could not get them off the computer. What I have done is collected the bits of paper that they were photographs of.

9651. **Mr Liddell-Grainger:** Well, we can put those on to the overhead projector for you.

9652. **Dr Pedretti:** I was told to use the overhead projector, so I have transparencies and things that I would like to be able to move around, so I would prefer to stand near the machine.

9653. **Mr Liddell-Grainger:** The Clerk will take the stuff across for you to be put on to the machine, but I would rather you did not stand over there.

9654. **Dr Pedretti:** Is it possible to move the machine?

9655. **Mr Liddell-Grainger:** No, it is not.

9656. **Mr Elvin:** I wonder, and I know Dr Pedretti wanted to go first, but would it be better if the Spitalfields Society went first and Dr Pedretti—

9657. **Mr Liddell-Grainger:** I have to let Dr Pedretti go first, thank you, Mr Elvin.

9658. **Dr Pedretti:** Is it possible for me to appear in a week's time?

9659. **Mr Liddell-Grainger:** No, I am sorry. We are far too busy. We have got our schedule laid out and we very specifically have put people where we can deal with them. This Committee is doing its very best to get through every Petitioner and we will do so, but we have a tight schedule, so I am sorry, but this is your day, this is your time.

9660. **Dr Pedretti:** Okay. Then I will just work with what I can work with.

9661. **Mr Liddell-Grainger:** Thank you very much.

9662. **Dr Pedretti:** The problem is that I was going to write text on to it as I move it.

9663. **Mr Liddell-Grainger:** Please explain from the picture and we will follow your instructions.

9664. **Dr Pedretti:** This is the picture of what we are talking about.⁹ I would suggest there are problems with this in a number of ways which in my Petition I have described as the “premature nature of the design that should not be allowed to go through to the form of the Bill”. What we are dealing with, in my perception, is a rendering to this level of detail a design that has basic conceptual design flaws in it

⁸ Crossrail Ref: P52, Petition by Smithfield Market Traders, Promoter's submissions, 1 March 2006 (LONDLB-28004-110 to -115).

⁹ Committee Ref: A112, Map of Liverpool Street (SCN-20060613-001).

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with regard to alignments and, in particular, with regard to the question of this curve. This is the curve which comes out of Liverpool Street, so you have Liverpool Street Station, which is actually not marked on this, but Liverpool Street Station is there and the stations you were discussing with the Corporation at the beginning of the proceedings and the Crossrail entrances, there was a large discussion about moving the entrances around here. This is the Crossrail station, but for some mysterious reason, you are turning north. I find that this curve is totally “undesigned”. There have been no decisions made about it in the Crossrail scheme or reasons, it has never been questioned that the curve should go anywhere else but there.

9665. The background to that is that that curve is part of the central tunnel safeguard that was inherited from the previous Bill which did not make it, and it was going to stop somewhere over there. I am sure there are other people who will go into great detail about this in the room and who will petition you later, but that curve, which is why we are ending up under my property and a lot of other people’s properties too, is rendered in every detail where we have land not to be required, where we have the whole technical detail about railway engineering questions and it is being done as something which has never actually been allowed to change the fact that we are no longer going to join the Great Eastern Line right outside Allen Gardens which is what that curve was for.

9666. I do not have a picture of the original scheme, the 1991 scheme which was rejected, but what I would suggest to you is that with all the clever presentations which have been presented to you on these screens, they are too limited to actually see anything. This curve has been cut off and it is very difficult to find pictures in which that curve is honestly described. Here is one of them and it is a picture which is quite irrelevant in terms of what it was for.¹⁰ I think it came out of the Environmental Statement and it was all I could find last night. You see, this is one of the rare occasions where you can actually see that this curve goes northwards, but there is not even an arrow of direction. You can see that this is Liverpool Street Station British Rail, although it is not that anymore, but a whole bunch of other companies, but this is the mainline station and all the lines going to Stratford. Now, this curve went this way to join that line to Stratford and by that I mean that there used to be a tunnel head somewhere in Allen Gardens and that the tunnel head meant that they were going to try and join the Great Eastern Line there so it was the end of the tunnel. Therefore, the flaw in the design which I am addressing is that you basically are looking at a scheme in which the length of the tunnels has been doubled virtually in the Borough of Tower Hamlets where the directions to where the scheme goes have been changed and where nobody has bothered actually to change the track. If you have a change,

and I am very grateful for the change that we are not digging from Hanbury Street, but if you have a change of projects, say, between the 1991 Bill and the present Bill, surely we should at least be allowed to be consulted, it should be looked into and options should be considered about how we get out of Liverpool Street.

9667. If we go back to the 1991 scheme, and my hesitation is for the following reason, that the earlier slide I had which was the map, and I am just showing the level of detail at which we are looking at this, this Bill is about plots of land, but what this Bill is not about and what is very interesting on this plan is the way they do not draw Liverpool Street Station and the way we get these external spaces of large developments that have taken over what used to be the old—please zoom out on the slide.¹¹ I am going to jump around a bit as I cannot make an entirely linear presentation, but you have not actually been having just linear presentations. Mr Whalley, who was here last week, was going on about missing opportunities if we did not give him McDonald’s. Now, I am going to refer back to the missed opportunities that happened before that development, which you saw on the earlier map, took over, and we have a massive amount of railway land that was Broad Street Station at the front with all these goods lines going out of Bishopsgate, so one of the missed opportunities, and I am not arguing that we go back to it because we cannot, but I am just giving you an idea about how a design actually makes decisions, but the current alignment goes through Finsbury Park and we end up having a Liverpool Street Station that is all of this length—

9668. **Mr Liddell-Grainger:** Yes, we have been up there, we have had a visit.

9669. **Dr Pedretti:** So you have this whole length from Moorgate coming up somewhere here, and I remember at the time there was a discussion about whether it should be called “Livergate” or, do you remember, some planner in the City was considering names. I would suggest that the simplest name for the station at Liverpool Street would be to call it “Broad Street” because that is actually where it is. I am not suggesting that that should be done in any form, but it should be noted as a design take for nodding to the Victorians, who were great at building railways, and actually looking at this whole scheme in proportion—and “proportion” is a word that I use carefully—to the Victorian railway structure. The whole of the East End was full of railways and there is not a location on the map that did not have some access for some factory to the railways, and they did a lot more than move commuters on a fast line through London, so there is a very serious problem, which is why I addressed the media issue earlier, with the current reliance on media to design things and to present things which fail to make, for instance, the difference between a photograph and a projected photograph and which

¹⁰ Committee Ref: A112, Liverpool Street Station, Transport and Access (SCN-20060613-002).

¹¹ Committee Ref: A112, Area Plan of Broadgate (SCN-20060613-003).

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fail to have dimensional integrity. There is a story that I heard in 1987, when computers were not as predominant as they are now, where at BAE somebody designed a sparkplug and he got the decimal point wrong. He printed out the drawings and sent them back to the workshop and they had a good laugh, but they built the sparkplug as per the drawings. Two men came back carrying this sparkplug in their arms and the man who had designed it did not see anything wrong. He actually thought that was what he had designed and he did not realise that a sparkplug for an aeroplane should probably not be so heavy that it needs two men to carry it. There is something inherently wrong, sorry, not wrong, but dangerous with relying on media that switch scale like this. Last week there was a discussion about whether a street was 15 metres wide and I raised my hand to try and say something. That street is I do not know how many metres wide, but it is so narrow, Fulbourne Street, that when a bus passes, I have to take my bike off the street because there is not enough space for a bus to pass next to a parked car with me riding up there on my bike, which I do very often.

9670. **Mr Liddell-Grainger:** Dr Pedretti, could you sit down. I will stop you there. We are a hybrid Bill at the House of Commons and are trying to get to the bottom of each petitioner's problem and how it affects you.

9671. **Dr Pedretti:** How it affects me?

9672. **Mr Liddell-Grainger:** You. A bus and a bicycle yes, but that is not our problem. What I need to know from you is how you are affected, and what you would like us to do about it. If you can perhaps bring everything together and tell us how you are affected and what you want that would be very helpful. Could you carry on, please, Dr Pedretti?

9673. **Dr Pedretti:** The answer is, I want my life back.

9674. **Mr Liddell-Grainger:** Explain?

9675. **Dr Pedretti:** The harassment, and I use that word carefully, of being told about things when they are already decided; being given misinformation left right and centre that has been called consultation in the area; the sheer amount of paper that I have accumulated—I could describe coming here this morning as trying to tunnel under the documents of Crossrail irrelevancies. This is literally true.

9676. **Mr Liddell-Grainger:** Dr Pedretti, I will stop you again. That I understand, but we need to know how it affects you and what we can do about it. It is probably to do with bricks and mortar, what is happening to your building, your house, which is obviously listed. Could you please tell us, as a Committee, what it is you want.

9677. Getting your life back, I am afraid there is not a lot we can do about that. We are a hybrid Bill of the House of Commons, but we are looking at the affect to you and your building and your surrounding area.

9678. **Dr Pedretti:** I am sure there are unique things about my building that I would like to get into in a minute, but I go back to wanting my life back. This project, as it is, is going to affect our area for 10 years. Okay. So I want those 10 years to be years that I can get on with my life in an area which is not being pushed around by motivations that are nothing to do with building a railway.

9679. What I am concerned about is that the Bill as it stands with the alignment in Tower Hamlets, all of the alignments in Tower Hamlets, is not motivated by railway interests. It is motivated by all sorts of other things.

9680. Let us be very specific. We have just heard about the so-called tunnelling methodology and all the things we have received.¹² I have received a letter which was being projected earlier which has as many ifs and buts in it as legal documents tend to if they are trying to keep the options open. I am concerned (and this is not my site but other people's and we will have do this all over again many times) that when the project changes all the people who have been affected for the last four years by a project that was negotiated behind our backs and are in the book of reference (whether they were aware of it or not, and I am quite happy to show you that we have been affected even if we have not been aware of it) how are we ever going to get our live back out of that if we are on that whole arm—

9681. **Mr Liddell-Grainger:** Dr Pedretti, could you just sit down again. I must reiterate to you, that is one area we cannot get involved in. What we are trying to ascertain from our perspective is, we are trying to understand how it affects you and what you want. This Committee cannot give you your life back. What we can do is, if you want compensation or you do not want the tunnels under your house or whatever—

9682. **Dr Pedretti:** I do not want the tunnels under my house.

9683. **Mr Liddell-Grainger:** Thank you, that is very helpful.

9684. **Dr Pedretti:** I do not want the tunnels anywhere near an area which is on no line between Liverpool Street and Stratford; which is on no line between Liverpool Street and the Isle of Dogs. It is not even on a direct line between Liverpool Street and Whitechapel.

¹² Committee Ref: A112, Plan of tunnels at Hanbury Street Shaft (SCN-20060613-004).

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9685. We have a diversion of the railway to avoid other things or generate other things or to, which my experience I am beginning to suspect, undermine the fact that they cannot demolish us because we are listed buildings. I have serious concerns—why does the building head for any listed building in the borough?

9686. **Mr Liddell-Grainger:** Dr Pedretti, I will be corrected by Mr Elvin, but I do not believe your building is scheduled for demolition, or anywhere near your building.

9687. **Dr Pedretti:** No, that is not what I am talking about. As I suggested to you, the curve that we looked at at Liverpool Street—I can go into how it was designed (or not designed)—that curve is best reflected—and perhaps we can look at a map of Tower Hamlets.¹³ It is a map of the London Development Plan Preferred Options Map in respect to Tower Hamlets Preferred Options for how the area will be regenerated. I am trying to show you the extent of Crossrail on that, which is (everywhere I know it) more excessive than the actual Crossrail sites proposed.

9688. That faint yellow strip there, it is striped diagonally, if you look at Stepney Green church that faint yellow is where Crossrail is marked on this preferred options map. I have traced it on to acetate so it is easier to see. If that could be overlaid.¹⁴ I promise you that is traced as accurately as possible. Can we see what the borough is. This is the bit after Pudding Mill Lane. That is the end of the conveyor belt proposals which no longer—

9689. **Mr Liddell-Grainger:** Is that as far as you can go?

9690. **Dr Pedretti:** We do not want to be in the Lee Valley; we want to be in the borough— Can I hold it up and then you can look at it in detail.

9691. **Mr Liddell-Grainger:** Just for the record, we will have to circulate this. This will be circulated.

9692. **Dr Pedretti:** To get an overview of the whole borough of Tower Hamlets, I am not sure I have now got it in the right place. You can see what a blight that is. If the planner makes a decision about your property in the future they will say, “Oh, that’s a Crossrail blighted site”, and will push them around; which is what I have been in for the last four years. I used to have one of the nicest buildings in Spitalfields and I get treated by planners as if I was the last thing in the world. It is just not the intention of your railway.

9693. We can look at this in detail but I am suggesting a) that what they have put on this map is bigger than what you actually see. Even though Mr Whalley was here last week talking about it as if it was merely a question of stations and shafts and there was not a line underneath, he was here begging for a stupid McDonalds. What is under there is a use of the blight to clear sites for redevelopment. Every railway that I know will generate new developments around it. The railway will generate that because if people can get somewhere they will go there. What is happening here is that railway is being pulled in to redevelop a central part of London which is full of vital communities. We are not a brownfield site.

9694. Can we put up some specific areas to show you how it relates to discussions that have been going on. Firstly, what I tried to say earlier about the adit and about the conveyor belt—all the sites on that conveyor belt adit that have been apparently no longer necessary for the bill have already gone through the blighting for four years.¹⁵

9695. I was trying to take photographs there the other day. Amongst other things, on the other side of the viaduct there was the centre for all London cab repairs. Any part in a London cab you could get repaired there. There were a whole row of railway arches that were being used for that. When I went there last Sunday to take photographs they were all being refurbished and the taxis were not there. I do not know if the taxis intend to come back or not but what I am saying is—

9696. **Mr Liddell-Grainger:** Dr Pedretti, I am going to bring you back to this. Please will you tell us what you want? Is it compensation? Mr Elvin put the letter out on the screen when he started and said all the things which were not going to happen, including the conveyor belt and everything else. What is it you actually want?

9697. **Dr Pedretti:** What I want is for the Committee to consider that everything is not well in Tower Hamlets and that there is no need for a station at Whitechapel because the station at Whitechapel has been negotiated.

9698. **Mr Liddell-Grainger:** In a nutshell you do not want the Whitechapel Station, is that correct?

9699. **Dr Pedretti:** I do not want the Whitechapel Station. I want a design phase in Tower Hamlets that completely takes us back to the drawing board. Probably the best thing is to avoid Tower Hamlets altogether.

9700. What is going on is that the area has been totally sold out for some kind of begging game. The reason I cannot answer your question about what I want is because I have spent my whole life restoring a building (or not restoring it, as the case may be); if I say “my life”, I mean the criteria by which I have

¹³ Committee Ref: A112, London Development Plan Tower Hamlets Preferred Options Map (SCN-20060613-005).

¹⁴ Committee Ref: A112, London Development Plan Tower Hamlets Preferred Options Map—Petitioners interpretation of the extent of Crossrail (SCN-20060613-005).

¹⁵ Committee Ref: A112, Plan of tunnels at Hanbury Street Shaft (SCN-20060613-004).

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been asked to restore things, the contract that I thought I had with society was that this was an historic building; not that it is in the way of some large redevelopment scheme.

9701. **Mr Liddell-Grainger:** Dr Pedretti, I am sorry, I am going to stop you again. We cannot take that into consideration. We can take into consideration if you want something for your building. We can take into consideration that you want a realignment of the track—of course we can—but we cannot take hypothetical situations, I am sorry.

9702. **Dr Pedretti:** I want a realignment of the track as far back as Liverpool Street Station—not of the track after it has curved off. That is why I was in Broad Street.

9703. **Mr Liddell-Grainger:** I think we have understood that. Please do not repeat yourself, which is now what you are doing. Would you please carry on as to what else you want. Is there anything else you want?

9704. **Dr Pedretti:** I want some reassurances that the worksites along the conveyor belt are taken off the map, and that people who have been affected there are treated with respect considering what they might be losing.

9705. **Mr Liddell-Grainger:** Dr Pedretti, I am sure Mr Elvin has listened to this very carefully as the Promoter.

9706. **Dr Pedretti:** I want no station at Whitechapel.

9707. **Mr Liddell-Grainger:** We gathered that.

9708. **Dr Pedretti:** I would like to discuss Whitechapel if I could?

9709. **Mr Liddell-Grainger:** Yes, of course you may.

9710. **Dr Pedretti:** This is a version of the station that was published just before we had to submit our petitions.¹⁶

9711. **Mr Liddell-Grainger:** I intend to suspend the sitting for a few minutes as I would like to talk to Dr Pedretti quietly as we want to try to quicken this up. I therefore suspend the sitting for five minutes.

After a short break

9712. **Mr Liddell-Grainger:** Dr Pedretti, you have something to say?

9713. **Dr Pedretti:** I am aware I am trying to make a very general case and I believe the Committee has understood that I have made a very general case for Tower Hamlets alignments over the whole borough to be reconsidered, including Whitechapel Station.

9714. I accept that I cannot have a private interest in the context of what is happening to the city that I love, the area that I love and the communities in it. I trust my other petitioners to sort out the specifics.

9715. **Mr Liddell-Grainger:** Dr Pedretti, thank you very much for giving evidence. We are very grateful. If we could now have the Spitalfields Society, please.

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Mr Hereward Philpott appeared on behalf of the Petitioner

Bircham Dyson Bell appears as Agent

9716. **Mr Philpott:** Chairman, I appear on behalf of the Spitalfields Society who are an amenity and residents society covering the parish of Spitalfields. Chairman, the Society is a civic society registered with the Civic Trust and it was established in 1993 to help with the improvement, preservation and appreciation of the Spitalfields area of London.

9717. This opening will be brief. There are four points I wish to make by way of an introduction to our case and the first is as follows: the petition that has been submitted by the Society raises a great number of concerns about the impact of the Crossrail proposals on the Spitalfields area; those concerns range from the general (such as uncertainty over the availability of funding) to the particular (and I have in mind the Hanbury Street shaft as an example of that). I wish to make clear from the outset that in its evidence to the Committee the Society does not propose to deal at any great length with each one of its concerns; and we are realistic about the extent to which our evidence can further the Committee's understanding of issues such as funding for the scheme. That is not to say those concerns are not outstanding or that they are not keenly felt; it is simply that as a Society with limited resources we have decided to concentrate on those matters where we feel we can make our most useful contribution.

9718. Secondly, the Society's main concerns arise from the alignment chosen between Liverpool Street and Whitechapel, and the proposed Hanbury Street shaft and the impact of proposals on the many residents, businesses and historic buildings in the Spitalfields area.

9719. Thirdly, the Society's case on this matter is similar and complementary to the case presented on behalf of the London Borough of Tower Hamlets on Wednesday of last week. We also say that the alternative alignments through this area have not been properly investigated and assessed—that is on the criteria which apply after the change in the tunnelling strategy—and that it would be wrong to make a final decision as to the appropriate alignment until that has been done.

¹⁶ Committee Ref: A112, Whitechapel Station—Crossrail Proposals (SCN-20060613-007).

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9720. We have also focussed, as did Tower Hamlets, on what has become known as Woodseer 2, and you will be familiar with that concept. We have done that not on the basis that it is necessarily the best alignment or necessarily the best site, but rather on the basis that a) it appears likely to offer significant benefits in terms of mitigating impacts on the local community; and, b), it is the furthest advanced of the possible alternative alignments.

9721. Like the Council, we say that it would be wrong to make a final decision on the alternatives before a more detailed assessment is made, both in terms of optimising the alignment and assessing the construction impacts; because we say the Promoter's assessment of alternatives to date cannot properly be described as either objective or thorough. We submit that a further assessment needed should include other alternatives, including in particular what has become known as the "southern alignment".

9722. Fourthly, our evidence will focus on the relative sensitivity and relative impact associated with the two alternative routes and shaft sites. In doing that, we will seek to avoid duplication of evidence that has been heard last week, but we necessarily present a slightly more apt view and perspective of what is going on, and hopefully the Committee will allow us to do that.

9723. So far as the relative impacts are concerned, we are of course placed at a very real disadvantage by the absence of an up-to-date and accurate Environmental Statement assessing those matters, because the Promoters have promised (and it is repeated in their response to our petition) that there will be supplementary environmental information assessing the impacts on this part of London as a result of the change in the tunnelling strategy. That has not been provided. As the Promoters point out in their response to our petition, one of the main purposes of the Environmental Statement (and this will form part of the Environmental Statement—this further information) is to "provide the public with the basis on which to make representations to Parliament as appropriate on the environmental impacts of Crossrail". This is our opportunity to make representations but we have to do so without that important information available to inform and to guide our case.

9724. Although we wish to avail ourselves of this opportunity to explain our case to the Committee, we must nevertheless reserve our position as to the need to present any further evidence once that supplementary environmental information has been published and we have had a fair opportunity to consider and respond to its contents. Those are the brief opening submissions I wanted to make.

9725. There are two witnesses I want to call, and I will ask them to come forward in a moment. With your permission, what I propose to do by way of format is to copy the approach that was taken by Tower Hamlets council last week, which is to have

both of my witnesses together, I will deal with them both in turn and then turn them over for cross-examination. I think there is a little bit of overlap between their evidence, and it might help the Promoters to hear the whole thing.

9726. **Mr Liddell-Grainger:** Do carry on, Mr Philpott.

Mr Rupert Wheeler and Mr Roy Adams, Sworn

Examined by **Mr Philpott**

9727. **Mr Philpott:** Could I first introduce Mr Wheeler to the Committee. Mr Wheeler, could you give your full name, your qualifications and your position to the Committee.

(Mr Wheeler) My name is Rupert Wheeler. I am Chartered Architect of about 20 years' experience in private practice, many years of that have included working on a considerable number of listed buildings of all categories. I am a resident of about eight or nine years of Spitalfields.

9728. Having introduced Mr Wheeler, before I ask him to go through his matters, and I will call Mr Wheeler first to give his evidence and then Mr Adams, I would also like to introduce Mr Adams to the Committee. Mr Adams, can you give your name, relevant qualifications to the Committee, please.

(Mr Adams) My name is Roy Adams. I am an urban planner and a member of the Royal Town Planning Institute. I regard myself as a specialist in urban regeneration and major development schemes. For 10 years I was Chief Executive of Europe's largest multidiscipline firm of architects and engineers; and I am currently an Executive Director of one of the largest construction companies in the UK. I have been involved in the implementation of many large development projects, ranging across infrastructure, housing, shopping centres and stadia; and my current responsibilities include a £200 million mixed use development scheme on Brighton Marina. I was awarded an OBE in January of this year for services to urban regeneration in North Belfast, where I am chairman of a cross-community ministerial advisory panel charged with producing a development strategy for a £300 million project on a 30-acre inner-city site.

9729. I am going to begin by asking Mr Wheeler to give his evidence. Could I start, Mr Wheeler, by asking you just to summarise briefly for the Committee the issues you are going to be dealing with in your evidence.

(Mr Wheeler) I want to deal with the relative sensitivity of the two alternative shaft sites, with reference to construction issues, access issues, affects on the adjoining properties and on the listed buildings in the Spitalfields Conservation Area.

9730. If you could start then, I think you have got a note of matters you wanted to raise; if you could just pick up where you want to begin.

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(Mr Wheeler) I will deal with the considerable difficulties and adverse impacts associated with the Hanbury Street shaft which I consider there are likely to be; and that in a number of important respects the Woodseer alternative is likely to be better. I should just mention here that the further review of the Hanbury Street shaft, which you looked at last Wednesday with the council of Tower Hamlets, was not supplied to us by the Promoter until last Friday morning. We have taken some bits out of it but it has been a bit of a hurried exercise. I will not go into the engineering and curve issues that Dr Bowers dealt with last week; and have to say that a line under Bishops Square may not be a problem at all and, even if it is, the risk to be dealt with by best engineering practice; and, even if not, a revised curve which is operationally acceptable can be found. We will take it that a line through Woodseer is feasible, as referenced by page 32 of the Council's evidence, paragraph 9564.

9731. That is a reference, is it not, to the transcript of the evidence of last Wednesday?

(Mr Wheeler) Yes. I should explain to the Committee that the Woodseer site is a huge, redundant former brewery site with tracts of open ground. In fact, it is misleading to call it the Woodseer Street Option, for this reason. This is why it seems to be appropriate to look at it in depth, the reason being that it is entirely contained within the brewery; it has no access on to Woodseer Street at all.

9732. I am sorry, I think you wanted to look at some slides. Is that right?

(Mr Wheeler) Yes, slides 7 and 8, I think.

9733. I think those have been given in advance We can start off perhaps by looking at slide 7, then you can tell us which one you want to actually speak to. Slide 7 is the appropriate one to start with.¹⁷

(Mr Wheeler) Can I point out, while we are talking about this brewery site, this site did not feature at all in the early options looked at by Crossrail, and that is why we choose to dwell on it now, and I believe the Council did the same. Slide 7 in front of you, is a fairly distant view, but the orange lines are known as the Woodseer 2 option and you are obviously familiar with the base case. You will see that for much of the route as it passes through Spitalfields it actually runs entirely through the brewery site as opposed to the base case route which runs entirely through the conservation area and under a great many houses and businesses. Can we go to the next slide?

9734. Slide 8 is centred on the shaft.¹⁸

(Mr Wheeler) It is worth just dwelling on these. Your Committee made a visit to the area a couple of weeks ago, and I was on that visit. I do not know if any of the Committee here today were on that visit,

but we were shown the Hanbury Street site here, we walked around this corner, we stopped and looked at these gates here and how close these dwellings are—close, they actually immediately adjoin it—we then walked up here and as we were walking up here I asked Keith Berryman: “Are we not going to look at this site?” and I was told: “No, no, we are not going to look at that, it is not part of our presentation”, and we were hurried on. None of the Committee saw this site and we were hurried on up to this street, where we went down here and looked at the schools inside the lorry access route. I want to take you through this bit because even if you had attended the site visit you would have missed this site, which is a bit of a shame because it is fairly obvious when you walk past it.

9735. We have photographs of that, which we will look at a little later so the Committee can get an idea of what is there.

(Mr Wheeler) It is particularly peculiar because in Mr Berryman's evidence he named it as the most controversial issue on the whole project, so not to look at the site that is a critical part of it seems odd. Can I move to slides 9 and 10?

9736. Yes, start with slide 9.¹⁹ These are both showing the Option A, as it were, for how the Hanbury Street site might be worked. Is that right?

(Mr Wheeler) Yes. We have a number of sites which I have taken from the Promoter's evidence about how these sites work. This is a plan of Option A. You will see that the site is so small that lorries are shown on these two plans as having to offload in the street. Slide 11 is a photograph of a street.²⁰ Let me just dwell on this briefly. This is the lorries loading—

9737. Can we go back to slide 9?²¹

(Mr Wheeler) There is the articulated lorry unloading in the street. Here are the gates at either end which represent the other access. You can see from this plan that not only does the lorry have to unload in the street (God knows what happens when two lorries turn up!) but even these lorries cannot get on and off the site in a forward gear. Under any highway principles in a development such as this they would be obliged to get on and off site in a forward gear; they cannot be reversing out on the highway. What is not also apparent from the previous evidence we have heard from the Promoter is that, of course, this site takes up the pavement as well as much of the street while this lorry is being unloaded, so all the pedestrians are going to have to cross from the south side of the street on to the north side to access Brick Lane. There are enormous mansion blocks over here to the east and the local shopping area, the centre of the community for most of these people is Brick Lane, so there is a lot of

¹⁷ Committee Ref: A113, Woodseer Street Shaft, Alignment Option 2—Plan at Shaft (TOWHLB-32805-006).

¹⁸ Committee Ref: A113, Woodseer & Hanbury Street, Worksite Location (TOWHLB-32805-007).

¹⁹ Committee Ref: A113, Hanbury Street Shaft, Worksite Layout Sketch—Piling Operation based on Option A: Basement Option (TOWHLB-32805-008).

²⁰ Committee Ref: A113, Photograph of Hanbury Street/Spelman Street junction (TOWHLB-32805-010).

²¹ Committee Ref: A113, Hanbury Street Shaft, Worksite Layout Sketch—Piling Operation based on Option A: Basement Option (TOWHLB-32805-008).

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pedestrian traffic along here. Not only do they have to cross the street but they actually have to cross the very same street that the Promoter is bringing all his construction traffic in. Can we move to slide 10? I do not think I need go over slide 10. Let us move to slide 11.²² It makes the same point: the lorry is still unloading in the street. This is the street in question. This is the site. This building would be demolished under the Promoter's proposals. This lady here will not be able to walk up and down that pavement because that will be taken into the site area; she will have to walk over here and cross this road. These are bollards in the middle of the street. I imagine those would be moved. This is where you see that lorry parked. Obviously, it fills half the road, so this is going to have to be a one-way street of one sort or another, with traffic lights. This is a small area of landscaping; these are the flats that overlook the site and there is a little children's playground here, which is accessed off this road. Next slide, please.

9738. Just before we move on to slide 12, I understand there is a point you wanted to make about the dimensions of the lorries that were shown.

(Mr Wheeler) Yes. There are a couple of points I could develop here. This is the lorry shown. Keith Berryman made considerable play that these lorries are shown to scale. Well, they are; we have scaled them. This lorry is 15 metres. Most modern, articulated lorries and, certainly, all flat-bed loaders and so on are not 15 metres, they are 16.5 metres long. That is quite critical. That is probably the difference between the end of that lorry and the edge of the site here, in this instance. These are not accurate and they are using very old-fashioned vehicles to service this site, which I am sure will not be the case in reality. There is another point here: this plan does not show it, of course, because it is at an earlier stage of this particular development, but all these developments use a tower crane. That tower crane, to unload lorries parked in the street, will have to swing out over the public highway. That conventionally is not allowed. It also swings out over these buildings, although they use a flapping rig which means that they can possibly raise the arm so that it does not go over these houses, but whether you believe that they will do that every time is open to question. Certainly they cannot be allowed to be swinging out over the highway, and if they were to do that they would either have to do it at night time working or they would have to close the street entirely, for obvious means of safety to the public and passing traffic, and so on.

9739. If we go on to slide 13, I think this is a photograph from which we can see the entrance that is indicated on Option A.²³ Is that right?

(Mr Wheeler) Yes. Can I just go the previous one and explain the route that lorries take to get into this site, and then I will come back to this photograph.

This is a slightly different version (I am not quite sure which option this is) but it shows an articulated lorry coming in through this entrance here and, presumably, it will leave here and then turn up here and out.

9740. I am being told this is Option B. If this is slide 12, it is Option B.

(Mr Wheeler) Not the Promoter's preferred option but one of the options. Now let us go to the photograph and I will show how difficult it is going to be to get this truck in here, as it is shown. This is the road. The articulated lorry has got to come along here, it has got to turn around this bend, it has then got to turn through an opening—this will be demolished but the gates are shown here—roughly where these two windows are. So it has got to turn round here and then it has got to turn back through there. That distance is actually shorter than the lorry itself. We have got lots of eminent engineers here but I do not think even they will be able to get a lorry to bend twice to snake its way in here and into here. So they may do things to this opening, or whatever, but the point is, there have been no track plots produced by the Promoter to demonstrate that these vehicles can get on the site in this instance. In any event, the preferred option, is that these lorries, if they do not try and do that, for the whole duration of the project—the full four years—will be loaded and unloaded on the street.

9741. Is that what you want to say about slide 13?

(Mr Wheeler) Yes. We will go on to Option C now, slides 14, 15 and 16, which is, we understand, the preferred route.²⁴ Counsel for the Promoter, on page 16, paragraph 9465, last Wednesday, indicated that there is room to get lorries off the street. These plans show that this is simply not the case. Slides 14, 15 and 16 are all plans of Option C at various stages of the work. Again, not only is loading done on the street but these trucks, again, cannot get on and off the highway in their forward gear. So their preferred option is actually the worst in highways terms.

9742. That is what you wanted to say on 14, 15 and 16, is it? Do we then go on to 17?²⁵

(Mr Wheeler) Yes. Slide 17 sets out the scale of the predicted lorry movements provided by the Promoter. This shows a four-year period with the peak of about 19 months. I know we heard a statement today that this four-year period may be only a three-year period, but to those involved in the construction industry it seems very odd that the programme seems to constantly shrink with every presentation while the budget seems to constantly go up. I do not think that is quite right. This period still does not include the subsequent redevelopment of the over-site development. So, once again, that is misleading; this should run on another two years. Taking account of the redevelopment, an estimate

²² Committee Ref: A113, Hanbury Street Shaft, Worksite Layout Sketch—Piling Operation based on Option B: Above Ground Option (TOWHLB-32805-011).

²³ Committee Ref: A113, Photograph of Spelman Street/Hanbury Street junction (TOWHLB-32805-012).

²⁴ Committee Ref: A113, Hanbury Street Shaft, Worksite Layout Sketch—Piling Operation based on Option C: Combined Option (TOWHLB-32805-013).

²⁵ Committee Ref: A113, Hanbury Street Shaft Lorry Histogram—Revised Scheme (TOWHLB-32805-016).

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of, say, six years in all, of lorries seems reasonable. It should be noted that although Keith Berryman said in his evidence, page 33, 9576, that it would be a normal day-time working site, not a 24-hour site, generally speaking, it is not. That was incorrect. I refer you, in our bundle, to tab 3 page 31.

9743. This is our tab 3, 31 of 92. Is that right?

(Mr Wheeler) Yes. Can I actually go straight to 81 of 92, and I will be as brief as possible.²⁶ We have not reproduced these as slides actually, partly because we did not have time because they only arrived fairly late on, but also because it was important for the Committee to realise that this is the exact format in which these papers were produced as part of the packages delivered late on Friday last week. You will probably need to take a magnifying glass but if you can take page 81 in the middle of that presentation, there are some seven or eight categories of 24-hour working. This period runs for about seven months: February through to July/August, through 2010, according to the current programme. So that is six or seven months of 24-hour working, and that is not stuck down the bottom of a shaft or anything like that. If you look at the column entitled “Plant”, opposite the various sections that talk about 24-hour working, you will see we have got excavators with hydraulic breakers, concrete mixers, concrete pumps, compressors, generators—we all know how much noise they make—and a real killer here is this shotcrete spray pump—a lot of categories of work that will be carrying on for 24 hours, above ground and below ground. A 24-hour site needs 24-hour deliveries; it is a very, very tight site—far too tight, in our estimation. So they cannot store anything on site, which means that deliveries have to be very well-managed and they will be very frequent. A 24-hour site will also have to be lit to about 500 lux for 24 hours. So it will be daylight all the time, basically, because those are the conditions you need to run a building site—right outside windows of a number of flats in Princelet Street.

9744. On that point, so far as daytime working is concerned, how long is taken as daytime working, as you understand it?

(Mr Wheeler) As I understand, it is more conventionally 8 to 5.30. It might vary. It is a local authority applied restriction.

9745. What has been assumed here for this project?

(Mr Wheeler) Daytime, I think, they refer to 7 o’clock to 10 o’clock, do they not? If you go to the top of that page—

9746. Those are extended hours.

(Mr Wheeler) Yes. You might ask the Promoter. He does not say; he just says “days” only; he does not say what hours.

9747. I think, actually, if you go to page 31 of 92, you see, halfway down the page, “11.2 Programme Assumptions”, and then the second part of that: “Certain assumptions have been made in order to draw up the programme. These include: the programme for all surface based construction activities, ie shafts, head structures, etc is based on 5½ day, 12 hour working.”²⁷ Then there is a reference underneath that to underground construction, 7 day, 24 hour working. Assuming, therefore, that daytime working is 12 hours, I just want to ask you, so far as the need for lighting is concerned, will there be any need for lighting if it is 12 hours?

(Mr Wheeler) It depends. In February, yes.

9748. Thank you very much for that. Unless there is any other point you wanted to make on that part of our material, we come on to slide 18.²⁸ Is that right?

(Mr Wheeler) Yes, please.

9749. Which street is this?

(Mr Wheeler) These are photographs of Hanbury Street and Princelet Street. Both these streets run down and join the main route where lorries are coming and going. I think you will see how narrow the streets are. They are both one-way streets and, unfortunately, they are both heading towards the Promoter’s site. The impact on traffic here and on Brick Lane and on the businesses and the safety of pedestrians, particularly lots of children, will be enormous.

9750. Of course, we have seen this plan, which was referred to this morning, which bears a number. Sir, if you remember, there was a plan put in—GEN1001—which indicates not only, obviously, the location of the Petitioners but, also, helpfully puts the indicative lorry route on. So far as this point you were making about the impact is concerned, can you help by referring to how this interacts—

(Mr Wheeler) There is the worksite. Princelet Street here, Hanbury Street here. This is the Promoter’s access. Any jam here, any traffic lights or one-way system or any manoeuvring in and out is going to stop traffic coming down this street. This is a one-way street in this direction. This happens occasionally now when deliveries and people turn up to the cash and carry, which is a busy site here. They have their forecourt here. There was a hotel scheme refused planning permission up here recently because the council would not tolerate the coaches stopping in this street. Essentially, what is going to happen is that traffic will very frequently back up to Brick Lane here, and that will be a chaotic situation. So that is the knock-on impact of unloading lorries in the street here and businesses having to reverse vehicles in and out of this site.

²⁶ Committee Ref: A113, Simplified construction programme with plant data for noise assessment—Hanbury Street Shaft

²⁷ Committee Ref: A113, Hanbury Street Shaft Options, 11.2 Programme Assumptions, Mott MacDonald (TOWHLB-21804A-031).

²⁸ Committee Ref: A113, Photograph of Hanbury Street (TOWHLB-32805-017).

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9751. **Mr Philpott:** Sir, we are about to move on to the Woodseer site. I do not know whether you wanted to take a break.

9752. **Mr Liddell-Grainger:** I think, Mr Philpott, we will take a break for 10 minutes. The documents of Spitalfield will be A113.

9753. **Mr Philpott:** That is the bundle in its entirety?

9754. **Mr Liddell-Grainger:** Yes, please.

After a short break

9755. **Mr Philpott:** I think we had reached the stage where we were going to move on to Woodseer site itself. I think we were going to start with slide 20. Is that right?

(Mr Wheeler) Yes, slide 20.²⁹

9756. Tell us what we are looking at here, please.

(Mr Wheeler) This is Woodseer Street. This is what is known as the Woodseer Street site. This is basically the brewery complex here and it would propose that these buildings are demolished. They already have consent to demolish and a scheme to redevelop that site, so this lot is coming down anyway. To the left you have got a high brick wall there. Behind that is the car park to the cash and carry site. There are no other businesses or properties or flats or anything like that opposite the brewery site on the south side of Woodseer Street.

9757. Could you go to slide 21 next, please?³⁰

(Mr Wheeler) This is the site, by and large, shown by the Promoter as the Woodseer Street Option. These over here are the large double gates that allow the articulated lorries to get in and out of the street. It has a big, wide splayed dropped kerb for that purpose. The north extent of their site probably runs down about here. So, as the plan shows, it is a much larger area with no need to reverse out, and so on.

9758. Slide 22.³¹

(Mr Wheeler) These are the sort of trucks that occasionally get in there at the moment. You will see this is a 16.5 metre truck with six wheels at the back, not the two pairs that are shown on the Promoter's drawings. These come and go quite easily without any disruption, at the moment, to local life.

9759. Slide 23.³²

(Mr Wheeler) This is the large, splayed access I was talking about with the wide, dropped kerb. There is an alternative route of the brewery on to Buxton Street, which they might use as well if they wanted to implement a one-way system through the development, but it can be seen that traffic

management is likely to be much easier on this second site. We do not know for certain, because it has been ignored in any assessment by Crossrail of the site in their comparative study. It was said last week, page 25, paragraph 9517, that there is nothing to choose between the two sites in respect of access. I think we have demonstrated that is entirely incorrect. The assessment is incorrect for Hanbury Street and the assessment has simply not been done at all for the brewery site, Woodseer Street.

9760. We want to go back, then, with that mind, to look at the Hanbury Street site again. If we can go to slide 24, please, just tell us what we are looking at here.³³

(Mr Wheeler) This is currently the entrance to the Hanbury Street site. This is Britannia House on the right, which is not to be demolished, although this is its loading bay and its only access for vehicular access and so on, so that is going to be closed off by the development. That will obviously seriously compromise the use of Britannia House. At the back here, these are the flats. There are three storeys of them over commercial premises on the ground floor.

9761. Just pause there. If we can go on to slide 25.³⁴ Carry on; I interrupted you.

(Mr Wheeler) If you go on to the next one as well, this pans around.³⁵ These flats run all the way down to the end. This is Provenance Row Housing Association properties. It used to be the old *Hangman* pub. These walls here will go and the site will have to be cleared for Crossrail's use. The site is very constrained and working will be difficult. There are a number of flats looking directly into the site, which we have just seen on these various slides, and these poor people are now being identified as the barrier—if you like, the human shield—that protects the densely populated areas on the south side of Princelet Street. It is these residents here that the Promoter claims will therefore reduce the unacceptable noise to the remainder of the residents on Princelet Street.

9762. On that point, can you tell us what slides 27—look at that first—and then 28 show?³⁶

(Mr Wheeler) This is a view from one of the windows of those flats looking down on to the site area. What I am showing there is the shaft. That is where it is proposed to be. You will see that the people in this flat here will be looking down that shaft. So there is no point in saying that they will not hear what is going on at the bottom, because they can pretty much see all the way down it. It also

²⁹ Committee Ref: A113, Photograph of Woodseer Street (TOWHLB-32805-019).

³⁰ Committee Ref: A113, Photograph of Woodseer Street Option (TOWHLB-32805-020).

³¹ Committee Ref: A113, Photograph of 16.5m lorries at the Woodseer Street Option Site (TOWHLB-32805-021).

³² Committee Ref: A113, Photograph of alternative route from the brewery on to Buxton Street (TOWHLB-32805-022).

³³ Committee Ref: A113, Photograph of the proposed entrance to the Hanbury Street site showing Britannia House (TOWHLB-32805-023).

³⁴ Committee Ref: A113, Photograph of the proposed entrance to the Hanbury Street (TOWHLB-32805-024).

³⁵ Committee Ref: A113, Photograph of the Provenance Row Housing Association properties on Princelet Street (TOWHLB-32805-025).

³⁶ Committee Ref: A113, Photograph of Hanbury Street Option site area from Princelet Street flats (TOWHLB-32805-026).

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demonstrates that this loading bay for Britannia House is going to be cut off by this becoming a construction site.

9763. Slide 28.³⁷

(Mr Wheeler) Slide 28 looks across the site here up Spital Street here. These are the flats that are overlooking the proposed Hanbury Street construction site and this is taken from the roof, I think, of the Princelet Street properties. I do not think we need to dwell any more on that.

9764. I want to move you away from the two sites themselves to the point which, I think, in your note of the things you wanted to say brings us on to paragraph 14, and that is the question of listed buildings. I know there was discussion last week before the Committee when Tower Hamlets were here of relative distances to buildings, shielding effects, and so on, so I do not want to repeat that but we endorse the views of the council. If we can move on to the next point, which is to do with listed buildings, I think you wanted to look, in this context, at slide 30, if that could be put up.³⁸

(Mr Wheeler) Can I just mention, in respect of the Woodseer Street/Hanbury Street access, and so on, you would really think, would you not, from the Promoter's point of view, that the Woodseer Street site would be the far easier option for them, and would involve them in far less conflict with the local community on highways issues, and so on. That is the gist of our case on that; they just have not looked at that objectively at all. Let us move on. The important factors actually were not mentioned at all in Tower Hamlets' case, which was the effect on the conservation area and listed buildings. The choice of conservation area is entirely down to the local authority with central government approval, so it is rather odd that it has not turned up in their case. Here is a plan of a large number of the listed buildings. I would also point out that this does not show anything like the number of listed buildings that actually appear on that slide. This is Fournier Street, which you probably know of. Bits of it, including the mosque at this end and houses up here, actually fall within the settlement line—this line here—and they are listed buildings (I can categorically tell you that), and they are not shown on these plans and they are missing in listed buildings up here as well. So this is not the whole picture and they have not done the research yet. This is also a slightly misleading plan because it has the tunnelling shaft here and, hence, the lines splaying out here. So you will have to excuse us; we are all looking at slightly inaccurate historic information here. This is a plan of listed buildings, the purple ones are listed; you cannot see but this is black here because it is Christ Church, which is obviously Grade I listed (scheduled ancient monument and all that). Most of the rest are Grade II listed, but in here

somewhere—I think it is that one—is number 19 Princelet Street which is Grade II* listed. The Promoters have told us that settlement may be up to 28 mm—that is about 3 cm, which is about half a brick course—and that there will be cracking. We can argue till the cows come home about how much cracking but our point is that there is settlement and there will be cracking. When the Promoters made these assessments they had carried out no internal assessments and this we find amazing. One knows that the Georgian streets of Spitalfields are an absolutely unique, small area. They are lined with fairly uniform facades, generally, four storeys or five storeys. They might look very similar on the outside but it is well-known that internally the buildings are extremely diverse—diverse in their construction, their layout and their use. We were rather taken aback to hear Crossrail's engineers, when we met them early in May, describe them as “piles of bricks”. The point they were making is that they were piles of bricks held together with lime mortar and they could move around. Well, they are not “piles of bricks”; that shows a real kind of misunderstanding of what they are. Essentially, a house is bricks to the extent that it has two brick party walls, a brick front wall and a brick back wall. That is all the brickwork in these things. The actual accommodation is a timber frame structure within a brick enclosure. If you go to any single house in Spitalfields you will see the timber structure has deteriorated and moved at a very different rate to the brick structure. Every single house has floors that dip in the middle like that as the timber structure gradually settles and rots, because it will decay at a different rate. Timber will always do that; you cannot stop it, it is its natural characteristic. In addition to that, a lot of these buildings contain cast iron as their ground floors were cleared out and converted to commercial use, and in particular there are some very unique buildings, like 19 Princelet Street, and 17 Wilke Street, and the hall on Hanbury Street, where they have been converted to religious use in the past and where large structures have been built outside, or in the back gardens, as it were, over where the wells and the cesspits, and all that sort of stuff, were. These are generally cast iron, Victorian structures, and cast iron is a very brittle material indeed, and it cannot move around like the rest of the buildings. So our point, really—and Crossrail's engineers, I think, have just misunderstood this entirely—is that little bits of these buildings will settle at different rates, partly because they are of different construction and also because they will be of very different weights. The front of the building, if you take 19 Princelet Street, a brick-built structure, five storeys high, is much heavier than the old synagogue that stands behind it, which is virtually a single built storey frame structure—a very tall one but it is a framed and galleried structure. When you reactivate the settlement by taking these tunnels underneath, they will sink at different rates. Really, what Crossrail has not done in their assessments is to focus on the differential movement. They are quite happy that if we all go happily down 28mm together, holding hands together, that may

³⁷ Committee Ref: A113, Photograph of Hanbury Street Option site area taken towards Spital Street (TOWHLB-32805-027).

³⁸ Committee Ref: A113, Plan of listed buildings (TOWHLB-32805-029).

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not be a problem, but that is not how it is going to be; they are going to settle in a differential manner. They have treated all these buildings as though they are individual constructions on greenfield sites. They are not. This street here is about 100 metres. So what you have got is not a series of individual buildings; you have got one building that is 100 metres long, it is just in different ownerships. They have not taken account of that in their point. This diagram here does not show it actually but I will describe it: the settlement trough with the tunnels at the bottom of the trough. They have done settlement plans of all the individual buildings and buildings like the back of Princelet Street here, which are near the hogging, which is the kind of shoulder of the settlement, the frame structure, that is when it is going to be pulled apart, and we just do not think that a cast iron frame structure like that is going to be able to tolerate being pulled apart like that when it has a brick structure attached to one end of it and another big brick building immediately attached to the back wall of it facing on to Hanbury Street.

9765. If we can explain to the Committee why you feel that individual assessment is important, have you asked the Promoter to carry out internal inspections?

(Mr Wheeler) Representing, I think, the kind of fears of all the members of the Society, we had this meeting with the engineers in early May and we identified that we felt they had not done these assessments properly. So we challenged them, or we invited them to come down and just have a look at two or three. They obviously were not going to do so, and did not have time because of these pending proceedings, to get into all the properties, so what I did was choose two. Other people then suggested that we look at Christ Church as well, but I chose number 19 Princelet Street and I chose the Ten Bells Public House, which sits on the corner here. I chose these two simply because they are, in effect, public buildings and we could at the time get into them easily, so we were not putting Crossrail to too many problems to come and visit those two. Greg Mason, who is the architect for the refurbishment of Christ Church, came along and explained the settlement problems with Christ Church to them. So we looked at these three buildings. Crossrail has subsequently come back and out of the three they have been persuaded to review two. They were happy with their assessment of the Ten Bells. This big blue line here is the 10 millimetre settlement; this is right on the shoulder of the trough. It is a building that sits at the end of this terrace and at the end of this terrace it is subject to all sorts of other pressures of settlement and so on. It is an early Georgian Building. Crossrail's information on this building is incorrect; they labelled it as a Victorian building. Indeed, it had been refaced in Victorian times but it is a Georgian building underneath that and it sits on—it teeters on a series of cast iron columns; like all pubs the whole ground floor has been cleared out. So I think that is very sensitive, but they dismissed that.

9766. *Mr Philpott:* Mr Wheeler, I am sorry to interrupt you, but just to shorten the point, if we can, if we come on to slide 32 what we have there is the response from Mr Mantey, which gives the reaction to what they saw on this internal inspection of three of the properties.³⁹ Can you highlight to the Committee the key conclusions to which you want to draw attention?

(Mr Wheeler) As I say, they do not mention the Ten Bells, which is why I mention it, but let us get on to what they did acknowledge needed reviewing. In respect of number 19 Princelet Street they observed during the site visit that there is distress in the floor structures and panellings. I think the critical bit is further down that larger paragraph in the middle of the page, where it says, "In the light of these considerations, the technical advice to the Promoter is that he should increase the building sensitivity rank for this sensitive building from 2 to 3 and undertake further assessment to determine whether and, if so, what protective measures will be required to ensure the proper protection of the building . . ." And the Promoter accepts that advice. He then goes on in the last line of the next paragraph, "We envisage that this would be by means of structural strengthening in the way of insertion of further propping and possibly some bracing and/or ties, if necessary." Well, I ask you! Unfortunately you do not have the benefit of having been into number 19 Princelet Street, but the essence of that building is this contrast between the brick structure and the old cast-iron framed synagogue behind. You cannot stick steel beams and cross bracings in it, you will have lost the whole point of the building. It will not help the building anyway because all you are then doing is putting in rigid elements that will not be able to move when the tunnels go underneath. In Princelet Street, because it is quite a long, deep building, you get this kind of double-whammy of the tunnelling effect because of course these tunnels are being dug at different times and the subsidence happens almost immediately as the tunnels pass under the properties. So one day it will have the north tunnel going through underneath it and it will be settling to accommodate the trough for the north tunnel, and then—and I do not know how much later, it has never been identified—you will get the second tunnelling going under it and it has to resettle again, and I think this shoving it around like this is going to be the most destructive thing, and it is what I say about the differential settlement; there is no mention of differential settlement in any of Crossrail's assessments of the impact on these buildings.

9767. I understand obviously that there is other material that you have produced on this point, which I can refer to, if necessary, in closing, but what I want to do is to move on to the matters that you have at paragraph 17 of your note, which is drawing these points together, to give an overview of what you say might be the implications of this.

³⁹ Committee Ref: A113, Letter from CLRL to Mr Rupert Wheeler (TOWHLB-32805-031).

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(Mr Wheeler) Certainly. In essence, pursuing the Woodseer route may well be better for Crossrail and a high concentration of the country's heritage in this conservation area. It is bigger with apparently easier access, the potential for greater over site development and minimises the risk to these fragile buildings in the conservation area, and therefore the cost of the protected measures and repairs. That the Promoters have not properly assessed this alternative or the comparative benefits it may bring. I have only shown them two of these listed buildings. I am inspired to show them many more now that we have found that two out of the there that we looked at need reassessing.

9768. If we can move on to what you say from your perspective might be the implications of this for the southern route?

(Mr Wheeler) This is implications for the reliability of the assessment of the southern route. The Crossrail report produced at our insistence in 2004 gives four other options. One was the southern route, referred to already, and the other three to the north of Hanbury Street, including Woodseer Street. In respect of all these latter three it was said that the curve would not work. The Promoters produced three alignments therefore where the rail lines were at such a radius that the trains would fall off the line. Is that an option? I do not think so. I would assume that a competent rail engineer asked to undertake a genuine objective consideration of different options would not produce three where the trains left the tracks. I assume that such a person would look at a curve which does work. In fact Roy Adams and I produced what is actually now known as the "Woodseer's tube option", which you looked at with Tower Hamlets last week. It was done sitting at my kitchen table because—not that we are experts in this, far from it—you could see very clearly how the line could be optimised. We knew it could be done but Crossrail kept saying it could not be. We then had to give it to Tower Hamlets for them to insist that it was looked at, and I can do no better than refer the Committee to what Dr Bowers says about the conclusions on the options produced by Crossrail. I was going to refer to Dr Bowers' text.

9769. **Mr Philpott:** Sir, you had that last week.

9770. **Mr Liddell-Grainger:** I think we have had that, thank you very much.

(Mr Wheeler) I will skip that, if you could make a note of the reference that I was referring to. The further report of June 2006 in your bundle will need further analysis by us and Arup's, as was said in last week's analysis, page 11 paragraph 9440. Tower Hamlets as well are not persuaded that the GOMMMS report is robust, and we are persuaded that it most certainly is not.

9771. Finally, if you can summarise your position, please?

(Mr Wheeler) In short I consider that the work done by Arup on behalf of Tower Hamlets has undermined the credibility and the reliability of the

Promoter's assessment of these alternatives. If I was funding the project—and I actually assume that you and I as tax payers will be funding the project—I would not consider it until the route had been optimised. What we ask is that the Promoter should be asked to look and assess Hanbury Street and Woodseer Street again, together with the southern route in particular, and to do so in a way that is just, demonstrably objective, thorough and fair.

9772. **Mr Philpott:** Thank you very much, Mr Wheeler. Sir, I was then going to move on to Mr Adams.

9773. **Mr Liddell-Grainger:** Yes.

9774. **Mr Philpott:** Mr Adams, you have given your qualifications and experience already and I wonder if you could see your note of the matters you want to cover? If you could pick that up from paragraph 2?

(Mr Adams) When we first heard of the Crossrail scheme it was not through any information provided directly by Crossrail but through word of mouth from people who were not really sure what it meant. The Society demanded a meeting which was attended by Mr Keith Berryman and others in a church hall in Hanbury Street, Spitalfields, in March 2004, and we were astounded by several findings. First, that nobody in the locality knew what the proposal was actually about. Many people did not even know that there were any proposals let alone a plan with such enormous consequences, tunnelling from the bottom of that same street, for digging an enormous hole, which I could only describe to some neighbours from the Bangladeshi community as the equivalent of digging a hole big enough to put in one of the towers of Tower Bridge and then to build that tower in it. It may be a building slightly less than half the tower but it is still a big hole, in addition to running the route through the heart of the area. The second thing that astounded us is that when we asked to see data on above ground or environmental impact it became clear that not only had no Environmental Statement been prepared before the choice of the route, but that no environmental impact had been considered at all. This can be evidenced in a couple of ways, if we look quickly at slide 5, not wishing to take up too much time—it does not need detailed scrutiny.⁴⁰ Slide 5 is just a map with some buildings on and there you will see the area that you have seen on several slides before. You can see a very tight greying of the area and those big grey blobs are the sites that were considered as options for the shaft. I do not know if the person who produced that had actually gone around and looked at these sites but it could well have been done on the basis of looking at a plan in the office because two of these sites were in or abutting the conservation area and all, with the exception of Corbet Place, which is part of Truman's Brewery, up

⁴⁰ Committee Ref: A113, Potential vent shaft locations (TOWHLB-32805-036).

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to the top left hand corner of the slide were surrounded by closely packed housing, much of it listed, and restaurants. Referring to slide 6.⁴¹

9775. This is an extract from a meeting. Do you know the date of that meeting?

(Mr Adams) The meeting was held later, in 2004; I cannot tell you precisely the date, right away—I am sure it can be found. It was at some time after the first meeting. A further meeting was held with local residents at which the question was asked of Mr Berryman, “Where are the detailed studies showing environmental impact now that we are several months into round 2?” Mr Berryman replied, “There is no data on this area as such but the environmental impact is a consideration.” If you live there it is indeed a consideration, but it was not sufficient consideration for Mr Berryman and his colleagues to have made progress on the assessment in the interim. Mr Berryman went on to say, “We do not have site-specific data.” The third reason that we were all rather incredulous is that, as you may know, the Truman Brewery has been redundant to its former use for over a decade. The site is designated an action area for development in the Unitary Development Plan for Tower Hamlets. There had been a safeguarded route through part of the brewery since the early 1990s for the original Crossrail scheme, and this appeared on legal searches until the spring of 2004, which was after the date when we had first met Crossrail to learn of the new proposal. So we were a bit incredulous at the initial meeting that the announcement on a safeguarded route for Crossrail through the brewery was to be lifted from the proposed action area and conferred on to a conservation area, or at least an area of high owner occupation where conservation is a priority, namely around Fournier Street, Princelet Street and Hanbury Street—both the upper and lower parts of those streets. A fourth reaction was the obvious conclusion that routing options had not and still to this day, in our opinion, have not been adequately considered, and certainly had not then, particularly in terms of their above ground impacts but also on engineering grounds. I will return to that shortly. So there is no surprise that the Spitalfields Society and other local groups and individuals began to question these proposals and the assumptions behind them much more vigorously in what I could only describe as at times a David versus Goliath battle to get at the true facts. Our battle is focused on three things: tunnelling, the shaft and the impact of the route. If it is okay I will discuss each of them briefly in turn and I will avoid any duplication, I hope, with what my friend Rupert has been saying. In terms of tunnelling it seems that the tunnelling issue has largely disappeared because the decision not to tunnel from Hanbury Street has been taken and, as you may know, the Society and its advisers argued from the outset that no adit was necessary to Hanbury Street and that the running tunnels could be dug westwards to Holborn directly from Pudding

Mill Lane. Crossrail’s reaction to this proposal was obdurate; they stated that it would cause a delay of two years and a substantial extra cost with the figures ranging from £500 million to over £1 billion in funding charges.

9776. The tunnelling, you have explained the basic position on that. I want to move on to the shaft because that is obviously still very much an issue.

(Mr Adams) I do not want to say too much about the shaft; Rupert Wheeler has talked about it in detail. I would only say simply that a 13 metre in diameter, 30 metre deep hole is still a large element to dig and build out in a dense community with narrow streets much used by children. It is the equivalent of a 10-storey building. So I do not really want to dwell on it or to waste the Committee’s time.

9777. If we then move on to the route.

(Mr Adams) The Crossrail choice of the base scheme route was arrived at and property safeguarding transfer without any assessment of above ground impact. Therefore it was impossible to know if the base scheme had the best or the worst above ground impact of any of those options considered and drawn by Mott MacDonald, Crossrail’s engineering consultant. Crossrail is not just any development scheme, it is perhaps the largest engineering scheme currently proposed in Western Europe and yet, as stated previously, no Environmental Statement was prepared before the choice of route was made. Presently, as mentioned before lunch, I have responsibility for the implementation of a £200 million mixed-use development scheme in Brighton Marina. It is an early design stage and last week I instructed the eminent firms of architects and engineers employed by my company that they were not simply to fall in love with the first concept they thought of, but were to ensure that optional concepts were to be studied and to be informed by the environmental and sustainability assessment. Why should this enormous engineering project of Crossrail be exempt from such consideration at the appropriate stage and be allowed to adopt what can only be interpreted as a practice of retro-fit, because everything that we have seen all the way along is a policy above ground of retro-fit. Crossrail only evaluated the strengths and weaknesses of the Woodseer Street option after pressure from Tower Hamlets and the local community, and in appraising their three northern options, particularly the most promising of these, which at that time was referred to as Option A, the Mott Macdonald report underplays the engineering benefits of the option and exaggerates the engineering disadvantages. For example, the report cites the difficulties of conflict with the piled foundations under the Truman Brewery as a reason why tunnel depth would have to increase by seven metres, thus penetrating the water bearing sands of the Lambeth Group, about which you heard last week from Dr Bowers. So the point I am making here is that in several reports Crossrail’s engineers were making statements which did not

⁴¹ Committee Ref: A113, Extract from a meeting note with Mr Keith Berryman and Spitalfields residents, 5 May 2004 (TOWHLB-32805-037).

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only turn out to be not correct in fact but were self-contradictory, because in the same document they stated in addition to saying that the depth of the tunnel would have to increase by seven metres they also said that the size and depth of the piles on this site are unknown. One could also point out that the 1990 scheme, which linked Paddington to Liverpool Street Station, was due to exit its underground length by a portal at Allen Gardens—and I am assuming you have some idea now where that is in the original route flow, so I do not want to waste time on it. But that route went under some of the tallest buildings in the brewery. So, if then why not now? Engineers from Arup, employed by Tower Hamlets to review the findings of the Mott MacDonald's report, found this report unconvincing and the arguments not proven. Dr Bowers has had a detailed and professional opinion to the engineering matters in his evidence last week. But I would not want to convey the impression that this is just a case of Hanbury Street versus Woodseer Street. Now that the connection with Pedley Street is not required other options are opened, particularly a route to the south. We asked Crossrail to consider a southern route; they had not done so in their initial assessment when they chose the base case route.

9778. I think you wanted to look at slide 1, is that right? Tell us what we are looking at here.⁴²

(Mr Adams) What you can see about the middle of the slide is the base case route and to the bottom of the slide the blue curving shape is the southern option that was considered by Crossrail and their engineers, Mott MacDonald. This route is described as Option D in the Mott MacDonald report. It is shown in blue. Liverpool Street is just off the plan to the left and the reason for the generous curve from left to right is the desire to avoid the foundations of buildings in Cutlers Gardens, Cutlers Gardens being the red group of buildings to the very left hand side of the image.

9779. You then provided in slide 2 an extract from the report by Dr Bowers of Arup, commenting on the reasons that Crossrail gave for rejecting this route.⁴³

(Mr Adams) If we can focus in on A45 and A46, I do not want to waste the Committee's time by reading them through but just to draw your attention to two statements in those paragraphs. If you look at the bottom of A45 you will see, "If the constraint of launching tunnel drives in this area were removed then this fundamental objection to Option D (or any other southerly route) is removed." Then at the beginning of the following paragraph, "It is also noted that Option D might require a line closure of the Metropolitan Line for construction." Then at the bottom of that paragraph Dr Bowers effectively dismisses that as a constraint, pointing to experience with the construction of the CTRL, where a not dissimilar strategy was

employed with success. I would just like to draw the Committee's attention to slide 3 because one of the things we were forced to do as a group of residents was to take the Mott MacDonald report and refer it to our own consultant, and we enlisted the services of Dr Mohsen Vaziri of consulting engineers, Whitbybird, and this time I do want to read to you these few paragraphs because they are very important.⁴⁴ So I am reading the bottom three paragraphs of this note. Referring to the Mott MacDonald drawing, "With reference to the drawing, the base scheme crosses over or nearer more than 20 listed buildings, more than en pile buildings and four sensitive sites; whereas the southern route option crosses over or near one listed building, four pile buildings and four sensitive sites. With regard to the piled buildings it is interesting to note that three of the four piled buildings identified along the southern route also lie on the base case scheme and the only piled building identified near the southern route is Cutlers Gardens. The Mott MacDonald report admits that the foundation constraints along the southern route have not been identified fully and that a vertical alignment could be achieved subject to further study. Therefore, in conclusion," said Dr Vaziri, "based upon the attached drawing and the Optioneering Report, there is not enough information to dismiss the southern route option on the basis of the presence of deep piles along or near the route. I recommend that a study be commissioned in order to assess the feasibility of a vertical alignment for the southern option."

9780. I understand that that was put to Crossrail; is that right?

(Mr Adams) It was.

9781. Slide 4.⁴⁵

(Mr Adams) The reaction of Crossrail is in the bottom paragraph of that letter, which says, "No further work is being undertaken on any other sites within the Truman Brewery and following on from the study on the southern route no further work is being done on the southern route alignment." So the door seems closed. The evidence given there by Dr Vaziri really supports the evidence given last week by Dr Bowers, who pointed out that although there are deep piles which have relevance for a potential route, there are mitigating measures that could be taken, and potentially an even more direct route from Liverpool Street to the station at Whitechapel.

9782. You had reached paragraph 24 of your note on the last page.

(Mr Adams) I would simply ask Crossrail how many eminent opinions does it take to prove to you that in the light of the now changed parameters of

⁴² Committee Ref: A113, Hanbury Street Shaft, Alignment Options—Option D (TOWHLB-32805-032).

⁴³ Committee Ref: A113, Extract from Arup Report, A45 and A46 (TOWHLB-32805-033).

⁴⁴ Committee Ref: A113, Letter from Dr Mohsen Vaziri, Whitbybird regarding Crossrail 1: Southern alignment alternative: Liverpool Street to Whitechapel Station, 7 September 2004 (TOWHLB-32805-034).

⁴⁵ Committee Ref: A113, Letter from CLRL regarding Crossrail through Spitalfields, 1 October 2004 (TOWHLB-32805-035).

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Crossrail link it would be worthwhile to readdress this issue of the southern route. As I understand it, the normal sequence of consideration in any decision-making activity is to postulate options, to examine them against specific criteria and then to select the optimum solution. Yet one has the impression that the Promoters of this scheme consistently and throughout our involvement have gone to great lengths to retro-fit the arguments to suit the base case. Mr Berryman said last week—page 36, paragraph 9597—that he was completely satisfied that the revised Environmental Statement would show that Hanbury Street scheme is better. I would say better than what? What is the source of such confidence if supposedly objective studies have not yet been completed? Is it to do with the narrowness of the engineering criteria that was set for the project or could it be that minds have already been made up a long time ago? I think it is inappropriate and dangerous to pre-judge an issue of such sensitivity and with such an impact on people's lives. It is imperative that the engineering and planning team go back to basics, do the assessment thoroughly, take account of above ground as well as below ground issues. Simply because Mr Berryman or the team is fed up with looking at options and wants a decision made—page 39, paragraph 9958 last week—it is not good enough. The Environmental Statement has to be undertaken in conjunction with revised engineering considerations.

9783. If you could draw that together into your conclusions, please?

(Mr Adams) I would say that it is simply not possible now to say with any degree of confidence that the Hanbury Street route is the best solution. We are asking respectfully but determinedly that firstly the shaft sites and the base scheme be reassessed in the light of changes in tunnelling strategy, and the belated consideration of above ground impacts. Secondly, that the viable options to the north and south of the base case route are looked at in sufficient detail for all the issues to be understood and resolved and that this exercise is done thoroughly and objectively across all the criteria. Failing to take these steps now will lead to further uncertainty, resentment and possibly additional delays and costs as the sponsors seek to move towards implementation, and inadequately consider it an ill-founded scheme in so far as it affects the area between Liverpool Street and Whitechapel.

9784. **Mr Philpott:** Thank you very much for that, Mr Adams. Sir, that is the evidence from my witnesses.

The witnesses withdrew

9785. **Mr Liddell-Grainger:** Thank you, Mr Philpott. Given the time, which is 12.53, I intend to adjourn the Committee until 2.30, unless you want to come in very briefly, Mr Elvin.

9786. **Mr Elvin:** I was going to say to the Committee that there are a large number of misconceptions, which have been evident in the evidence presented by the Society. I think the easiest way of dealing with that, rather than challenging every single item and taking up a lot of time, is to deal with it by calling my own witnesses. I do not therefore propose to cross-examine these witnesses, but to have matters explained that they have raised by my own witnesses, unless the Committee requires me to do otherwise.

9787. **Mr Liddell-Grainger:** I am quite happy with that, Mr Elvin. I therefore call the Committee to order. We will re-sit at 2.30 this afternoon.

After a short adjournment

9788. **Mr Liddell-Grainger:** Mr Elvin?

9789. **Mr Elvin:** Sir, I will call Mr Berryman first. Before I do so, can I just make one point clear and this is really for the Petitioners' benefit because these are matters the Committee already knows. I am not going to call generic settlement evidence, but I will call a settlement witness to deal with individual properties as they arise. Can I just remind the Committee that the position with regard to settlement was dealt with generically by Professor Mair on Day 8 and can I remind the Committee that it is Day 8, paragraphs 2390 to 2403 of his presentation and, in particular, in the Information Paper D12 which also has a specific section dealing with Listed buildings and the fact that Listed buildings will be subject to the more detailed Stage 3 assessment.⁴⁶ There is something which the Committee may not have picked up because it only appeared in correspondence last week—and I am going to bounce this on Mr Fry, so I hope he is quick on the ball, 21804-C, page 3.⁴⁷ Part of the agreement with Tower Hamlets which made them not raise this, and perhaps we can zoom in on 11 please, we have agreed with Tower Hamlets that the Stage 3 settlement reports will be made available to each individual property owner to whom the report relates. If they wish to see the individual settlement reports for their own properties, those will be made available and can I make it clear that if anyone then has any individual queries about the reports and wants them reviewed, I can give an assurance to the Committee that that will be done. Therefore, so far as the individual Listed buildings are concerned (a) they are subject to reports (b) those reports are available, and (c) they can be discussed if owners ask for them to be released. Sir, I do not propose to say anything more on generic settlement issues.

9790. **Mr Liddell-Grainger:** I am sure the Petitioners have realised now that that is the case, Mr Elvin, and thank you for clarifying that situation and putting it on the record. Please continue.

⁴⁶ Crossrail Information Paper D12—Ground Settlement, <http://billdocuments.crossrail.co.uk>

⁴⁷ Crossrail Ref: P89, Tower Hamlets Stage 3 settlement reports (TOWHLB-21804C-003).

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9791. **Mr Elvin:** In which case, I will now come to Mr Berryman, whom the Committee is familiar with. I will ask him to deal with a number of the issues arising from the evidence that has been heard this morning.

Mr Keith Berryman, recalled

Examined by **Mr Elvin**

9792. **Mr Elvin:** Mr Berryman, firstly, concern was raised by Dr Pedretti with regard to safeguarding, and we saw the plan which she had an overlay for with a black area from the draft LDF for Tower Hamlets. Can you just explain very briefly what the role of the safeguarding of the route was?

(Mr Berryman) Yes, the role of safeguarding was, and is, to allow planning control to be exercised over the sites which are over the proposed Crossrail tunnels. The reason for that is clearly that we do not want buildings to be built on the various sites which will obstruct the tunnels. The overwhelming majority of planning applications which are made for buildings above the tunnels are for straightforward buildings with no deep foundations, and we receive about 250 enquiries a month relating to what I would call normal, low-rise buildings which are over the alignments. A very few of those buildings are proposing deep foundations and where that is the case we work with the local authority and the building owner to condition the planning application in such a way that construction of our tunnels in the future is not going to be prevented. That is really the only function of safeguarding. It does not have any other statutory functions to fulfil other than that.

9793. It does not confer on you the right to build or anything of that description?

(Mr Berryman) No, it does not. It does not give us anything other than the right to object to a planning application which is made for a building on the alignments.

9794. Secondly, in terms of safeguarding, are issues arising on safeguarding infrequent?

(Mr Berryman) Issues which arise on safeguarding are very infrequent. As I say, we get about 250 enquiries a month. If one or two of those a year gets referred to me, I would be surprised because most of them are very routine and they just go through.

9795. Can I move on then to the next issue and can I ask about the issue of the alignment. It was suggested at various points that sufficient consideration had not been given for the alignment of the route east of Liverpool Street. I know, Mr Berryman, that in some respects it has been suggested that Whitechapel Station should not be there, that there should not be a Whitechapel Station for Crossrail, but can you just explain (a) how the alignment was chosen, as briefly as you can, and (b) the extent to which other alignments were

considered, other than the two Woodseer Street alignments, which the Committee heard about last week?

(Mr Berryman) Yes, the alignment has to fit in with certain design parameters. We have a desirable minimum radius and an absolute minimum radius and they are related to the speed of trains which will be running over the tracks at that location. The alignment has to pass through sites which are suitable for ventilation and intervention shafts, and the alignment has to link the fixed points, which on a railway of course are the stations and in this case it would be Liverpool Street Station and Whitechapel Station. Within those constraints, one can play about considerably with the alignments. Very often in central London, the crucial thing is actually finding a location for a shaft and finding a site which is on the surface where a shaft can be built without knocking down too many properties and without causing too much disruption. Obviously in central London that is not always easy and you can see in this case an example of an area of London where it has been quite difficult to identify shaft sites.

9796. Can I ask Mr Fry please to put up from Volume 4A of the Environmental Statement plan C7(i) and could we zoom in on Liverpool Street and east of Liverpool Street please.⁴⁸ The Crossrail tunnels leave Liverpool Street where they do and can I just ask, firstly, what would happen if one were to take a straighter route towards Whitechapel? Are there any matters in that route which might give rise to cause for concern?

(Mr Berryman) Well, actually this route that we selected is relatively close to a straight line between the end of Liverpool Street Station and the end of Whitechapel Station. The issue is that the two stations are on different orientations. In other words, Liverpool Street Station does not point towards Whitechapel Station and vice versa, Whitechapel Station does not point towards Liverpool Street Station, so we have to put an “S” bend in to get from the orientation of one station round to the orientation of the other station. If you were to go straight across, as you described it, the first problem you would have is that there are a number of deeply piled buildings quite close to Liverpool Street at this location and you would still have to introduce the “S” bend at some point on the route, and that brings a number of problems in terms of alignments, radiused curves and so on which can be provided.

9797. Just to remind ourselves, the yellow shading on this plan is all Conservation Area?

(Mr Berryman) That is correct, yes, and the purple stuff is Listed buildings of one sort or another.

9798. Which includes, as we can see, Christ Church which, because it is in dark purple, we know is a Grade I Listed building.

⁴⁸ Crossrail Environmental Statement Volume 4A, Liverpool Street—Key Environmental Features, Map C7(i) [http://billdocuments.crossrail.co.uk \(LINEWD-ES16-031\)](http://billdocuments.crossrail.co.uk (LINEWD-ES16-031))

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(Mr Berryman) That is correct, yes.

9799. What time was spent, therefore, looking, for example, at the southern alignment because the Committee was referred to a letter from a Mr Mantey which said, "We do not propose to do any further work on the southern alignment". What actually has been done?

(Mr Berryman) We developed four options for the southern alignment. They are all basic variations on the theme. First of all, they are all longer than the alignment which is in the Bill which obviously adds to the cost and is undesirable anyway. Secondly, it is even more difficult to locate a site for a shaft along the proposed southern route than it is in the northern area primarily because there are quite a number of schools and other similar educational establishments, but also because you are much closer to Mile End Road and you have got even more of a matrix of buildings and traffic movements in the area. Therefore, we looked at the four options and appraised them. A statement was made this morning that we appraised three of them where the trains would have fallen off the tracks. Clearly that is not the case. Three of the ones we appraised had substandard curves, but that does not mean that trains will fall off the track; it means that it leads to long-term maintenance problems and speed reductions for the trains using the tracks.

9800. One of the constant criticisms which has been made this morning is that enough time and effort has not been spent looking in detail at this particular area. Just putting aside what proportion of the total project this area comprises, can you give the Committee some idea of how much time and effort has gone into this?

(Mr Berryman) Well, for the short section between Liverpool Street and Whitechapel about 25 per cent of the total resource spent on alignment design has been spent on that short section. It is over 20,000 man hours for Mott MacDonald, our principal consulting engineers, at least an equivalent amount for our other consultants who do subsidiary work to that and probably half as much again for our own staff, so it has been a very considerable number of nine years which has been spent on looking at the alignments in this particular area.

9801. Leading on from that, it was constantly being suggested by the Spitalfields Society that you had retrofitted the assessments to preconceptions. Would you like to comment on that in the context of the design process and the assessment process that was carried out, Mr Berryman?

(Mr Berryman) One of the features of the design of anything, and I am sure Mr Wheeler would know about this probably better than I, is that you have a first stab at design and you assess it against the criteria that you set yourself to see if you need the criteria. In other words, you do an appraisal of what you have come up with as the first design and if you can improve on that, you keep improving on it. If you get to a point where you are appraising something and it is meeting all the requirements you

have set and there does not appear to be a better way, that is the end of the design process and from then on it is just a task of working it up into detail and construction drawings. I should add that the environmental impact assessment can only really be finalised when you have got a design to assess, so the formal document that has been produced and you have seen cannot really be done until the design is, to all intents and purposes, complete, but the work that goes on behind that formal document is being done all the time and is an integral and inherent part of the design process.

9802. The Environmental Statement or at least the first and main Environmental Statement was published with the Bill in February of last year, February 2005. Was any technical work done to support the decisions that were being made and to consider the impacts of the proposals before the Environmental Statement was produced?

(Mr Berryman) Yes. In fact all of the work which was described and summarised in the Environmental Statement, it goes without saying, was done before the Environmental Statement was produced. You cannot produce the Environmental Statement unless you have got something to appraise. The process of fixing the design and doing the environment appraisal is a continuous one and it is an iterative loop which goes on right until the design is finalised and the Environmental Statement can be produced.

9803. The next question which runs on from that is in terms of the retrofit argument that consultation was effectively a worthless exercise because all outcomes were predetermined. Did consultation lead to any changes in any part of the scheme, Mr Berryman?

(Mr Berryman) Yes, it led to quite a number of changes in different parts of the scheme. I suppose the biggest single one was in the change to the location of the portal which is now in Pudding Mill Lane. That was moved about one kilometre further east as a result of the consultation process. Other areas were to do with shafts in the Woolwich area and issues about station design in quite a number of locations which led to changes to the design because people were able to point out options which we had either not considered or factors which we had not fully appreciated were important when we had done our initial design, so in those cases we have always changed the design.

9804. Can I also ask you this: is the scheme currently before the Committee identical to the base case which Crossrail published when it published its business case two years ago?

(Mr Berryman) No, it is not. As a result of various things which have happened since that business case was published two years ago, there have been a number of very significant changes to the design, notably the dropping of a complete branch out in the west of London.

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9805. And, as the Committee knows, the termination of the proposals at Abbey Wood rather than Ebbsfleet?

(Mr Berryman) That is right, yes.

9806. Can we just put up the report on consultation and can we zoom in please at the bottom right-hand corner.⁴⁹ We can see there that this is the overall Crossrail report on the consultation that was carried out in terms of visitor centres and we can see for round one and round two the numbers of visitors. Mr Berryman, you can confirm this in a moment if you need to, but it is clear that, of all the London boroughs, Tower Hamlets had the greatest number of total visitors visiting its centres for both rounds of consultation?

(Mr Berryman) Yes, that is true. In addition to that and not part of this round, we set up an information centre nearby which was open for a period of several weeks.

9807. Can I then turn please to the question of whether any consideration was given to options other than Hanbury Street, and ask Mr Fry to put up Supplementary Environmental Statement Volume 1 of 2005, page 624 and could we go to paragraph 6.2.5 just to set the context.⁵⁰ We can there see at 6.2.4 and 6.2.5 that the options initially considered are set out in the main ES, that the Hanbury Street shaft location was initially fixed after reviewing six other potential sites in the area. It then refers to the opposite page and figure 6.1.⁵¹ Can you just describe briefly what the position was?

(Mr Berryman) Yes, the sites that we considered there were Hanbury Street, which was number seven, which is the site that was selected, number one is the cash-and-carry store which was across the road from Hanbury Street, number eight is part of the old bottling plant of the Trumans Brewery site and number five is another part of that site. Four, three and two are smaller sites which are located within a residential area and they are all warehouses or buildings of that sort, non-residential buildings. You can see, I think, even by inspection of the map, but certainly by inspection on the ground, that those three small sites, two, three and four, are just not really ever going to be suitable on residential streets and so on. We later considered site six which is marked there, which is the Woodseer Street site which we have been talking about. Basically, what we found with all of these sites, one, six, eight and five, was that they introduced curves in the alignment which were sharper than the curves which our preferred design standard calls for.

9808. And that was an issue which was dealt with in the Tower Hamlets hearing last week?

⁴⁹ Crossrail Ref: P89, London Borough of Tower Hamlets Consultation Figures (SCN-20060613-008).

⁵⁰ Crossrail Supplementary Environmental Statement, Hanbury Street shaft, paras 6.2.5–6.2.6, <http://billdocuments.crossrail.co.uk> (SCN-20060613-009).

⁵¹ Crossrail Ref: P89, Cash & Carry Warehouse Site (SCN-20060613-010).

(Mr Berryman) Indeed.

9809. Although in the context of Woodseer Street, a new alignment option was looked at, you explained to the Committee last week what the engineering issues were for piling it, the Bishops Square development and the issues that arose with regard to that?

(Mr Berryman) Indeed, yes. If the Bishops Square development was not there, it would be possible to generate an alignment for Woodseer Street which was adequate, probably still not as good as Hanbury Street, but adequate.

9810. Keeping that plan there for the moment just because it allows us to look at the comparative locations, it was being suggested that, by reference to the layout for Hanbury Street, lorries could not be easily got on to the site. Are any of those layout options, A to C, set in stone or immutable in any way?

(Mr Berryman) Not at all. Indeed the form of development above the shaft head is not fixed yet in any event. The decision as to whether to have sub-surface plant rooms or above-surface plant rooms has not been made. All of those things will influence the site layout. The arrangements for traffic and so on are all still to be finalised as what we are showing is illustrative at this stage, and, generally speaking, we are only looking at this stage at outline planning, not detailed.

9811. I am just going to ask you to look at the map for lorry routing please, which is the main Environmental Statement Volume 8, map C8(iv).⁵² While that is being put up, we saw from the photographs produced by the Spitalfields Society a number of articulated vehicles on the Woodseer Street site. Is Spital Street and the route which is to be used by Crossrail traffic already trafficked by lorries at all?

(Mr Berryman) It is indeed. The several times I have been down there I have seen very heavy lorries going up and down Spital Street presumably to park in the back of the Trumans Brewery site, though I am not quite sure where they go.

9812. In terms of the very largest lorries, can you give the Committee a feel for how many times they will be required and what they will be required for?

(Mr Berryman) I think it is extremely unlikely that any lorries of the dimensions shown on Mr Wheeler's photograph would be used by us. The material that would be delivered by articulated lorry, if it is delivered in that way, would be reinforcing steel. The majority of the deliveries would be of concrete, which would be in an ordinary concrete truck mixer, and empty lorries coming to take spoil away from the site. Flat-bed lorries of the type shown, as I say, would be used mainly for delivering reinforcing steel and possibly some other specialist equipment, but these would be relatively

⁵² Crossrail Environmental Statement, Volume 8, Whitechapel Station, Transport and Access—Map C8(iv) <http://billdocuments.crossrail.co.uk> (LINEWD-ES44-014).

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rare visits. I think on our histogram we are showing one a day for the duration of most of the works with possibly two a day for a few months, but I would be very surprised if our heavy lorries exceeded that number.

9813. Here we have at last the plan showing the lorry routing up towards Hanbury Street from Greatorex Street and then up Spital Street, Allen Gardens, Buxton Street and back. Concern was expressed that, if there were problems, traffic might somehow get into more local streets, Brick Lane and the like. Could you give me your views on that please.

(Mr Berryman) Certainly our traffic would not. There is a very well established code of practice which is used by many, many sites and construction companies to follow prescribed lorry routes. You will have seen signs as you go around the country, "Construction traffic this way" and so on, and they are usually rigidly adhered to, so we can be reasonably confident that our lorries will use the routes shown there with the arrows. I guess what Mr Wheeler and Mr Adams might have been concerned about is that in some way we would block the road so that Hanbury Street, which runs one way from left to right in this slide, would get blocked up, but, as I have said, the number of big lorries that would be making deliveries to the Hanbury Street site would be very small and would be controlled by banksmen. There is no question of having traffic lights or a single line blocking off part of the road there, but it would be that a lorry would just come in, quickly unload and then go away again.

9814. I just then wanted to ask you about implications for the footpath which were raised. Can we focus in on the right-hand side of the page please. This is Volume 8 still of the Environmental Statement dealing with the assessment of the Hanbury Street worksite, 9.3.5 and 9.3.6.⁵³ We can see here that the Environmental Statement specifically considers the implications of the use of the Hanbury Street site for the footway and we can see that there will be closure for the works, pedestrians will be diverted, a zebra crossing to provide a safe criss-cross point and the like, so the issue is dealt with in the Environmental Statement.

(Mr Berryman) Indeed.

9815. Are Tower Hamlets content with that as an issue?

(Mr Berryman) Yes, they appear to be.

9816. Finally, the question of working hours was raised. Certain assumptions appear in the table that was referred to this morning. What is the current position on working hours, Mr Berryman?

(Mr Berryman) Well, we are trying to develop a policy which will apply across the whole of London, across all the local authority areas. Westminster City Council is the lead authority in this matter and we are getting very close to an agreement with them

which is likely to be along the lines that working hours will be eight in the morning until six in the evening, normal working hours. That is going to be hopefully finalised in the next few weeks and that will apply across the whole of the project, not just this area.

9817. Finally, just flowing from that, it was suggested that if there is working during the night and, as Mr Philpott kindly pointed out, underground working 24 hours, would high levels of illumination have to spill upwards and illuminate the surrounding houses?

(Mr Berryman) No, they do not. The lighting levels that would be required would be at ground level and, with modern lighting design, it is possible to achieve those kinds of levels without very excessive light spillage. The whole site would not need to be illuminated at that level and it would only be the walkways to allow access to the shaft and so on.

9818. Mr Berryman, thank you very much.

Cross-examined by **Mr Philpott**

9819. **Mr Philpott:** I am going to start off with just some matters of general chronology, if I can, picking up a point you touched on in your evidence-in-chief about the order in which decisions were made relative to the environmental information which was available. Do you recall that?

(Mr Berryman) Yes.

9820. You have seen during the course of our evidence slide number 6, and perhaps I can just ask for that to be put up please.⁵⁴ This was an extract from a meeting note taken by my clients of a meeting which I understand took place on May 5 2004, and I said I would give that date when that matter came up. The particular point which was focused on was the passage half-way down the page to do with the amount of environmental information then available. Do you recall that?

(Mr Berryman) I do recall it. It is not in front of me today of course, but I do recall it.

9821. You have not, I think, taken the opportunity in your examination-in-chief to say if that was an incorrect recollection or note of what you said.

(Mr Berryman) Well, can I take the opportunity now of saying that it is a selective note. I am not suggesting that it is inaccurate, but it is certainly amidst a lot of things which were said.

9822. It is the question that begins "there are families living on Hanbury Street". The answer which is given, I take your point you say there were other things said, "There is no data on this area as such that the environmental impact is a consideration. We are working on a lot of sites. I am coordinating this. You can ask specific questions but we do not

⁵³ Crossrail Environmental Statement, Volume 8, Hanbury Street worksite, paras 9.3.5 and 9.3.6 <http://billdocuments.crossrail.co.uk> (LINEWD-ES44-004).

⁵⁴ Committee Ref: A113, Extract from a meeting note with Mr Keith Berryman and Spitalfields residents, 5 May 2004 (TOWHLB-32805-037).

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have site-specific information”. So far as that answer goes, that was the condition at that time, is that right? There was not site-specific data?

(Mr Berryman) It does not actually make sense. No, that is not true; that is not correct. We probably did not have site-specific data tabulated in a form which we could release to people; but we certainly did have assessments done of the impacts of high level probably at that stage on the various properties and people concerned.

9823. When you say at “high level”, what do you mean by that?

(Mr Berryman) When you do an environmental assessment there are a whole load of issues which have to be considered in doing that assessment, to be compared one option with another; and they go into all sorts of things like ecology, noise, air quality, settlement and there is a whole raft of things which need to be considered. In a case like this, some of those are just not relevant so we do not assess them; we just focus on the things we think will be important and will influence the decision. Obviously as you would expect, you would do that in your first pass of work and then fill in the blanks afterwards. In a case like this, by inspection you could see that the issues which are likely to be significant will be noise and settlement; and we focussed very much on those in making our preliminary assessment.

9824. Can I just ask for a bit of help on this, so far as the preliminary assessment is concerned. By the time that the preferred route had been identified, how much detail was available on issues such as noise, settlement and impact on residential amenity; how detailed was the information available?

(Mr Berryman) When the preferred route was initially selected very little was available because, as I said previously, design is an iterative process. You have to select a route, analyse and see what the impacts are. You cannot analyse the settlement which might be caused by a tunnel when you do not know where the tunnel is going to go. It is a fundamental principle of how these things are done. Similarly with noise, you cannot make a reasonable assessment of how much the exposure of various people to noise is if you do not know where the site is and what kind of equipment has got to be used on it.

9825. Let me help you with this. When you went out to the first round of consultation—and you will have to forgive me because you are more familiar with this than I am—what date was the first round of consultation?

(Mr Berryman) I cannot tell you offhand. Perhaps Mr Elvin could refer. It would have been some time in 2003, I think.

9826. How much of this detailed information was available to you at that stage? Detailed information on noise impacts, settlement impacts, impact on listed buildings and that sort of thing—how much detailed information was available to you then?

(Mr Berryman) I would say enough to make a preliminary stab at where a sensible alignment might be. For example, the shaft sites I spoke about earlier which were shown on the site, we would have done a recognisance of those and done preliminary alignments for each of them to see which of them worked and which of them did not work. We would have a recognisance of the area to see how many people might be affected by noise, the kind of buildings that would be in the area in a qualitative rather than a quantitative way at that stage.

9827. At that stage you had already decided the option you were going to present to the public for the purposes of consultation?

(Mr Berryman) Yes, we had. This is one of the essences of consultation, that you have to have something to present. You are always in this cleft stick because, on the one hand, people want to know what you are planning to build; on the other hand, they do not want to know that you have fixed everything and nothing can be changed. You have to go out for consultation at a fairly early stage in the design process otherwise it is nugatory. If you design the whole thing and finish it off and then go out to consultation, what is the point? What you have got to do is get the design to a point where you have got something to talk to people about; go out and talk to them; find out what the issues are; and then adjust if necessary, or not if not necessary, and go to the next stage of design. You cannot have a fully worked-up design when you go for the first consultation—it would be bonkers to do that.

9828. You have told us already that you had a pretty clear idea of what the issues were going to be here: they were going to be noise; they were going to be settlement impact on listed buildings, residential amenities and those things?

(Mr Berryman) Yes.

9829. Because of the approach that was taken, when consultation took place people were not given any detailed information or even indicative information at that stage on noise impacts and on settlement because that work had simply not been done?

(Mr Berryman) That work had not been done in a quantitative way; it had been done in a qualitative way. For example, if you go to one of the sites that was considered, the corner of Princelet Street and Brick Lane you could see by inspection that a worksite on that corner was likely to be noisy and intrusive for a lot of people. You can walk round and form that kind of impression, as I say, at a qualitative rather than a quantitative level.

9830. I want to come onto another matter, which is the Environmental Statement itself. We have been told both by Alistair Darling in a written statement to Parliament, and also in the Promoter’s response, that further environmental information on this issue is going to come forward in due course. That is right, is it not?

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(Mr Berryman) We are proposing to produce a supplementary Environmental Statement on the tunnelling strategy, yes.

9831. That has not yet been made available?

(Mr Berryman) It has not been written yet.

9832. **Mr Philpott:** I see. Do you know when it will be made available?

9833. **Mr Elvin:** Can I indicate, because Mr Philpott does not know what is happening. The tunnelling strategy will be the subject of a third AP in due course, which will also accommodate any issues which may arise from the Committee's recommendations. It will be subject to its own petitioning period and will have its own Environmental Statement. Since it is yet to be determined and of course there is yet to be an instruction debate, it is not a matter that can be dealt with at this stage.

9834. **Chairman:** Mr Elvin, I take that point. Mr Philpott, do you accept that?

9835. **Mr Philpott:** My point is this: insofar as the change in tunnelling strategy has led to a change in the environmental effects of what is proposed in the area that affects my clients, we are told that firm environmental information will become available. Part of the purpose of that environmental information, as the Promoters say in their response to us, is to inform our ability to petition. The simple point I am making is that we do not have that information here yet but will have an opportunity to observe it. We have reserved our position on that. I just wanted to establish if there was a date. What I want to focus on, just to give us some sort of framework for our discussion, is what seems to me to be the most recent assessment of the two alternative sites that was produced in June 2006. In the material we have put in, it is in Tab 6. I do not know whether that is a document you have available to you, Mr Berryman? It is part of your exhibits. I will start off with page 15 and some general questions first.⁵⁵ As I understand it, this is the most up-to-date assessment that we have comparing the two sites, the June 2006 report?

(Mr Berryman) Yes, that is right.

9836. Is the intention of this report to present an impartial and objective analysis of the advantages and disadvantages of the two sites?

(Mr Berryman) This is the GOMMMS report, is it not?

9837. I think it is produced as a result of a GOMMMS assessment.

⁵⁵ Crossrail Ref: P89, Use of Woodseer Street Site as an alternative to Hanbury Street Shaft, Mott MacDonald, June 2006 (TOWHLB-21804B-015).

(Mr Berryman) Yes, that is right.

9838. The report, as I understand it, is intended to be objective and impartial in presenting the advantages and disadvantages of the two options?

(Mr Berryman) That is right, yes.

9839. To inform the Committee and also to inform petitioners?

(Mr Berryman) Yes.

9840. **Chairman:** Mr Philpott, can we just zoom in on that. We are looking at the map, are we?

9841. **Mr Philpott:** No, mine is page 21 of 47.⁵⁶ It has got "page 15" at the bottom. There are two page numbers and I am working from the ones at the bottom. It is page 21. You will have to excuse my lack of familiarity with this. It starts off with "vertical alignment" at the top. This is presenting the advantages and then the disadvantages of Woodseer Street alignment Option 2, as I understand it. If it is meant to be impartial and objective, any disadvantages that are common to both options would presumably be reflected in the equivalent part of the report in with Hanbury Street, which we see on pages 19 and 20? Anything that is common to both ought to be reflected on both, should it not?

(Mr Berryman) It should be, yes.

9842. Let us look on page 21; I just want to look at the disadvantages. The first disadvantage of the Woodseer Option 2 is the distances between intervention points, is it not?

(Mr Berryman) Yes.

9843. That is said to be "1100m . . . in excess of the previously agreed maximum accepted by HMRI/LFEPA—this being a relaxation in standards as it is in excess of the required 1000 metres". That is the first disadvantage?

(Mr Berryman) Yes.

9844. If one looks at page 19 and what is said about Hanbury Street in that respect, under "Advantages" at the first bullet point it says, "The shaft is located within an optimum position in terms of . . . [and then there are a series of factors, the last two are] intervention and ventilation requirements".⁵⁷ I have understood that to be dealing with the same point?

(Mr Berryman) Yes.

9845. It is certainly not mentioned as a disadvantage in this respect, but as an advantage. That is right, is it not?

⁵⁶ Crossrail Ref: P89, Use of Woodseer Street as an alternative to Hanbury Street Shaft Para 4.3.4 Disadvantage of Woodseer Alignment Option 2 (TOWHLB-21804B-021).

⁵⁷ Crossrail Ref: P89, Use of Woodseer Street as an alternative to Hanbury Street Shaft Para 4.2.2 Advantages of the Hybrid Bill Alignment (TOWHLB-21804B-019).

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(Mr Berryman) Yes.

9846. My understanding (and correct me if I am wrong) is that the distance for the Hanbury Street option is 1,092 metres. Is that right?

(Mr Berryman) I do not know offhand, but it is slightly over 1,000 metres, yes.

9847. I will tell you where I have taken this from and if I am wrong it can be corrected, the Environmental Statement, page 6 of 23. 1,092 metres of course is in itself in excess of what I think is described elsewhere in this document as the “mandatory requirements”, is it not?

(Mr Berryman) It is.

9848. It is also only eight metres shorter than the Woodseer Street option?

(Mr Berryman) Yes, that is correct, if your numbers are correct. I have got a suspicion that the two tunnels have slightly different challenges, but your general point is correct.

9849. **Mr Philpott:** Neither of those pieces of information is gleaned from this report. It is said to be “optimum” in respect of—

9850. **Mr Elvin:** I just wanted to help Mr Philpott because I am conscious of the repetition point the Committee raised this morning. If you will recall last week, what the comparison came down to with Tower Hamlets is the engineering issue. This was not put forward as a reason for choosing Hanbury Street over Woodseer Street. If Mr Philpott wants to get to the heart of the issue, the heart of the issue so far as Crossrail was concerned was that the engineering side of Woodseer Street was more disadvantageous than Hanbury Street.

(Mr Berryman) If I may add to that. It is that first sentence, “The railway alignment . . .” The railway alignment—the hybrid Bill alignment is better in terms of railway alignment.

9851. **Mr Philpott:** We can take this quickly or shortly. I am not at the moment on what you say is the crux of it. I am on this issue. The Committee is faced with a case which says that Woodseer 2 may be better than Hanbury Street. This is meant to be an objective assessment. When the Committee comes to look at this, it is entitled to ask itself, “Is this fair; is this accurate; is this objective?” These may be abandoned as points relied upon by the Promoter; but I have to alert the Committee to where they fall in this document. I am sure the Committee will indicate where it feels I have made the point already. What I want to then go back to is page 19 and the advantages that are cited for the hybrid Bill Alignment. I just want to look at a few of these. The third bullet point here says, “The shaft site minimises the impact on the buildings along Princelet Street, and Hanbury Street”. I do not think that can be said to be an advantage over Woodseer 2, can it?

(Mr Berryman) No.

9852. The sixth bullet point: “The shaft head building has been designed to accommodate over site development, which would benefit the local business, and residential community, with significantly improved commercial premises along with potential residential development”. So far as that is concerned, of course using the Woodseer Street site would also allow over site development potentially with the same benefits?

(Mr Berryman) Yes, indeed.

9853. It is not a benefit or an advantage over Woodseer 2, is it?

(Mr Berryman) It is not an advantage of one over the other, no, it is not. That is not what we are relying on. The issue we are concerned about is the alignment, as was mentioned at some length last week. It is the fact that the Woodseer Street 1 alignment, which is the one which has a substandard curve, is not acceptable from an alignment perspective; and Woodseer Street 2, which is acceptable from an alignment perspective, goes underneath the foundations of the Bishops Square development.

9854. I will come back to that. Just help me with this: I am right, am I not, so far as we only started off with this line of questioning, which is that matters which are claimed to be advantageous for one which apply equally, or similarly matters which are disadvantageous for one but an advantage for the other, they ought to be fairly reported in this document. If something is an advantage for both or simply not an advantage of one site over another, they either ought to be reported on both or not reported at all?

(Mr Berryman) Yes, I accept that.

9855. I have put it in a rather convoluted way but I think you get the gist?

(Mr Berryman) Yes, I understand what you are getting at and of course you are right.

9856. Coming down further to the next bullet point. “The demolition required to construct the shaft and provide a working site provides the opportunity to significantly improve the visual appearance . . .” Again, so far as opportunities for visual improvement are concerned, that applies equally to both?

(Mr Berryman) It does indeed, yes.

9857. But not mentioned of course for Woodseer 2?

(Mr Berryman) Yes.

9858. Next bullet point. “Adoption of this alignment to Whitechapel Station minimises the settlement impact on the historical buildings in Spitalfields (Christ Church) . . .” So far as Woodseer 2 is concerned, it moves the line even further away from Christ Church, does it not?

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(Mr Berryman) Yes.

9859. It moves it away from a great number of historical buildings?

(Mr Berryman) Yes. If you are treating these as a comparative tale, then the point you are making is perfectly valid.

9860. I could carry on but I think I have made my point. I am reminded by one of my clients that the document is a comparison between Woodseer Street and Hanbury, but that point is, I hope, clear. So far as the relative sensitivity of the route is concerned, this matter is touched on a lot in examination-in-chief and I do not want to go over that in detail but have one or two brief points. Can we see Slide 31, please.⁵⁸ You are aware of course, more so than most perhaps, that one of the differences between the two alignments we are looking at is that Woodseer 2 passes under fewer listed buildings?

(Mr Berryman) Yes, that is correct.

9861. When we get to Slide 31, this is an extract from the alignment options document, the 2004 document. Figure 2.6, please. From Commercial Street to Britannia House the horizontal alignment was engineered to enable maximum separation from Christ Church. This aids in limiting any settlement close to Christ Church, which is a Grade 1 Listed Building. So far as it is possible to avoid tunnelling under or close to listed buildings, that is something that the Promoter recognises it would wish to do, is it not?

(Mr Berryman) Yes.

9862. The reason for that is because of the potential effects of settlement?

(Mr Berryman) I think there are different kinds of listed buildings, are there not? If you compare the buildings which surround Finsbury Circus, for example, which are all listed, we go underneath all of those buildings without any difficulty because we are fully aware of the structures, what the settlement impacts are likely to be and how they are founded because of the date when they were constructed. With a building like Christ Church that is not so clear. It is a very rigid structure; it is very old, as you know; and it therefore has more sensitivity than perhaps some other listed buildings. Not all listed buildings are the same.

9863. That is very much the point our evidence was making. It is right, is it not, when the Committee comes to look at the question of potential impacts on listed buildings they have to bear in mind that these buildings are individual and their historic structures will vary from one to the other?

(Mr Berryman) Yes, that is correct, they will.

9864. That affects the extent to which one has to be careful about treating and trying to avoid them as far as we possibly can when deciding on the appropriate alignment? It is a relevant factor.

(Mr Berryman) It is a relevant factor; but it is not by any means the most significant factor. In this particular area we have spent a lot of time on this with English Heritage and other authoritative bodies and this is not perceived as being a particular issue in this area, because of the kind of structure and the kind of building that they are.

9865. We have given detailed evidence on why we are concerned about that. I do not want to go over those matters in details again. Before I move off the question of routes, I promised I would come back to the question you said about the need to avoid the pile of buildings and the redevelopment in Bishops Square. That is a matter on which the Committee has heard detailed technical evidence from Arup and we simply rely on what they say and I do not want to add to it. You will understand, I hope, if I do not tax you with that. So far as the relative sensitivity of the two alternative sites is concerned, again we have given some evidence on this and I do not want to transgress over that too much, but can we agree this: when one is assessing the advantages and disadvantages of the two sites relevant factors will include obviously the proximity of and relationship to sensitive receptors? By that I would mean residential in particular here?

(Mr Berryman) Yes.

9866. Also the size of the site and the constraints that would exist on operational matters and working conditions and so on?

(Mr Berryman) You mean during construction?

9867. Yes.

(Mr Berryman) That is right.

9868. The ability to move around the site with various vehicles and machines. Also a relevant factor would be the ease with which one could move heavy goods vehicles in and out?

(Mr Berryman) Yes, we would agree with that. We would argue that both of these sites in that respect are identical.

9869. So far as the first of those is concerned, the proximity in relation to sensitive receptors, I know that the impact of noise on residential properties and their proximity was dealt with last week in some depth. Again, we do not want to go over that again but simply endorse the position that has been taken by Tower Hamlets on that. One of the peculiarities of the Hanbury Street site which does not occur on the Woodseer Street site is that there are residential flats immediately overlooking the Hanbury Street site?

(Mr Berryman) There are a small number of residential flats, yes.

⁵⁸ Committee Ref: A113, Alignment Options Liverpool Street to Whitechapel Station—Truman's Brewery Site, para 2.6 Christ Church (TOWHLB-32805-030).

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9870. The impact on those, there is nothing comparable so far as the Woodseer Street site is concerned; there is no residential property with a comparable relationship?

(Mr Berryman) No, there is nothing as close as that.

9871. We can look at a slide if necessary and the view from within those flats, but there is really not much one can do to mitigate the impact other than taking those people out of those flats for the duration of the work?

(Mr Berryman) Yes, that is one of the options that is there.

9872. It is a pretty unpalatable option, and something you would want to avoid if you could, is it not?

(Mr Berryman) Yes, of course.

9873. So far as the relationship to properties is concerned, I am happy to leave that where Tower Hamlets dealt with it. So far as the second factor we identified is concerned, which is the size of the constraints, Woodseer of course is a larger site and you can see that from the guidance we have looked at. That is acknowledged to be an advantage of the site in the June 2006 report, is it not?

(Mr Berryman) Yes.

9874. The reference, for the Committee's benefit, is that it is on page 21 of the report, paragraph 4.3.3, "Larger construction site is possible".⁵⁹ Of course the relative tightness of the Hanbury Street site we have dealt with in examination-in-chief and I do not think we will gain much going over that again. So far as the third factor is concerned, that is HGV movements, whatever else one might say about the Hanbury Street site it is much easier to get HGVs onto the Woodseer site as opposed to Hanbury Street, is it not?

(Mr Berryman) No, I would not say that. The site is still not big enough to turn a vehicle within the site; it would still have to pull-in parallel to the road, either on the road or immediately off the road.

9875. On Woodseer Street?

(Mr Berryman) On Woodseer Street. It is not large enough to turn.

9876. The HGVs going there at present reverse out, do they?

(Mr Berryman) No, they do not. As you aware, the site at the back of Woodseer Street is a very large open area. We would not have access to the whole of that.

9877. If it were necessary and thought appropriate you could get access to it, could you not? You can get those powers?

(Mr Berryman) You could, yes. You could use that argument anywhere. We could take an infinite amount of land.

9878. You have a site at present where larger HGVs than you say would regularly be needed here are able to go in and out in forward gear?

(Mr Berryman) Yes, they are because they take the whole of the site. Surely you are not suggesting we should acquire the whole of that site for the purpose of building just a small ventilation shaft.

9879. Would you need to? You would just need to take rights to drive HGVs out, would you not, on the other part of the site?

(Mr Berryman) That might interfere with the existing users.

9880. Have you assessed that?

(Mr Berryman) No, we have not.

9881. If you look at this factor, again for the June 2006 report, page 21, under the advantages of Woodseer the first point that is made: "Traffic management may be easier along Spital Street during construction as the site entrances are away from road junctions". So traffic management is acknowledged to be an advantage of the Woodseer site?

(Mr Berryman) Yes. I have to say, it is a marginal advantage.

9882. We have the report for what it is worth. Do you have the Promoter's response document available, that is the response to us. In particular within that document there is a document G3.⁶⁰ That is an information paper. It is page 3 of the document, 4.6, where we are told that the Britannia House site is the preferred location for the combined intervention shaft for the following reasons . . . " I just want to see if we can summarise where we have got to on this. So far as the first point is concerned, acceptable railway alignment, as I understand it, it is accepted that Woodseer 2 has an acceptable railway alignment?"

(Mr Berryman) There might be disadvantages that it goes under somewhere it cannot go. It may be acceptable in railway terms but it is not acceptable in physical terms.

9883. That issue I am happy to leave to the evidence the Committee has heard. So far as the alignment is concerned of Woodseer 2, that is not a disadvantage of Woodseer 2, is it?

(Mr Berryman) No, of course it is not, but then you are talking about something which in practice cannot be built.

9884. That is a question outside my remit. So far as the alignment is concerned, that is clear. So far as the second reason given is concerned, we have dealt with that. That is certainly not a matter where it is an advantage over Woodseer 2, is it?

⁵⁹ Crossrail Ref: P89, Para 4.3.3 Use of Woodseer Street as an alternative to Hanbury Street Shaft (TOWHLB-21804B-021). Advantages of Woodseer Alignment Option 2 (TOWHLB-21804B-021).

⁶⁰ Crossrail Information Paper G3 Location of Hanbury Street Shaft, para 4.6, <http://billdocuments.crossrail.co.uk/LINEWD-IPG3-003>.

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(Mr Berryman) No, it is not, but it is an advantage over the other sites we have looked at in the area.

9885. So far as the third point is concerned, we have established there is not much difference between the two on that, is there?

(Mr Berryman) Not a lot, no.

9886. So far as the next one is concerned, Spital work site, there is no real difference between the two, is there?

(Mr Berryman) No real difference, no.

9887. Minimising impact on Brick Lane. No real difference between the two?

(Mr Berryman) Correct, yes.

9888. Finally, no permanent residential property acquisition, no long-term road closures—no difference between the two.

(Mr Berryman) Yes, that is correct.

9889. Going back to that third point, which you seem to treat as a fundamental point, last Wednesday when you were asked about the difficulties with Woodseer 2, this is on page 32 of the transcript at 9564, you were asked about the many examples in London of shafts of this sort being dug through the Lambeth group or through the interface between the Lambeth group and the clays. It was having to go deeper to avoid that obstruction. You said: “Indeed there are. What we are saying here is not that it is impossible and not that the alternative is impossible . . . on balance, it is less desirable . . .” That was the way you put it.

(Mr Berryman) Yes. Nothing is impossible in engineering, if you are prepared to chuck enough money and enough resources at it, but it is certainly not a desirable way of doing it.

9890. **Mr Philpott:** Mr Berryman, thank you very much.

9891. **Kelvin Hopkins:** Just from previous sittings, we were told of the impact of boring on settlement. I seem to remember that the deeper you go the shallower the settlement would be but, presumably, the wider the settlement would be, because it is spread out like a fan the deeper you go.

(Mr Berryman) Yes, that is correct. The deeper you go the broader the settlement trough.

9892. And the shallower—

(Mr Berryman) Yes. I think I made the point last week about when you go underneath piles with an end-bearing pile it is significant that the foundations of the building are, instead of being *that* distance above the tunnel, *that* distance above the tunnel. So it increases the settlement locally on the pile of building.

9893. Some of the piles are not end-bearing they are side-bearing, are they not?

(Mr Berryman) Some of them are friction piles. In fact, they are all a combination of end-bearing and friction. So predicting the effects would be quite complex.

9894. The other question I have is: is the separation of tunnels significant? They do not necessarily have to be parallel and close together; they could, at a point, go wide apart. Is that right?

(Mr Berryman) Yes, they could be. They are quite widely spaced as we come out of Liverpool Street. It is better to have them close together when you have got a ventilation shaft because, otherwise, you finish up with long, horizontal adits to get from the bottom of the shaft to the tunnels.

9895. **Kelvin Hopkins:** What is the impact of the separation on settlement?

(Mr Berryman) Well, it is not a huge impact at these kinds of depths. Separating them more widely would make the trough even wider and reduce the amount of it, so it would not be beneficial. At these kinds of depths it is not a big factor.

Cross-examined by **Mr Elvin**

9896. **Mr Elvin:** Can I just get this clear: in terms of the impact of the current alignment on the listed buildings, English Heritage is the statutory body responsible for dealing with listed buildings. What is their view?

(Mr Berryman) They have expressed themselves satisfied with our approach.

9897. The local planning authority, Tower Hamlets?

(Mr Berryman) Also satisfied.

9898. Can I just ask you this: in terms of the approach, and we can see this in IPD12 (7.2 of D12), the specific sensitivity of features within listed buildings is something which is specifically taken into account when looking at settlement issues.⁶¹

(Mr Berryman) Yes, indeed.

9899. Listed buildings are not looked at as a generic group (if we can go to 7.2). The heritage assessment looks at the individual sensitivities of the buildings, and the Committee can see that spelled out.

(Mr Berryman) Yes, it is spelled out there in 7.2.

9900. I have already told the Committee what the agreement was with Tower Hamlets, so if there are any issues on any remaining matters then they can be picked up by individual property owners. Would an alignment to Woodseer Street avoid listed buildings in this area?

(Mr Berryman) Not completely; it would go under fewer of the listed buildings than the Hanbury Street alignment.

⁶¹ Crossrail Information Paper D12 Ground Settlement, para 7.2, <http://billdocuments.crossrail.co.uk> (LINEWD-IPD12-007).

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9901. Is Crossrail a type of project which can, given the nature of the area it is going through, avoid listed buildings and, indeed, conservation areas?

(Mr Berryman) It is completely impossible to avoid listed buildings and conservation areas in central London; there are so many of them, it is like a patchwork.

9902. It was suggested to you when you were doing consultation assessment there ought to be a detailed appraisal. If you had to do a detailed assessment of the range of potential impacts for a whole range of possible routes before you came up with your preferred route—in other words, you had to do a detailed environmental appraisal of the whole range of options for a route, how feasible would this scheme be in those circumstances?

(Mr Berryman) For a linear route like this, like any railway, it would be a monumental undertaking because there are so many sites involved. As I say, you have to, by reconnaissance really, pick out the issues which are likely to be significant and focus on those in making a route selection.

9903. **Mr Elvin:** I am not going to take you to it but just to remind the Committee that if it wants further detail on consultation, the detail is set out in volume 5 of the main Environmental Statement, appendix 3, starting at page 109. I am not going to re-examine on it because it is in there in writing. Unless there is anything else you want me to go into I do not propose to ask any further questions.

9904. **Mr Liddell-Grainger:** Mr Elvin, just one point: if a Petitioner wants to get a report on their house on the listed status and what will the effect be, is there any mechanism for that Petitioner to have an individual report?

9905. **Mr Elvin:** On the?

9906. **Mr Liddell-Grainger:** On the listing statement of the house.

9907. **Mr Elvin:** You mean the formal statement which says why the building is listed. That is already a public document. When buildings are listed formal listing particulars are provided and they are available on public registers.

9908. **Mr Liddell-Grainger:** What about settlement?

9909. **Mr Elvin:** The individual Stage 3 reports—it was part of the agreement with Tower Hamlets—individual property owners will be able to request their individual Stage 3 reports. There are individual reports on each listed building.

(Mr Berryman) Actually, I think we have gone further than that, Mr Elvin. I am sorry to interrupt. We have said that owners of listed buildings would automatically be sent copies of their settlement reports on their buildings.

9910. **Mr Liddell-Grainger:** Thank you very much indeed, Mr Elvin.

9911. **Mr Elvin:** Mr Mould has reminded me, because he was dealing with that, that one was produced with regard to St Dunstan's Church a couple of weeks ago, so you will have seen a specimen Stage 3 report for a listed building.

9912. **Mr Liddell-Grainger:** Mr Elvin, do you have a second witness you are calling?

9913. **Mr Elvin:** My second witness is going to be Mr Thornely-Taylor, who is going to deal with the noise impacts. I was hoping to deal with that very quickly.

The witness withdrew

9914. **Mr Elvin:** Sir, in order to save time, because I appreciate there is quite a lot of other business, I am not going to call Mr Anderson this afternoon. He was going to deal just with the benefits of Whitechapel Station. That is not an issue that the Spitalfields Society has really dealt with, so, with your leave, I will not call Mr Anderson this afternoon; I will hold him in reserve for a later occasion.

9915. **Mr Liddell-Grainger:** I quite accept that. Thank you very much.

9916. **Mr Elvin:** In which case I will not call anyone other than Mr Thornely-Taylor.

Mr Rupert Thornely-Taylor, recalled

Examined by **Mr Elvin**

9917. **Mr Elvin:** Mr Thornely-Taylor, like Mr Berryman, you are known to the Committee, as they say. Can I ask you just to deal with the issue of your view of the comparative noise impacts of the Hanbury Street location for a ventilation and intervention shaft and Woodseer Street? As we know, the assessments that were previously carried out, which are in Supplementary Environmental Statement 1, were for a shaft of much greater proportions and for the launch of tunnel-boring machines.

(Mr Thornely-Taylor) That is quite true. I have prepared an aerial photograph. I do not know whether we can see it.

9918. It is GEN01-002 and 1003. Which one would you like us to turn to?

(Mr Thornely-Taylor) Could we start with 003, which is Hanbury Street?⁶² What I have endeavoured to do is to show at a glance what are the main features of the Hanbury Street site, from the point of view of the noise and vibration effect. Many of them we have heard about already, so I do not need to say very much, other than just to present this aerial view which I think does help to show the important features of the site. We have heard about the reduction in the size of the Hanbury Street site and

⁶² Crossrail Ref: P89, Properties potentially affected by noise at Hanbury Street (TOWHLB-GEN01-003).

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the retention of Britannia House, which is top-left in the photograph. We have heard about the residential content of the building which I believe contains six flats (if I am wrong I am sure others will be able to give the accurate figure), which will under the Environmental Statement Assessment be eligible for temporary re-housing as well as noise insulation, if they should choose to remain. I am confident that when the revised assessment is carried out on the reduced extent of the site that will remain the case. It means that the combination of Britannia House and the Princelet Street block do effectively screen noise effects for other properties to the south and west, and it leaves us with significant effects, primarily in the three blocks on the right-hand side of the photograph. In the Environmental Statement there is some eligibility for noise insulation in the northern most of those blocks—that one. I think that will probably remain the case when the detailed reassessment is completed. If we now go to 002, which is the Woodseer Street photograph, as has already been made clear the fundamental difference is it does not have the Princelet Street block with the flats in it immediately overlooking it but its main feature is that to the north, the west and the south, the immediately adjoining premises are all industrial and there is a residential block to the south-west with an industrial building in between.⁶³ Then to the east and the north-east there are some higher blocks which do have the disadvantage that the five-metre high noise barrier translated from the proposals at Hanbury Street will be overlooked by the upper floors and there will be fewer opportunities for noise mitigation. Apart from the presence of the flats eligible for temporary re-housing at Princelet Street, it is possible we may find there is a higher residual significant effect at Woodseer Street than Hanbury Street. It is unlikely to come out better from the noise point of view.

9919. **Mr Elvin:** Thank you very much, Mr Thornely-Taylor.

Cross-examined by **Mr Philpott**

9920. **Mr Philpott:** I will try to be as brief as I can. Mr Thornely-Taylor, I just want to stay looking at this photograph here, looking at the Woodseer Street site. I just want to get a little bit of help with this. Am I right in understanding it has got industrial on three sides?

(Mr Thornely-Taylor) That is my understanding, yes.

9921. Whereas if one looks at the Hanbury Street site it has got residential in front of it and to the right-hand side and behind, though acknowledging the point about the noise barrier.

(Mr Thornely-Taylor) A picture speaks a thousand words, and I do not think I can improve on the picture.

9922. We can see that difference between the two. You gave your views about the noise impact of the Woodseer Street site being used. Are there any figures that have been produced that one could look at to examine its impact?

(Mr Thornely-Taylor) Some figures were produced by RPS who did the construction noise modelling, but they translated the whole of the Hanbury Street operations to Woodseer Street, and when one takes into account the reduced scale now proposed for the works at Hanbury Street they are not helpful; they do not provide a like-for-like comparison.

9923. So if my clients, or any other Petitioner, wanted to understand in more detail what those comparative impacts were by looking at the figures—the number of properties affected, the decibel levels of each individual property, the effect of noise barriers—there is nothing published that they can look at?

(Mr Thornely-Taylor) No. Therefore, they would have to await the Environmental Statement that will accompany the amendment of provision 3.

9924. **Mr Philpott:** Thank you, sir. Those are my questions.

9925. **Mr Liddell-Grainger:** Thank you very much indeed. Can I ask Dr Pedretti, do you have any other questions you wish to ask?

9926. **Dr Pedretti:** Either of the witnesses?

9927. **Mr Liddell-Grainger:** Yes. Which witness would you like?

9928. **Dr Pedretti:** Before that picture disappears—

9929. **Mr Liddell-Grainger:** Dr Pedretti, would you like one of the witnesses to stay?

9930. **Dr Pedretti:** Who was it who said “the picture says a thousand words”?

9931. **Mr Elvin:** Mr Thornely-Taylor.

9932. **Mr Liddell-Grainger:** Dr Pedretti, would you come as close as you can, so our scribes can hear you. That is all we are asking. Carry on.

9933. **Dr Pedretti:** I have this image which we received yesterday as part of my presentation that I did not get round to, and I was describing it as tunnel vision from a helicopter. These aerial pictures. Firstly, if you are a noise expert, are you aware of the decibel levels of being subjected to helicopters overhead for hours on end?

(Mr Thornely-Taylor) Yes, I have done many helicopter inquiries.

9934. Last Sunday morning there were two helicopters from 12 to 1 o'clock—maybe 10 past one—hovering above us. So these images actually made noise. I am not saying that was this image, I am

⁶³ Crossrail Ref: P89, Properties potentially affected by noise at Woodseer Street (TOWHLB-GEN01-002).

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saying one of the blighting effects—I have described as this black thing—is that we have way too much helicopter overhead—

9935. **Mr Liddell-Grainger:** Dr Pedretti, I am going to stop you again. Please, this must be something that is attributable to this Bill. Helicopters, unfortunately, are not. Do you have any other questions that are attributable to the Bill?

9936. **Dr Pedretti:** I am concerned that the blocks that we are looking at on this thing are foreshortened and, therefore, we cannot see how many people—many, many people actually—live in them. A lot of them are very densely populated.

9937. **Mr Liddell-Grainger:** That evidence has already been taken, thank you.

9938. **Dr Pedretti:** What decibel levels are you proposing?

(Mr Thornely-Taylor) The threshold for noise insulation by day is a figure of 75 and in the evening it is 65 and at night it is 55, subject to it being 5 above the prevailing ambient. The predictions that have been made for the ES scheme show that there would be eligibility for noise insulation—and this time, so that you can see, I will point to that one—there, and there will be eligibility for temporary re-housing, which takes place at levels 10 greater than the ones I have just mentioned, in this block, and there will be lower levels which are regarded as significant effects in the Environmental Statement but they are not so great as to trigger eligibility for secondary glazing. Those levels are visible in this plan.⁶⁴ You need very good colour vision to be able to distinguish, but to the right of Spital Street at its junction with Hanbury Street is the eligibility for noise insulation which I have just mentioned. Slightly to the right there is a thicker, blue line which indicates that there is a significant effect but not so great as to trigger eligibility for noise insulation. Then as you go further along towards Greatorex Street there is a further thick blue line, which signifies residual significant effect. To the west of the worksite all those coloured lines will disappear because the retention of the Britannia House building will prevent the opening up of the gap that caused formerly, in the Environmental Statement assessment, the eligibility for noise insulation on the south side of Princelet Street.

9939. Can I ask you a question? How high is the source of the noise that you have measured? At what level do you expect? Assuming this is only the finished ventilation you are talking about.

(Mr Thornely-Taylor) No.

9940. Or are you talking about the building noise?

(Mr Thornely-Taylor) After the works are completed and the noise source on site is the tunnel ventilation fan, it will not normally run, but on

occasions when it does run it will be designed so that it meets the Crossrail policy on noise from fixed plant, which will ensure it performs to the British Standard, which says that it will be no worse than marginal from the point of view of prediction of complaints.

9941. What my question is going to is the height of that. You are saying everything is being shielded by Britannia House. Who knows that Britannia House will be there to shield it?

(Mr Thornely-Taylor) I am not saying that Britannia House will be helpful in shielding noise from the permanent tunnel ventilation fan. Noise reduction of that source will be achieved by installing silencing equipment in the shaft, which will work at any height.

9942. Who maintains that?

(Mr Thornely-Taylor) The maintenance of the tunnel ventilation fans is part of the maintenance of the railway as a whole.

9943. The lorries that go through Greatorex Street during the building, presumably they make noise.

(Mr Thornely-Taylor) Yes, they do.

9944. **Mr Liddell-Grainger:** I think that has been covered, Dr Pedretti. If you could move on, please.

9945. **Dr Pedretti:** I was going to ask Mr Berryman—

9946. **Mr Liddell-Grainger:** Have you finished with this witness?

9947. **Dr Pedretti:** Yes, thank you. I am sorry. I am nervous.

9948. **Mr Liddell-Grainger:** Please take your time, Dr Pedretti.

The witness withdrew

Mr Keith Berryman, recalled

Cross-examined by **Dr Pedretti**

9949. **Dr Pedretti:** What is the difference between the concepts that have been used to cover what I call design, namely safeguarding route alignment and options on corridors?

(Mr Berryman) Can you repeat the question?

9950. I made in my Petition a statement about that curve coming out of Liverpool Street station. I received in response to it a suggestion that the design level was appropriate for a high brick build. The response document giving me that answer, you were presupposing the design was separate from route alignments was separate from choosing corridors. Now, in my book, the thing you have called iterative is reiterative. Designing is something that is constantly asking questions, going back and forth and back and forth.

⁶⁴ Crossrail Environmental Statement, Volume 8, Whitechapel Station, Construction Works and Impacts—Map C8(ii) <http://billdocuments.crossrail.co.uk> (SCN-20060613-012).

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(*Mr Berryman*) Indeed.

9951. **Dr Pedretti:** It is not something which takes legal requirements or accounting requirements or lists and checks and points. That is only what you do after you have looked at the ground and informed yourself well about what is going on and actually come up with a common-sense sensible solution. You do not take the solution you want and tick the boxes—

9952. **Mr Liddell-Grainger:** Dr Pedretti, can you ask a question, please? I must keep you on what we are talking about.

9953. **Dr Pedretti:** The answer that I was given to why the curve went one way, which is a different answer than other people must have received, was to do with something called Information Paper A1.

9954. **Mr Liddell-Grainger:** Can you get Information Paper A1 on the screen, please?⁶⁵

9955. **Dr Pedretti:** In which paragraph 2.3 describes the LEWS report. That concerns the statement that I made earlier about the 1991 scheme which was rejected and how in history that scheme got given to Cross London Rail Links to study again. The report concluded that work should be carried out to define this project in greater detail.

9956. **Mr Liddell-Grainger:** Dr Pedretti, we have got it on the screen. Do let Mr Berryman answer, please. (*Mr Berryman*) I could not really give a better description of the design process than Dr Pedretti just gave in terms of iteration of thought and the way in which one has to go back and keep looking at the fundamental issues again and again. The LEWS is the London East-West Study and this concluded that we should construct a railway line from east to west in London but that there was greater project definition required for what the project should actually consist of.

9957. **Dr Pedretti:** Can I ask my question, in that case? What is written here (and the amount of information we get given that is half-true or provides us with somewhere else, this is the answer I got) is that that report concluded that a rail link. So my first question is what was the assumption that extended the tunnels eastward, rather than the rail link that could have been meant by that?

(*Mr Berryman*) The rail link that was designed in 1992 recognised the geography of London in 1992. Since then the geography of London has changed significantly; the most notable feature is the development of Canary Wharf, but there is also an imperative, I think, now to develop other areas in the East of London, such as Stratford. The Thames Gateway concept has been developed since 1992 and in reviving the project what we sought to do was to

take account of those changes to the geography and the policy which has occurred since the original scheme existed.

9958. **Mr Liddell-Grainger:** Dr Pedretti, your next question, please.

9959. **Dr Pedretti:** You mentioned a considerable amount of design criteria like connected to the City, the Thames Gateway and so on. When were those decisions made? Are you describing—

(*Mr Berryman*) Those decisions were made in 2001 and early 2002. There were a number of options developed as to where the trains should go outside the central London area—I think there were about seven in the east and six in the west, from memory—and a brief appraisal of those on cost-benefit terms was done to select the best performers. On that basis the ultimate routes were selected.

9960. **Dr Pedretti:** The assumption about tunnels is still somewhat puzzling. If we were designing it all over again today—

9961. **Mr Liddell-Grainger:** Dr Pedretti, I am sorry, I am going to stop you. This has been gone through. You brought this up this morning as well, Dr Pedretti.

9962. **Dr Pedretti:** I have not brought up the Thames Gateway at all.

9963. **Mr Liddell-Grainger:** The Thames Gateway?

9964. **Dr Pedretti:** That is what I have just had as an answer. The reason we have a tunnel is because of the Isle of Dogs and the Thames Gateway project. Both of those are to the south, I understand.

9965. **Mr Liddell-Grainger:** Dr Pedretti, it is the Hybrid Bill, we will look at it. The evidence you have asked for you have got. I am sorry, I do not class this as part of the Bill. It is part of the Bill but not at this stage. If you have any particular questions—

9966. **Dr Pedretti:** It is part of this thing about reiterating and about consultation. I am part of a group of people that would have been seriously affected by the Hanbury Street shaft. The whole of that community was purposely excluded from consultation until Brick Lane, second round.

9967. **Mr Liddell-Grainger:** Dr Pedretti, we have heard this evidence. We accept that you do not want the tunnel. We accept that you do not want the tunnel near you. We have heard your evidence. We accept that. As the Committee we will make a decision on what we have heard from you. Have you anything new to add?

9968. **Dr Pedretti:** Let me ask it as two questions. One which is a general one, which remains. Whitechapel Station is presupposed in all the options you have considered on page 7 of the same

⁶⁵ Crossrail Information Paper A1 Development of the Crossrail Route, para 2.3, [http://billdocuments.crossrail.co.uk/\(LINEWD-IPA1-001\)](http://billdocuments.crossrail.co.uk/(LINEWD-IPA1-001)).

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document, they all assume a tunnel from Liverpool Street to Whitechapel. When was the decision made that there would be a station in Whitechapel?⁶⁶

(Mr Berryman) I could not tell you exactly. It would have been sometime in 2002, I would imagine. I have to say that having a station at Whitechapel is a fairly crucial point in the development of the network to allow the various train services to interact with one another. So the East London Line and the District Line connect to Whitechapel. The object of the exercise is to improve that connectivity.

9969. **Mr Liddell-Grainger:** May I say to both of you, we will take that into consideration. The points have been made; the Committee will look at that.

9970. **Dr Pedretti:** There was a mention earlier of three substandard curves—

9971. **Mr Liddell-Grainger:** We have discussed that already.

9972. **Dr Pedretti:** I am saying the curve northwards was described as substandard by Mr Berryman last week in connection with some discussions. Thank you.

9973. **Mr Liddell-Grainger:** Thank you very much indeed.

The witness withdrew

9974. **Mr Liddell-Grainger:** I intend now to go through the other witnesses. We have very roughly 25 minutes before we step down. I would remind Petitioners, please, if you have new things to say, say them; if they are repeated I will stop you.

9975. **Mr Elvin:** I do not want to put a spanner in the works but I think that Mr Philpott would like some guidance from the Committee as to when you would like to hear his short closing. Would you like that at the end of the day?

9976. **Mr Liddell-Grainger:** Mr Philpott, my deepest apologies. Thank you, Mr Elvin, for pulling me up short.

9977. **Mr Elvin:** I was proposing to close at the end of the day rather than any other time.

9978. **Mr Liddell-Grainger:** I know you were, and I do apologise to Mr Philpott.

9979. **Mr Philpott:** I am aware that some of those behind me are not necessarily part of this Petition and may have certain points. Sir, there are three points that I want to make in closing, and I will try and keep this brief. The first is that this alignment runs through what is clearly, even in terms of central London, a very sensitive location. It includes very dense areas of residential development, an unusually

concentrated number of listed buildings and a conservation area, and also a lot of small businesses, small businesses along the streets that are affected, which, by their very nature, are sensitive to disruptions of traffic use and so on. It seems to us to be pretty clear that it is engineering considerations rather than the environmental impacts upon ground which have been the driving force in choosing this particular alignment and this location for the shaft site. We say that if one were looking at the above ground environmental impacts as a driving factor one would not have settled on Hanbury Street.

9980. We can see it is clear that Hanbury Street is much worse than Woodseer 2, which is the one that has been developed in most detail, both in terms of its impact on residential property—so far as we can assess it without the detailed information—impact on listed buildings—and it is absolutely clear from the drawings that it runs under a far greater number of listed buildings than Woodseer 2—and also in terms of the impact on local businesses from traffic disruption. We say that if one looks at the Woodseer 2 option, and if one applies even the mildest degree of optimisation to allow traffic to come in and out of forward gear it is plainly going to be less disruptive to traffic movements than having HGVs unloading—and potentially loading of course—along Hanbury Street, which is very narrow and not appropriate as a place for the lorries to be generally positioned. We know that other HGVs, from the evidence we have heard, already go up and down there and they would have to wait or they would have to block the lane off completely to oncoming traffic. The knock-on effects of that on traffic coming down from the streets that run into Hanbury Street, run into Spital Street can be readily imagined, and we have heard evidence that that impact happens already, even without a major worksite at a very sensitive point in that highway network.

9981. The second point is this. So far as those important impacts are concerned we say that the objective should be to minimise those so far as is possible and so far as is reasonably consistent with engineering. It may well be that some engineering costs may increase in order to decrease the sort of impacts that I have been talking about, but that is just the sort of balancing exercise that the Committee, we say, is well equipped to look at. If it can be done—in other words, if those impacts can be minimised, then plainly they should be. We ask the Committee to consider this, that in so far as you are being asked to conclude that options such as Woodseer 2 or the southern route are simply not possible or feasible you have to be very sure in your own minds that the evidence has demonstrated that to be the case, not simply that it might incrementally increase the risk a little, it might involve slightly more in the way of money, and you have to be sure that those impacts and those obstacles have been demonstrated in a thorough, objective, impartial way. We say that they plainly have not. That is the third point.

⁶⁶ Crossrail Information Paper A1 Development of the Crossrail Route, Eastern Corridors para 2.3, [http://billdocuments.crossrail.co.uk/\(LINEWD-IPA1-001\)](http://billdocuments.crossrail.co.uk/(LINEWD-IPA1-001)).

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9982. The assessment that has been made here has consistently been partial and anything but thorough. In cross-examination of Mr Berryman I gave the Committee some examples of where in the most recent report, the June 2006 report, prepared for public consumption at a time when the Promoters are defending the Bill and therefore one would think subject to some scrutiny, the assessment is anything but objective. Advantages for one site, which apply to both, are not applied to Woodseer 2; disadvantages of Hanbury Street are not mentioned as advantages of Woodseer 2. Similarly, when one looks to supposedly critical issues, such as the one kilometre distance is concerned, not only is something which is designed as an indicative guideline of one kilometre up-rated to what is said in the very beginning of the Executive Summary as a mandatory requirement, not only is the language is exaggerated but it has failed to mention that really there is no distinction between the two in that respect. If this was a genuinely objective and impartial document none of those criticisms would be available to be made. Those obvious flaws are only in there because the document is designed to prove a case; it is not designed to present you with an objective and impartial view of a comparison you are being asked to make. So we ask you to be very careful when you look at those documents. That was made even clearer when I went back to the document that was provided in the Promoter's Response—this was the G3 document—where I ran through the reasons given for choosing Hanbury Street, and without exception they could equally be applied to Woodseer 2. The only difference now relied upon from this great long list, produced at the beginning of this month—and we are not two weeks into this month yet—that is now seemingly relied upon is the need to go slightly deeper, to go under Bishops Square, and that will involve additional engineering complications. But as we have heard, nothing is impossible in engineering terms. Arup gave evidence last week which demonstrated that the difference between the two is nothing like as severe as the Promoters are presenting. The difficulty now with the Promoters giving an objective, impartial and realistic assessment in these matters is that they recognise the implications that are being shown, that actually there is a perfectly feasible alternative, which there plainly is—Woodseer 2. There is a feasible alternative. They are going to have to go back and look at it and that will take them time, but that is only reasonable when you bear in mind the magnitude and the scale of the impact associated with the route they have chosen.

9983. We say, in short, that the Committee has not been given a compelling case that the option chosen is the best of those available in terms of balancing engineering costs and constraints against environmental impacts. The evidence that we have, so far as it is available—and of course it is not all available at the moment—suggests strongly that Woodseer 2 is at least as good, if not better in many respects, and nor is therefore one in a position to say with any confidence that the earlier assessments,

particularly the assessments in discounting the southern route, can be relied upon. Even at this stage with this degree of iteration we do not have reliable information, we do not have a fair and objective assessment of the route that has been promoted how fair and objective, how thorough were the assessments discounting the southern route?

9984. In conclusion, on the basis of those three points our basic plea today is the same as that which was put before you last week by the London Borough of Tower Hamlets. In other words, we say, as they did, that the Committee should indicate firmly, before any final decision is made on the choice of Hanbury Street as opposed to Woodseer Street or, we say, the southern route, that a fully fledged objective and impartial assessment is made of their impacts because of the number of people affected, the number of listed buildings affected, the number of small businesses that are affected. That, we say, is the very least that we can expect. Sir, those are my submissions.

The Petition of Mrs Fiona Atkins and others

The Petition of Roy Adams and Pascale Adams

The Petition of Melanie and Nicholas Symons

Mr Rupert Wheeler appeared as Agent

9985. **Mr Liddell-Grainger:** Mr Philpott, thank you very much indeed. Mr Wheeler, are you the Agent for Mrs Atkins?

9986. **Mr Wheeler:** Yes, I am. I think we have made the points on behalf of the next three Petitioners, for which I am an Agent.

9987. **Mr Liddell-Grainger:** That is the Adamses and the Symonses?

9988. **Mr Wheeler:** Yes and our points are very similar to the points made by the Spitalfields Society, so we were not intending to repeat them again to you.

9989. **Mr Liddell-Grainger:** Thank you very much indeed and thank you for making that very clear. Mr Da Silva? No. Mr Nesar Narunassar and others? No. Huguenot Court Limited. Thank you, sir, would you please come forward?

The Petition of Huguenot Court Limited

The Petition of Mark Stephen Lancaster & Suzanne Mary Lancaster

Mr Mark Lancaster appeared as Agent

9990. **Mr Liddell-Grainger:** You are doing Mark and Suzanne Lancaster and Huguenot Limited?

The Petitions of Huguenot Court Limited; and Mark Stephen Lancaster and Suzanne Mary Lancaster

9991. **Mr Lancaster:** That is correct, sir. If I can take the two together, a lot of the material has been covered but I do have a duty to say some of these things that I intended to say. My wife and I own a flat at 79B Brick Lane and another at 6 Huguenot Court. I am the Chairman of Huguenot Court Limited, which is a small company, a property management company for the lessees of that building. On this plan—again the colours are much easier when you are close to the screen—Huguenot Court is the dark blue area which is directly opposite on Princelet Street the planned shaft location. At that level it is the dark blue one at the right middle of the map; it is on the corner of Princelet Street and Spelman Street. The other property that I am referring to is shaded light blue; it is on the corner of Brick Lane, which runs north-south on the left side of that screen, and Hanbury Street, which runs east-west, as we know. There is the number 123 next to it, although that does not refer to my petition. My wife and I have been connected with this area since 1989, which is when we bought the flat on Brick Lane that I have just shown you. At that time it was a very rundown community and it has changed enormously; it has become a very vibrant, multicultural community with lots of artists, restaurants, fashion outlets, designers and creative work going on and it has become something of a tourist centre—it is mentioned now in lots of guidebooks. There is a great deal of heritage and wonderful architecture and it really is a very good community. Much has been going on and being developed and it is our fear that some of the proposals—although many of these now changed, and my Petition in that respect is out of date—the tunnelling strategy itself is very important. The work that is proposed could damage that community and its prosperity and I would not like to see that happen.

9992. I want to turn briefly to consultation and the jeopardy that we have been put in. We bought the flat on Brick Lane in May 1989, and the flat in Huguenot Court in June 2002. On neither of those occasions when we had environmental and local authority searches did any plans for Crossrail appear. So we were not warned that this proposal was coming forward when we made substantial property investments there. We have either lived in these properties or had our mail forwarded from them ever since 1989 and although the Promoters do say that there has been widespread consultation we only got notice of this at a very late stage, I think in January 2004. There is a list of meetings that is given in the response to my Petition from the Promoters, which is a long detailed list and it looks as though an awful lot of consultation has happened, but I would be very surprised if many of those meetings, apart from perhaps the Brady Art Centre one, when the community had actually been awakened to what was proposed were very well attended.⁶⁷ I certainly challenge that the consultation was good enough; the notice was good enough to alert everybody in the

area who has an interest to what was going on. I am still concerned about communications between the Promoters and people of the area because, for instance, I wrote in response to the response to my Petition, to Mr Mantey on 23 May. I spent a weekend studying the response, which is quite a task anyway, and I did not get a letter back until I prompted on Thursday last, and my letter arrived on Saturday via email, and I was due to appear here today on Tuesday. It is my opinion that we cannot have much confidence in, for instance, having notices of tunnel machines passing, of road closures and so on, unless Crossrail step up their act quite a lot on those communications.

9993. Turning to the location of the vent shaft, I am not going to say much about this because I think it has been covered very well, but I would only say on behalf of the Petitioners I represent, I put that it is very clear from the aerial photos shown early that there is conclusively more residential development and more people to be affected by the Hanbury Street site than the Woodseer Street site, and I would reiterate that the Woodseer Street site in our opinion is a much better site for that tunnel.

9994. I want to talk briefly about settlement. I am not qualified and I am not able to afford expensive engineers or expensive lawyers to make my case for me, but one of the residents of our block of Huguenot Court is an architect and he is a past President of the Royal Institution of British Architects, and he drew up a scale drawing, of which I brought 20 copies. I did send one in earlier.

9995. **Mr Liddell-Grainger:** This evidence will be A115.⁶⁸

9996. **Mr Lancaster:** The tube is 31 metres down below the ventilation building as drawn. Number 61 is the building that has been referred to as now going to stay, it is the flats that overlook the hole in the ground, which are supposed to shield Huguenot Court Limited, which is called HCL on this, from the noise effects, and that is the width of Princelet Street. What my colleague in the block has done is to draw a line at 45 degrees from the tube 31 metres down to show that Huguenot Court is likely, in our view, to have a settlement impact, and we wish to make sure that we as Petitioners are protected from that settlement by having condition surveys done in advance and regular checks on our buildings to make sure that there is no settlement impact. That drawing shows a building which I think is 25 metres from the tube site.

9997. Turning briefly to the other property I am representing with my wife, that is within five metres of the running tunnel as it is currently proposed. I sent a letter to Crossrail saying would I be affected by settlement and what steps would be taken? I was told I was in the category nought, there would be no

⁶⁷ Committee Ref: A115, Crossrail consultation rounds 2003-2005 (SCN-20060613-012).

⁶⁸ Committee Ref: A115, Position and size of ventilation building and shaft estimated, relative to Huguenot Court Limited (SCN-20060613-013).

The Petitions of Huguenot Court Limited; and Mark Stephen Lancaster and Suzanne Mary Lancaster

settlement within five metres of this tunnel, and this was a letter that I received on Saturday. So I am very anxious about that and I want to make sure that I am considered to be in a higher category than that and that that building too, which is in a conservation area, is monitored before, during and after the construction of this tube. Of course, moving the ventilation site to Woodseer Street would take away a lot of this impact because it would move north through industrial buildings, and we have been through that.

9998. I want to talk about compensation. I suffer from a mental illness called manic depression bipolar affected disorder and I am not able to work. My wife is pensionable age. We have made provision for our old age and for our living by renting out property—both these flats are rented out and we depend on them to pay the mortgages and to cover our living expenses. I am concerned that the noise and disruption of these works and the long-term effects of the railway running will make it more difficult to let our properties at appropriate levels of rent. We need to rely on this money, as I say, to pay mortgages and for ourselves, and I would like to ask the Committee to consider providing compensation for us and other people who are affected by the building of this railway in a financially negative way. I have been referred continually to the National Compensation Code and I am not very good at reading these things, but I am trying to read it. All I can understand from it is that if you are being compulsorily purchased there will be some compensation. If you are not there will be none. Maybe that is not correct.

9999. **Mr Liddell-Grainger:** Mr Lancaster, I will stop you there. There is a very strict criteria to what compensation can and cannot be paid, which is laid down by Parliament. We are not, as a Committee, looking at that; we are not allowed to. So if you would like to move on to your next point?

10000. **Mr Lancaster:** My next point is to do with the noise and vibration, and if this problem can be solved then maybe we do not need compensation. Obviously the construction of the railway and the running of the railway when it is built underneath these properties will have a noise and vibration impact on them and all I am asking here is for the Committee to ensure, on our behalf, that the absolute best possible insulation, vibration protection materials and everything else that can be done to make the construction and the running of this railway as un-intrusive as possible.

10001. On the subject of professional fees, I understand that we are not able to claim anything for any professional fees in preparing presentations here, and that is why I am doing it, and in preparing our petitions and so on. However, I do want to make sure that if we do need condition checks and surveys and work done to ensure that there is not subsidence, that professional fees for those reports are covered by the Promoter.

10002. I am concerned about hours of work and I think that the local authority has dealt with that.

10003. **Mr Liddell-Grainger:** They have indeed, Mr Lancaster.

10004. **Mr Lancaster:** Noise and vibration management. We are told in the response to our Petition that a plan will be prepared where appropriate. I would just ask the Committee, we have not seen this plan and I gather that it is not yet done, but we would ask that the noise, disturbance and dust are controlled in some way, preferably perhaps by the local authority having powers to measure it, control it and prevent that going on during construction. We feel that acceptable levels of dust emissions, noise and pollution from the vehicles and so on should be agreed in advance and adhered to by the construction companies and that such plant as pumps, generators, diggers and so on, the noise from those should also be controlled and monitored.

10005. Two small points, perhaps. We are concerned about the amount of parking. The area is very difficult for parking, it is extremely congested and it is very hard. We are concerned that contractors and other employees involved with the railway, their parking should be managed or they should preferably be arriving by public transport when working here, and if their parking cannot be managed we would like to see the local authority able to enforce the existing parking regulations properly and have support for that.

10006. Finally, again a small point. We noticed in the response that there are plans to deal with pest infestation. I presume this means the release of rats into the area from digging up sewers and so on, and I would like to see that the Promoters provide extra resources to make sure that that health hazard is controlled during construction works.

10007. That is my Petition.

10008. **Mr Liddell-Grainger:** Mr Mould.

10009. **Mr Mould:** Would you like me to respond?

10010. **Mr Liddell-Grainger:** Have you any direct response to anything? I think most of it has been covered elsewhere.

10011. **Mr Mould:** I think that is right. I can respond very briefly on the points that have been raised.

10012. **Mr Liddell-Grainger:** If you feel that something can be added please do. The only thing I would ask is perhaps you would write to Mr Lancaster just to explain the code on compensation?

10013. **Mr Mould:** We can certainly do that. In fact I think we have sought to do that already.

The Petition of Mr Panayiotis Cleovoulou and others

10014. **Mr Liddell-Grainger:** If you would; I think Mr Lancaster would appreciate it.

10015. **Mr Mould:** We can add a little more on that. I will work backwards, if I may? On the question of controlling pests, that, as you know already, is something that will be dealt with under the provisions of the Code of Construction Practice. The employees' parking, certainly I think Mr Berryman has given evidence already to the Committee that we very much expect that public transport will be the primary source of transportation for Crossrail employees and workers to their place of work at the worksite, but beyond that control over Crossrail related traffic will be part of the Code of Construction Practice.

10016. I do not think I need to say any more about noise and vibration, you know about the COPA Regime.

10017. Perhaps I ought to say very briefly that in relation to settlement both of the properties that the Petitioner owns have been the subject of assessment as part of our settlement process and in terms of settlement effect—and that is the key point, it is not the lack of settlement, it is the lack of any settlement effect on these properties—the assessment shows that those effects are expected to be negligible.

10018. **Mr Liddell-Grainger:** Thank you. Mr Lancaster, thank you very much indeed. Mr Cleovoulou, I am told by our deputy clerk that you want five minutes only, is that right?

10019. **Mr Cleovoulou:** I do not say that, but I will make it as brief as I can.

10020. **Mr Liddell-Grainger:** The reason is that at the moment I am inclined to adjourn until six o'clock. If you can do it in five I am happy to let you do it, but if it goes longer I would like to adjourn the Committee because we have been sitting here for quite a some time, as you are well aware.

10021. **Mr Cleovoulou:** I am happy to come back.

10022. **Mr Liddell-Grainger:** Then I will adjourn the Committee until six o'clock.

The Committee adjourned until 6 pm.

Ordered: that Counsel and Parties be called in.

10023. **Mr Liddell-Grainger:** Could we have Mr Cleovoulou?

The Petition of Mr Panayiotis Cleovoulou and others.

Mr Cleovoulou appeared in person.

10024. **Mr Cleovoulou:** I guess all I want to say is that I represent the owners and occupants of two Grade II English Heritage listed buildings in Puma Court.⁶⁹ For those who know Puma Court, it is very popular with the tourists. It has been noted how they show particular regard to these buildings; they are 1720s buildings. I guess the route that they are on is also popular with the everyday commuters who go to and from work. What has been really good for us is that because of this level of popularity a lot of people who really do appreciate listed buildings show an interest in taking up residential tenancy with us and we really do value them. It is true to say they are not the easiest kind of building to live in but for people who really do appreciate them they pay what they can.

10025. We also have the benefit of having commercial tenants with us, again, because of the locality and the nature of the buildings; we have people that are trying to make a name for themselves. Basically, the purpose of my petition is that we are all concerned that the construction and subsequent use of the tunnel is going to disrupt us in one way or another. Did you know that the very existence of the tunnel under the buildings is going to increase the value of our insurance premiums? If my understanding is correct from the Promoters, and this is using my words, it is a personal problem, it is not really their department and it does not form part of the national compensation scheme, so if we could somehow address that it would be very much appreciated.

10026. The other concern is for the value of the buildings. The Promoters' response was that it would be unusual for the value of the properties to be affected, especially with all the precautions that would be taken with the latest mechanisms and what-have-you. I have done a little bit of my own research and have found out from reputable estate agents in the area, including Tarn & Tarn, that the property values will be affected and if vibrations do exist it will have a serious effect on the property values. We appreciate the Promoters' feedback but at the end of the day it is just their perception of how they think things are going to turn out. Okay, they have done all the precautions but the professionals in the area seem to think otherwise, so you can understand if I come across with the point that the folder that I have been provided with as the response to the petition does not really give me the proper assurance that I need. I would like to see guarantees before anything begins and to me a guarantee means something on a piece of paper with names and signed. I do not want to be referred to countless compensation documents that most of us normal people do not understand. None of us wants to go through the hassle of being inconvenienced because of a project such as this. Do not get me wrong: I think the project is a wonderful idea. We all understand the benefits it is going to bring to all of

⁶⁹ Crossrail Ref: P89, Location of Petition 231, Mr Panayiotis Cleovoulou and Others (TOWHLB-23013-002).

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us, but at what cost? We really want everybody here to give a listening ear. If you do not mind my mentioning this point, in Greek the word “listen”, which is “akouo”, has two meanings. It means to listen with your physical ears but also to act on what you hear, so we hope that people will take that on board today.

10027. Regarding the issue of damage to the buildings, I have taken on board the comments by the Promoters that they will make good any damages that have been made; thank you very much for that. My only question at this point is, when you say “make good” will they be made good immediately when the damage is done? Will they be done by the building contractors of Crossrail or do we have to make the unnecessary expense? Does it have to go through some kind of compensation scheme that will take who knows how long to go through? These are genuine concerns to which I do not know the answers.

10028. Regarding the issue of vibration to the buildings, again, it has been on a similar note to what the Promoters have already said. The Promoters have assured me that they have taken all the precautions they can, especially with listed buildings, and they were very sensitive in this regard. They have done what they can to minimise it. Let me just give you the example of my washing machine. We installed a good quality washing machine in the building and the result was that the whole building vibrated, so naturally we had to take the washing machine away. We have been told, both by Crossrail and by other teams, that the walls of the listed buildings are structurally sound but this does not mean that no vibrations are going to be caused at the floor level and we really do not want that kind of inconvenience. The vibrations are the most serious concern to us and it is going to have an impact left, right and centre to all the businesses, to all our tenants. We feel that we might lose our occupational tenants and we really do not want that. If that is going to be the case I simply do not want the tunnel to be immediately under the property. It is as simple as that. Of course, if Crossrail do pursue having their way we are going to agree some kind of compensation and, correct me if I am mistaken, but listed buildings, which are not the same as standard, well-structured buildings, need to be given particular consideration when it comes to compensation. It should not be regarded in the same manner as standard compensation plans.

10029. **Mr Liddell-Grainger:** Mr Cleovoulou, compensation is set not by us but by the House.

10030. **Mr Cleovoulou:** You mentioned that earlier but I do not want—

10031. **Mr Liddell-Grainger:** I am sorry; it cannot be taken into consideration now.

10032. **Mr Cleovoulou:** Okay, fair enough. Again, with regard to the assurances, I went to the washing machine example. We are all familiar with the Millennium Bridge. It is a wonderful project but what happened? It started to wobble. Okay, it was fixed at the end but the point is that it is not fair for assurances to be made and then suddenly to find that your buildings actually do wobble, and in the case of delicate, age-sensitive materials it is not a flexible building, it is going to fall down. I really do not want the tunnel under the buildings if this is the kind of risk that we are going to be exposed to. If they can be looked into to see how they can be shifted somewhat that would be good. I do not know how vibrations work. Okay, I have studied physics and I do know that vibrations travel from the immediate vicinity, so even if the buildings are slightly away from the tunnel it does not mean that the vibrations will not affect us. What the level of vibrations will be I really do not know, so if you can take that into consideration that would also be appreciated.

10033. With regard to professional fees, I understand that this is a burden we have to undertake. Listed buildings, especially in this location, are very valuable, but remember that they are illiquid. They are resources—

10034. **Mr Liddell-Grainger:** Mr Cleovoulou, I am going to stop you again. We have covered that; that has already been discussed at great length. Mr Elvin and his team have already covered that. Can we pass on to any other points you have?

10035. **Mr Cleovoulou:** In that case, I do not know if I have raised every single point in the petition response but I would just like to make the statement that all the issues I have raised still stand. In my petition I requested that because of the nature of the buildings we should be given a personalised response. Every listed building owner should be treated individually, and I think they are to some extent.

10036. **Mr Liddell-Grainger:** They are.

10037. **Mr Cleovoulou:** But what I asked for was personal, legally binding documents. We should be told. We should not have to go away and search for what kind of compensation or whatever else we should be benefiting from should something go wrong. Nobody wants this hassle. Unfortunately, for those who knew my dad, who had been for a long time, 30 years, a hairdresser in the area, he has now passed away and this project has come at a very difficult time for all of us. We are still suffering financial burdens and we really do not want to go through the inconvenience of having to deal with compensation and we will not be able to be paid—

10038. **Mr Liddell-Grainger:** Mr Cleovoulou, I am going to bring you back, please. I think you know what I am going to say. We have no say in that, unfortunately. I think you are going to wind up. Are you just giving your final statement?

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10039. **Mr Cleovoulou:** Yes, I am just coming to the end.

10040. **Mr Liddell-Grainger:** Please carry on.

10041. **Mr Cleovoulou:** I said at the beginning that the project is a wonderful idea. It is going to bring many benefits to the area and we appreciate that but, please, we do not want to develop some kind of a hate relationship between the Promoters and the people on whom it has impacted. We want to benefit and feel proud of your project, so if you can give us our due consideration it would be very much appreciated. Thank you very much.

10042. **Mr Liddell-Grainger:** Thank you very much, Mr Cleovoulou. Mr Elvin, have you any points that you would like to make?

10043. **Mr Elvin:** I do not propose to call any evidence but, like Mr Mould with the last Petitioner, I will simply say this. The Committee has seen our letter to Tower Hamlets which makes specific assurances with regard to the provision of settlement reports. The Petitioner is entitled to his stage three settlement report and to discuss that, and you will have seen from the letter I showed earlier that there will be a guide produced for the owners of listed buildings in due course which will explain how this will all work before construction starts. Could I also say that in terms of vibration, although this does not appear because it does not apply to this particular route window, an assessment has been made for those listed buildings which may be vulnerable to damage from vibration, and where certain criteria have been exceeded mitigation measures have been considered. You have not seen anything with regard to that because there are no properties within this route window which fall within the criteria where there is a risk of damage from vibration. The only vibration which will be perceived will be during construction. That will be perceptible but not significant. There will be vibration as the tunnel-boring machine passes under. As the petition response document says, it will be perceptible, no more than that, and there will be some perceptible vibration from the construction train as it passes through the tunnel but these are short term impacts and they will not cause damage.

10044. **Mr Liddell-Grainger:** Thank you very much, Mr Elvin. Could I ask Zoe Hudson please to come to the stand?

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Ms Zoe Hudson appeared on behalf of the Petitioner

10045. **Ms Hudson:** Good evening. My name is Zoe Hudson. I have lived in the Spitalfields area for 10 years now and I am here to represent not only myself but also seven other Petitioners. You will notice that they are a mix of Bengali, Indian and English. They are my neighbours, they are my friends, they are people in the local restaurants. What I really want to

explain today is how Crossrail have behaved so appallingly to the people of Spitalfields with respect to a lack of consultation and information that we have received. Would I be allowed to go into a very brief history about my personal experience of consultation with Crossrail?

10046. **Mr Liddell-Grainger:** No. This is to do with this Bill, Ms Hudson. This Bill is looking specifically at how things will affect you within the context of Crossrail. We cannot take anything else into consideration.

10047. **Ms Hudson:** But it is all about a lack of information that we have received, that we have not been able to get any information to be able to—

10048. **Mr Liddell-Grainger:** To do with the Crossrail Bill?

10049. **Ms Hudson:** To do with Crossrail.

10050. **Mr Liddell-Grainger:** Then of course you may.

10051. **Ms Hudson:** I first heard about it in October 2003, only because of my flatmate, when a single-page letter appeared through the door explaining that her flat might be compulsorily purchased and could we go to a meeting held at Guildhall subsequently. I went to this meeting, a half day. We got to Guildhall. The meeting had been moved with no prior information. We were told it had moved to Ironmongers' Hall. There were no instructions how to get there. We got to Ironmongers' Hall. There was nobody there, there was no set-up. We had to wait half an hour, and then there was no information. There was certainly no information on the Hanbury Street site. I am aware that there was another consultation at Woodham Gardens.

10052. Mr Berryman showed some very interesting stats about consultation in the area; they were very impressive figures. The numbers at Guildhall—there were only 30 there, and that was shortly after, in October. On 29 January Crossrail put their first report on consultation to the Government. We have seen subsequent consultation in the area but a lot of this has been driven by the local community and it has happened in a very drip, drip, drip manner and has not come from Crossrail proffering it. I refer to Mr Berryman's comments again this afternoon when he was talking about the chronology of what happens with Crossrail, that you have to devise some plan before you can put it out to consultation, and this is his quote: "You have to have something to present". They had nothing to present about the tunnelling on Hanbury Street. I do not know if that is consultation. It was about Crossrail and the link but nothing in detail about what was going to the area in Spitalfields.

10053. In August 2004 I am sure you are aware there were was the second round of an information exchange and I am sure you are aware that this was

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held in a brewery in Brick Lane. Seventy to 75 per cent of the local population are Bengali Muslims. It is forbidden in their religion to go into a brewery and you have to cross through the Vibe Bar to get into this information site. With respect to his impressive numbers I know information sites were put up at Liverpool Street and Whitechapel. Spitalfields around Princelet Street and Brick Lane is a residential area, and it is residential because people work in that area. They do not live in Spitalfields and commute out to Essex; they live and work locally. They do not go to Liverpool Street, so while his figures were impressive I want to know what information they were conveying given that if you went to these sites there was little about the tunnelling at Hanbury Street.

10054. In June 2005—we have a big festival in the area—myself and a neighbour canvassed about 200 people, locals, people in the playground, neighbours, to ask them if they knew about Crossrail. A lot of them did know, to be fair, about the station at Whitechapel but none of them knew about the tunnelling in Hanbury Street. People who live at the bottom of Hanbury Street who are going to be directly affected knew nothing about the project, and this was two weeks ago last year. The typical thing when I go up to a local in the street is, I say, “Have you heard about Crossrail?”, and they will say, “It’s that new link that’s going from west to east”, and, “We are going to get a new station at Whitechapel”. I ask them about the ramifications, what they are going to do in the area. I say, “They are going to put a big tunnelling site in Hanbury Street,”—and they all know the area—“they are going to put a big conveyor belt going all the way along Pedley Street”, so another conveyor belt that is going to take all the spoil—

10055. **Mr Liddell-Grainger:** That is now not going to happen.

10056. **Ms Hudson:** Yes, okay.

10057. **Mr Liddell-Grainger:** Mr Elvin launched that this morning and made it very clear that the Promoters are not going to do that. It will only be the Hanbury Street site.

10058. **Ms Hudson:** Okay, and they would say, “That cannot be true. I would have heard about it”, and then I would show them the route, show them the curve from Liverpool Street to Whitechapel, and they would say, “Why are they not building it in a straight line?”, and I would say, “Because they have to take the spoil out at Hanbury Street”. We have asked Crossrail for the last two years why they could not tunnel from both ends, and that is what everybody in the area has said, rather than having to tunnel from Hanbury Street, and I am fantastically pleased that in April they presented their revised tunnelling strategy. However, this looks like it is going back to front because originally the route was

part devised to get the spoil out. You do not need to get the spoil out now, so why do you still need that route?

10059. The lack of consultation over the last three years has been extremely frustrating. The Select Committee have learnt more in the last week than I have learnt over the last three years from Crossrail and it has been extremely enlightening. The one thing that has come out from not just the evidence today but also from some of the transcripts I have read is that there has been a woeful lack of information, not just for us but it seems to be along the route and there seems to be an awful lot of joined-up thinking.

10060. Dealing with Crossrail has been extremely frustrating and when they have produced information it has been misleading. Most professional bodies have rules of professional conduct and I am sure Crossrail must have some but my analogy for dealing with Crossrail is that they were a doctor I think they would have been struck off. For the sake of the record I do not accept any of the responses I have been given from this petition; I would just like that on the record. From hearing a couple of the bits of information today I am intrigued about why as the Select Committee when you did your site assessment you were not shown around the Woodseer Street site. It seems like you were marched straight past it, and, while they explained about changes as a consequence of consultation, they did not say about any of the changes as a consequence of consultation in the Spitalfields area.

10061. **Mr Liddell-Grainger:** Ms Hudson, could you come on to what you want us to do? The consultation I accept. I am not sure we can do much about what has happened but what we need to know is what you and the people you represent want. Can you come on to that?

10062. **Ms Hudson:** Yes. I think the consultation is endemic about their behaviour and their approach, so I do think it is important even though it is historical. From my experience to date and the evidence presented to the Select Committee I think it is clear that Crossrail have not done their job properly regarding consultation, alignment and impact, especially in our area. The decision on this route alignment and the placement of the ventilation shaft is going to have a significant effect on our community in terms of health, noise, vibration. You have heard it all before. It really is a residential community; you have walked around there, so wherever you place a ventilation shaft it is going to have a huge impact on the restaurants and all the local shops.

10063. I think it is unfair on the community to impose this without proper evaluations on some basic fundamental principles, such as alignment and impact. I am really glad I have not got your job because I think it is completely unfair for you as a

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Select Committee to be asked to make a decision based on woefully inadequate information. What we would like you to do is not to decide. We suddenly seem to have got into the situation, is it Hanbury or Woodseer? It should not even be that. I think Crossrail need to go back and look at all the alternative options and the comparisons should be made in a fair and transparent way, like for like, not just what they are cherry-picking for the latest one. That certainly has not been done in terms of the impact and the various other things. This is not just about whether it is Woodseer or Hanbury but to explore the Bishop's Square and also the southern route which was brought up again this morning. We would like this to be done in a fair and transparent way. That is what we would like you to do.

10064. **Mr Liddell-Grainger:** Thank you very much indeed, Ms Hudson. Mr Elvin, have you anything to contribute?

10065. **Mr Elvin:** There is nothing I want to ask the Petitioner. I do not want to get into a debate about the pros and cons of the consultation. The Committee has our picture. I think what may be helpful is that I have been given a briefing note on the consultation activities in the Spitalfields area and I am going to ask for it to be ingested into the system so that the Select Committee can have it available because it summarises specifically the consultation activities in the Spitalfields area and I will make sure copies are available for tomorrow.

10066. **Mr Liddell-Grainger:** If you could, please, Mr Elvin. I think Ms Hudson has brought up some useful points that we do need to look at.

10067. **Mr Elvin:** This is about 12, 14 pages. It will give you a little more detail as to what has happened.

10068. **Mr Liddell-Grainger:** If you could and if you would let the Clerk have it.

10069. **Mr Elvin:** I will make sure that the Petitioner gets a copy as well.

10070. **Ms Hudson:** Thank you. Could I just make one comment on that? As I said, it is a residential area and people work locally. They do not go through Liverpool Street, they do not even use Whitechapel and the other consultation places were 25 minutes' walk away.

10071. **Mr Liddell-Grainger:** Thank you very much, Ms Hudson. That is very kind. I would like to call now Mr and Mrs Critchley.

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Mr and Mrs Critchley appeared in person

10072. **Mrs Critchley:** I am Sandy Critchley and this is my husband John. I am going to read this presentation.

10073. **Mr Liddell-Grainger:** This document will be A116.

10074. **Mrs Critchley:** We both live at 14 Wilkes Street. Our house is above one of the proposed tunnels according to the currently planned route. We do not intend to take a great deal of your time but there are several important points I would like to make. We are very pleased and relieved that the decision has been taken not to actually tunnel from the Hanbury Street site, but under current plans, as you have heard, there will still be a huge hole there with a massive amount of spoil to be taken away by lorry through narrow streets and past residential blocks and primary schools.

10075. We have a vibrant and multi-racial residential and business community in Spitalfields and for centuries it has been an area where immigrants live after arriving in Britain. We all rub along together really well and personally we believe that our community would still be devastated by the remaining ventilation shaft and its associated work at that site in Hanbury Street. Now that Crossrail have made the decision not to tunnel from the middle as well as from both ends there is absolutely no reason for them to stick to the planned benchmark route. We believe that Crossrail have not adequately investigated the alternative routes that would avoid disruption and damage in our community. Why can the more northerly Woodseer route under the old Truman Brewery not be used? In addition to other advantages, as you may have seen from the photographs, the area is hardly used by the public at all. It is not on the way to anywhere. There are no supermarkets down the end of that road, there are no shops, there are no schools. It is very little frequented by the public. The reasons quoted so far by Crossrail for not using that route still do not seem in the least credible, especially, again, after seeing the aerial photos.

10076. As you have heard, there is also a potential southerly route following the District Line under Whitechapel Road. Crossrail do not appear to have given this any serious consideration at all. We look to you, our elected representatives, to make sure that Crossrail explore all the alternatives thoroughly.

10077. We moved to Spitalfields nine years ago to be near our daughter who was then a medical student and she is now a junior surgeon at the Royal London Hospital. It was the only reasonably sized house we could afford in central London. It is also very beautiful inside. Our house was built by Huguenot silk weavers in 1724. The picture gives you an idea of what the whole street looks like.⁷⁰ Our house is the third along, the one with the red brick façade, and it has poor foundations and was not really built to last. It and all its ancient neighbours have somehow managed to survive for almost 300 years despite wartime bombs and developers' bulldozers, but they are fragile and vulnerable. Our two conservation

⁷⁰ Committee Ref: A116, Photograph of the property of Mr & Mrs Critchley (SCN-20060613-014).

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areas in Spitalfields represent a unique collection of early Georgian houses and contain priceless relics of the past, including number 19 Princelet Street, which is Europe's only Museum of Immigration, and that is Grade II* listed and already very near collapse. We are extremely concerned about damage to our flimsy house as a result of the Crossrail tunnelling and traffic.

10078. We do not trust anything that Crossrail says. Their local consultation process was pathetic and they seemed initially reluctant to inform us of a change of route from the originally projected route that would have gone harmlessly under the Truman Brewery. We ask the Select Committee to make sure that if the final route does run under our dozens of beautiful, frail old houses, some of which are formally listed and some not—curiously, ours, although it was built in 1724, is not listed; it is some sort of fluke—then we ask you to make sure that any damage to the structures from subsidence or any other cause is made good and properly compensated. Crossrail admit that our own house could suffer up to 28 millimetres of uneven subsidence which is more than an inch.

10079. We were surprised to learn today that Crossrail is going to carry out further assessments on all the listed buildings, but we understood from meetings the Spitalfields Society has had with Crossrail engineers that the phase three reports they had done in April 2004 were the last assessments they would do simply because no buildings in the Spitalfields area scored more than two against their assessment criteria. In view of the recent site inspection, when they re-assessed number 19 Princelet Street as scoring three, and Crossrail agreed to assess Christ Church, what further assessments does the Promoter now plan?

10080. We would also ask the Select Committee to ensure that any noise from the construction and then the trains themselves is minimised and that satisfactory sound insulation is fitted. We are told that the noise level may be 40 decibels from the trains and they would run beneath us every two minutes. What does 40 decibels mean? Crossrail have quoted noise standards that are difficult to locate and impossible to understand, but this level has been likened to the sound of a lorry passing by at the end of the street—a not inconsiderable nuisance every two minutes if you are trying to work or sleep. There are many writers, artists and musicians living and working in our community who would find the repetitive rumbling of trains passing beneath irritating at best and at worst totally off-putting. We personally are also worried about one of the high profile features of Spitalfields, the Spitalfields Festival. It is an internationally renowned music festival which uses our church, Christ Church, Spitalfields, as a venue and which would find the future noise levels completely unacceptable and make recordings of performances, by the BBC, for example, impossible.

10081. We would also like to point out that the funding for Crossrail is far from secure. That is putting it mildly. A final decision to go ahead without committed funding—

10082. **Mr Liddell-Grainger:** Mrs Critchley, the funding is outside the scope of this Committee.

10083. **Mr Critchley:** Yes, I know, but what I am trying—it is relevant, actually. What I am saying is that a final decision to go ahead without committed funding, which is the state of it at the moment, would mean that the project might never happen because it would not have the funding but our community would suffer almost infinite blight from the public awareness that Parliament had given it the green light. Thank you for your time and patience. We look to you to safeguard our property, which is our only asset, for which we have both worked hard for more than 40 years, and above all we ask you to protect the interests of the entire community in Spitalfields.

10084. **Mr Liddell-Grainger:** Thank you. Mr Critchley, did you want to say anything?

10085. **Mr Critchley:** No, thank you.

10086. **Mr Liddell-Grainger:** Mr Mould, have you anything to add?

10087. **Mr Mould:** I am not going to call any evidence on this one either because I think the Petitioners have raised points that you now have heard about in some detail, but perhaps I can just say one or two words. First of all, in relation to settlement issues, we have undertaken a settlement assessment on the Petitioners' property and the results of that assessment, which accords with the process that you have been told about in earlier evidence, indicates that there will be negligible effects from the tunnelling works beneath the Petitioners' property at 14 Wilkes Street and we are not proposing any further assessment in the light of that finding.

10088. Just to clarify a point, in relation to the assurance that was repeated today about the disclosure of reports to Petitioners we should make it clear, in case there was any misunderstanding from what was said a minute ago, that that of course does not commit us necessarily to undertaking any further assessment work. We have carried out the stage three assessments through what we call the first iteration in relation to each individual listed building that falls within the ten millimetre settlement contour and we have indicated to the Committee what that entails. As we have indicated, we are certainly going to make available the reports that get us to that stage but as to whether any further work is required that is a matter that falls to be considered in relation to each individual building depending on the risk category that that building has been assessed as falling within. What we have said, of course, is that we anticipate that when Petitioners, if they

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choose to do so, ask for and receive the settlement report in relation to their building if a report has been prepared on that basis, they may wish, for example, to obtain their own advice and they may raise points which they say call for further consideration. We will, of course, consider any suggestions of that kind sympathetically and decide whether any further work is required. You have an example from earlier on today in relation, I think it was, to 19 Princelet Street where just such an approach has been undertaken. I hope that gives some comfort at least to the positive spirit in which we put forward the assurance that we did, but also the context in which it is offered.

10089. I say nothing more about the issues regarding the alignment. You have heard a lot about that today. You have also heard more than you need to perhaps about lorry movements, although it is important just to make one factual point. There is no proposal to route Crossrail construction noise along Wilkes Street. All the construction traffic goes well to the east of the Petitioners' property.

10090. I ought to say a sentence or two about noise just to remind the Committee that it has heard presentations and evidence from Mr Thornely-Taylor about the approach we take to design and to the design criteria for groundborne noise, both during the construction and operation phase. You will recall that the approach we take, which is to have a criterion of 40 dBA for residential properties generally, is one that is based on experience with the Jubilee Line extension and other projects and has been found to be a design standard which, if applied, has resulted in a favourable outcome in terms of noise and vibration and disturbances. We have explained that in earlier evidence. The prediction in relation to the Petitioners' property, located as it is just to the north of the eastbound-running tunnel at Wilkes Street, is that the groundborne noise will be less than 30 dBA LA max, and you will recall the relationship between predicted and design criterion which Mr Thornely-Taylor explained in his presentation to you.

10091. Finally, the Petitioners mentioned Christ Church, Spitalfields, where the prediction is that the groundborne noise from the scheme will meet the prescribed concert hall standard, which I think is 25 dBA LA max, so we are confident that an acceptable noise environment will be achieved in relation to that sensitive property.

10092. Sir, unless there is any other matter in relation to this petition that is all I wanted to say.

10093. **Mr Liddell-Grainger:** Yes, Mr Critchley?

10094. **Mr Critchley:** Could I just say that I did not realise that a settlement assessment had been done on our house. I did not realise that we had to ask for it. We will obviously write. It just seems fairly typical of their communication policy.

10095. **Mr Liddell-Grainger:** Thank you very much, Mr and Mrs Critchley. May I call Aulad Miah?

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Mr Aulad Miah appeared on behalf of the Petitioners

10096. **Mr Miah:** My name is Aulad Miah. I am a resident in Spitalfields and I am here representing an organisation called Shahjalal Community Group. I was born and brought up in Spitalfields and my family have lived there for over three generations from the seventies to now. I work locally in a community organisation and I have family businesses in the area.

10097. I would like first of all to describe what we have in that area so that the Committee have a good idea of what exists. Shahjalal Community Group is located in Fakruddin Street, which is a densely populated estate built in the late eighties. It is just off Vallance Road which is near to Whitechapel Road. The lower part of Vallance Road will be used for lorries to move spoil from the shaft site in Hanbury Street. In Fakruddin Street there is a total of 32 houses and over 160 people live there.

*The Committee suspended from 6.41 pm to 6.54 pm
for a division in the House*

10098. **Mr Liddell-Grainger:** Please carry on.

10099. **Mr Miah:** People living in Shahjalal Estate, often known as Fakruddin Street, are of various different age groups. Over 50 per cent are below the age of 18 and over 20 people are over the age of 60. The majority of the residents are Bangladeshi and the elderly are the first generation from Bangladesh. There is a community centre within the estate and it holds classes, meetings, events. There is also a football pitch which runs alongside the houses and it is an important community resource since there are no other play areas available nearby. Next to the estate are Thomas Buxton Primary School and Osmani Primary School and the City Farm. Also local to the area is the Brick Lane mosque, the East London mosque, shops on Vallance Road and the nearby Whitechapel Market. The estate is actively engaged with its neighbours, the Universal Water Services, UK Food and Catering and Happy Nightmares Beds just off Vallance Road next to Fakruddin Street. The estate forms a strong part of the residential area around Whitechapel and Brick Lane.

10100. In May 2004 we found out about Crossrail but the information was not obvious to us. I understand at this point that the Pedley Street shaft tunnelling has been revised and there will not be a work site on Pedley Street. However, I do feel that we need a confirmation of that and it is not just a mere suggestion or a ploy before the election because we have a history of being told by Crossrail a lot of things which a lot of people were made to believe in

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the initial stages of the whole consultation process that this has been agreed by Parliament and is done and dusted so you could not challenge it. Unfortunately, a lot of people did believe that it could not be challenged so when we went to get people to agree to the petition they said, "It has already been agreed. How would you challenge it?", so we have a lot of mistrust between the local—

10101. **Mr Liddell-Grainger:** Mr Aulad, can I just ask you to come to your points? I hear what you say. It has not been agreed; we accept that. You are here, we are here, we are listening to you. Can you come to the crux of what you and your Petitioners would like?

10102. **Mr Miah:** There are a lot of issues even without the Pedley Street shaft which would have taken the tunnel boring materials and equipment into Hanbury Street. There are still many concerns that have not been answered and dealt with by the responses from Crossrail. We feel that the lorries that will travel along Buxton Street into Vallance Road carrying spoil and materials from Hanbury Street will cause a lot of disruption to the local community. A lot of our young children go to Thomas Buxton School, they go to Osmani School. They will have to cross the path of the lorries to go to their schools. Mothers with children, elderly people going to the mosque will be affected by the lorries, the noise and the pollution that come from them. We feel that the shaft, whether it is a ventilation shaft or something more significant than that, in Hanbury Street will still cause major disruption to our lives. We feel that local businesses will be affected in pretty much the same way. Lorries still will be travelling along the routes of people trying to go about their daily lives. Life is pretty hard in that part of London. People are living in overcrowded conditions.

10103. **Mr Liddell-Grainger:** Are you wanting the lorry route rerouted?

10104. **Mr Miah:** We would not like the lorries to be there in the first place because we feel that we should not have that in the first place. Life is pretty hard as it is. If it could be rerouted that would be great. When Crossrail was planning and doing their consultation they took little consideration of the local people. In fact, the estate that I have just described to you was referred to as having very few houses. There is a thriving and active community that lives there, so I feel that the voice of local people needs to be taken into consideration now.

10105. The Whitechapel station that we hear about and is planned for we feel will not be of much benefit to the local people. It will be a station that helps communities from Hayes, Essex, to come to Whitechapel then go to Canary Wharf. We hear about regeneration. We have heard about regeneration for many years. We heard it when Canary Wharf came into being. We heard it when Liverpool Street became a financial centre for businesses. It does not really do much for local

people. Local people work locally, as we have heard from other Petitioners. Local people work in the community. They normally do not commute out to work. People will be coming into the borough and then going off to work in various financial centres. Unfortunately, when we talk about regeneration we talk about areas that are very deprived and we feel that maybe the regeneration will be of benefit to local people. We have seen in the past that that has not resulted in any changes in the lives of local people. It will just disrupt the community for many years. For six or seven years it will constantly be a work site in Whitechapel or Hanbury Street and in the lorry routes as well, and that is something that we could do without. The local community do not feel that a station is something they could benefit from. It is purely in the interests of financially based organisations, big corporations, having their workforces moved around easily.

10106. We feel that Crossrail needs to explain to us how Whitechapel Station is going to benefit local people. The community as a whole needs to benefit from an initiative like that and from what I have seen in terms of the response, as well as the paperwork that is available, there is nothing that says it will benefit local people, and we have had a history of regeneration initiatives in Tower Hamlets with very little changes in the lives of local people.

10107. I know this has been mentioned several times before but we feel that Crossrail is very much aware of the fact that the vast majority of the people other than the white community will be the Asian community that is affected by this Crossrail link. We feel that very little has happened in terms of engaging with the BME communities, particularly in Spitalfields. The choice for venues like a pub or a brewery is not ideal to attract Muslim men and women. We feel that when communication is one way it is not active engagement with the community. We feel that information was not made available to the community leaders, it was not made available to people who could not speak English, considering that they were very well aware that a lot of the people in that area would be of Bangladeshi origin, considering that throughout the route of Crossrail within one kilometre radius approximately 30-odd per cent would be Asian. We feel that it was not a two-way process. We felt that information was given to us so that we could say, "Okay, this is what has been agreed". This is how it came across to us. A lot of people until recently felt that it was already agreed and is going to go ahead as planned originally. It has made a lot of people feel that they could not be included in this whole process.

10108. **Mr Liddell-Grainger:** Mr Aulad, I think we have gone through that. You have put your point very eloquently, may I say. Can we move on from the consultation and may I bring you back to your points that you wish to put forward to us specifically to do with what we can do to help and what you want to tell us?

The Petition of Shahjalal Community Group

10109. **Mr Miah:** We strongly feel that Whitechapel Station is an unnecessary burden.

10110. **Mr Liddell-Grainger:** You have already done that bit. We accept that. You have said that to us.

10111. **Mr Miah:** What I would like to sum up with is that the local community is being affected by Crossrail having a ventilation shaft in Hanbury Street, Crossrail having lorries moving from one site to the next, Crossrail having a station in Whitechapel, and the Shahjalal Community Group and the Fakruddin Street area that I represent is very much an integral part of the Banglatown community as a whole. Having this major work site going on within the community will significantly disrupt our lives which are already quite difficult.

10112. **Mr Liddell-Grainger:** Mr Miah, I believe I have been calling you by your forename, which I apologise for. I am so sorry. I have a double-barrelled name so I get terribly confused. Thank you very much. I think you have put your points very eloquently and I am sure Mr Elvin and the Promotes have taken well on board what you have said. Mr Elvin?

10113. **Mr Elvin:** I think it might be helpful for the Committee just to identify the Shahjalal Estate in Fakruddin Street.⁷¹ Can you just focus in please, just below where it says “Pedley Street work site”? Mr Miah, if we look at those double-headed arrows just under “excavated material”, is that the estate, just north of the farm?

10114. **Mr Miah:** Yes.

10115. **Mr Elvin:** So the estate that you are concerned about in particular, although appreciate you are speaking for the wider Bangladeshi community and the other members of the community as well, is that area which is next to the Pedley Street site?

10116. **Mr Miah:** Yes.

10117. **Mr Elvin:** You will have to take it from me, but if you want documentation it is information paper G3, revised in April, which sets out in clear language that the Pedley Street site will no longer be required. That will be subject to an amendment to

the Bill which will be brought forward in the next phase and you will see the amendment to the Bill when that comes forward. It is now on the record so you will have that level of reassurance.

10118. **Sir,** in terms of the other issues, lorry routing and the like, which you have heard about, it will be finally agreed in due course with the local authority. In terms of communications and social inclusion with the Bangladeshi community, you will get some more information about that because a number of contacts with the Bangladeshi Community in appropriate different language versions and local community journals and newspapers were included in the consultation exercise. We will include that in the note which we will provide to you and to Petitioners tomorrow.

10119. **Mr Liddell-Grainger:** Thank you, Mr Elvin. I would like to say that a very valid point has been put when you call meetings in breweries and pubs. Perhaps it is not ideal. The second part, obviously, is that there are a lot of languages spoken. It has been eloquently put two or three times today and I would ask the Promoters to be very careful in the way they bring this forward. I accept that it is not always easy because things do go wrong but I also would like to think that you are being as encompassing as possible.

10120. **Mr Elvin:** Sir, we seek to be inclusive of all communities. Can I make it absolutely clear we have been in consultation with the Commission for Racial Equality. The Commission for Racial Equality is content with the way in which matters have been advanced. If the Committee wishes to see correspondence with Mr Trevor Phillips, we can provide that. We are very conscious of these matters. I can give more information to the Committee in due course if it is needed but we are well aware and very sensitive to these issues and the importance of them.

10121. **Mr Liddell-Grainger:** That certainly will not be necessary, Mr Elvin. I am glad to hear you say that.

10122. **Mr Elvin:** Can I finally just say there is an ongoing equality impact assessment which is taking place and that will be part of the further consultation process.

10123. **Mr Liddell-Grainger:** Mr Elvin, thank you very much indeed. I now call the Committee to order. We will meet tomorrow morning at 10 o'clock back in Committee Room 5 for those of you who are with us.

⁷¹ Crossrail Environmental Statement, Volume 8, Whitechapel Station, Transport and Access—Map C8(iv) <http://billdocuments.crossrail.co.uk> (TOWHLB-32403-001).

Wednesday 14 June 2006

Before:

Mr Ian Liddell-Grainger, in the Chair

Mr Brian Binley
Kelvin Hopkins
Mrs Siân C James

Dr John Pugh
Mrs Linda Riordan
Sir Peter Soulsby

In the absence of the Chairman, Mr Liddell-Grainger was called to the Chair.

Ordered: that Counsel and Parties be called in.

10124. **Mr Liddell-Grainger:** I bring the Committee to order.

10125. As usual I inform the Committee of my intention to suspend at a convenient point after 11.45 so that everybody may take the opportunity to have coffee and we can go and listen to PMQs.

10126. There are many cases to hear today and we will proceed in a similar manner as yesterday. The Committee wants to hear every Petitioner's case. However, as you know, the Committee will not listen to the same case more than once. We understand that many people here today have similar concerns, and we ask you to listen carefully to other cases being made and to respond to the Promoters and try not to repeat any other Petitioner's argument.

10127. If you agree with a case made by another Petitioner you can tell us which points you support. You do not need to repeat the argument. Some of the issues regarding Hanbury Street and Whitechapel have already been raised by the London Borough of Tower Hamlets last week and the Committee will take into account what was said last week. We equally encourage counsel for the Promoters to refrain from making repetitive counter arguments.

10128. I remind everyone that the witnesses brought forward by the Promoters may be cross-examined by each Petitioner should they wish to after they have made their case.

10129. I would now ask Mr Elvin to set the scene.

10130. **Mr Elvin:** I am just going to make a few brief remarks, and then Mr Mould is going to deal with the next objective.

10131. Can I just say for the record that I opened the Spitalfields area petitions generally yesterday and that our remarks are set out at the beginning of the transcript from yesterday as, indeed, is our generic evidence from Mr Berryman and Mr Thornley-Taylor. It starts at paragraph 9792 for the information of any Petitioners who want to cross-reference. I do not propose to repeat that unless there is anything that the Committee requires clarifying.

10132. Can I say this, and I will deal with this later in the day: on the issue of consultation, which came up a great deal yesterday, I am proposing at some point convenient to the Committee today just to introduce a little further material. We are having circulated a note which was prepared on the consultation activities in the Spitalfields area which I hope will give the Committee a little more detailed information. It includes information about the different language versions and the various aspects of the different communities within Spitalfields who were consulted. I will also show the Committee at some time at a more convenient moment later on some of the panels from the information rounds which make it clear that the information provided in the local information points clearly indicated the alignment of the tunnels between Liverpool Street and Whitechapel as well as the issues at Hanbury Street because you will recall yesterday one of the points that was being made, and I did not have the information to hand because it was over here unfortunately, was that residents did not know the alignment of the tunnels, and I will show the Committee that later today.

10133. **Mr Liddell-Grainger:** I think that is going to be very helpful. Yesterday was a bit confusing because there were four different designs, and I do think there was a lot of misunderstanding.

10134. **Mr Elvin:** I will present all that as a piece at some point.

10135. **Mr Liddell-Grainger:** When would that be ready?

10136. **Mr Elvin:** I can probably deal with it first thing this afternoon.

10137. **Mr Liddell-Grainger:** That would be very helpful. Thank you very much indeed. Mr Mould?

10138. **Mr Mould:** Thank you, sir. You are going to hear, first, the petition of the Friends of Mile End Park, and this relates to proposals for an intervention and emergency shaft at a location in Mile End Park.¹ If you look at your screens in front

¹ Crossrail Ref: P90, Mile End Park and Eleanor Street Shafts, Construction Works and Impacts—Map C12(ii) (LINEWD-ES16-050).

The Petition of Friends of Mile End Park

of you you can see towards the top left hand quadrant of the plan the East London Mile End Stadium shown, and that is within Mile End Park, and you can see Burdett Road, the A1205, which runs along the eastern side of the park. Just at the bottom corner of the park, immediately to the north of the London-Tilbury & Southend railway line, which is running on embankment at this point, you will see that there is a cross-hatched area which marks the Mile End Park shaft work site, and it is in that location that Crossrail proposes an intermediate access emergency intervention shaft to comply with the one km distance standard which you are aware of and which we are required to comply with in accordance with the requirements of the emergency and rail safety authorities.

10139. Now, this shaft is what remains of Crossrail's proposals for this location.² Under the original tunnelling strategy, it was proposed that Mile End Park be used as a temporary excavated material handling site in association with the tunnelling strategy which focused upon Hanbury Street, but as the Committee is aware we are now proposing a revised tunnelling strategy and, under that, which has been notified to those Petitioners whom it concerns, including the current Petitioners, the need for Mile End Park to be used for that purpose, that is to say for the temporary excavated material handling site, has disappeared. So what remains is the proposal for a shaft.

10140. Now, looking at the effect of Crossrail's works, this is a larger scale view of the area of the shaft, with Burdett Road and the railway in viaduct past the site, you can see there is an existing football pitch and an existing coach park and the effect of the works is to require the displacement of those two facilities. What we had proposed was that we would reinstate those facilities following the construction of the shaft, so there would have been a period of time during which those facilities would have been lost to the users of the park but what we now propose, having carried out further investigations and having discussed the matter in detail with Tower Hamlets as the local planning authority, is that we should carry out the re-instatement of both the coach park and the football pitch prior to the construction of the shaft which will thus overcome the problem of the temporary loss of those facilities to users of the park.

10141. If we can put up the second paper slide, please.³ You can see that what is proposed is that in this sequence the coach park should be relocated to this location, and the football pitch relocated to here, and the works to the shaft will then take place with access being maintained broadly from a new access created off Burdett Road, and that will serve the sports facilities, and for the duration of the Crossrail works also provide immediate access to the

highway from the work site. So lorries will come in on a one way system broadly and then out on to the road. So in that way we are seeking to minimise the impact on users of the park during the progress of the construction works.

10142. Now, I have made inquiries and it is fair to say that I am not sure that the Petitioners have been made aware of the proposals to carry out these relocation works prior to commencing the Crossrail shaft construction works. I am bound to say that it would have been preferable if they had been told that before—

10143. **Mr Liddell-Grainger:** I totally agree with that.

10144. **Mr Mould:** —we came today, and I would like to apologise, both to them and the Committee, for the fact that has not been done. Whilst it is very late news I hope it is welcome news to them, and I think that is probably where I should sit down and let them present their petitions.

10145. **Mr Liddell-Grainger:** Thank you, Mr Mould. I do take that point on board, and the Committee does take a dim view of the information not being passed down. I accept it is not your fault but I would like to think that every effort is made to get information to the Petitioners as soon as is physically possible.

10146. **Mr Mould:** I am bound to say it is not the first time that the Committee has expressed those sentiments and it is not the first time we have said we are seeking to do that, and obviously the more times we say that the less convinced the Committee may be that we are. But I would like to assure the Committee that we are very aware of the circumstances when these situations arise, and I shall make sure that very clear instructions are given that the Committee is anxious that we should be as expeditious as possible.

10147. **Mr Liddell-Grainger:** And we will take an equally dim view if we do not know that material has not been transferred, so thank you for coming clean!

10148. **Mr Mould:** We will let you know when things have not gone the way they should. I will now sit down.

The Petition of Friends of Mile End Park

Mr Andrew Lyons appeared as Agent.

10149. **Mr Liddell-Grainger:** Mr Lyon, you are an agent as well, are you?

10150. **Mr Lyon:** Yes.

10151. **Mr Liddell-Grainger:** Can I therefore ask you to present your evidence?

² Crossrail Ref: P90, Mile End Park Shaft, Current Arrangement (SCN-20060614-001).

³ Crossrail Ref: P90, Mile End Park Shaft, Proposed Arrangement (SCN-20060614-002).

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10152. **Mr Lyons:** My name is Andrew Lyons. I am the chair of the Friends of Mile End Park. With my colleague Neil Sinden we will be taking you through the main points of our petition made on behalf of the Friends of Mile End Park.

10153. You have already heard today that two of our concerns have been dealt with via the amendment for end-to-end tunnelling. That leaves us with two remaining concerns, the siting of the ventilation shaft near Mile End Stadium and the construction of that shaft and the tunnel access and all associated works. While it is fresh in our minds I will say that I, too, am disappointed that we were given no prior warning of the latest proposal from Crossrail, particularly so as there has been dialogue between ourselves and Crossrail, and we have obviously got no time to consider their latest proposals.

10154. Just to give you a little bit of background on Mile End Park, what now comprises Mile End Park was a 1940s aspiration. There was gradual land acquisition to add to King George V playing fields by London County Council, Greater London Council and most recently by London Borough of Tower Hamlets. By 1995 most of the land that now comprises the Park was in place. There was a successful millennium lottery bid which allowed final land acquisitions and development of the park for the 21st century and of regional significance, and it was on those bases that the Millennium Commission awarded the money. A total of just over £30 million was spent on developing the park that we now have and, in addition, there has been further award of money and expenditure in association with Mile End Stadium itself, and the majority of that came from UK Sport.

10155. The park is nationally and internationally recognised and CABE Space, for one, regularly cite it as a shining example of provision, management and maintenance. The park makes exceptional use of what is actually a very small area. I was in the park yesterday evening and somebody pointed out to me that at its widest it is only 300 ms wide and it can be quite astonishing, given how well it is landscaped, so every square inch of that small size is of great and increasing local and regional value, and the suggestion that we can simply move things around and accommodate an unplanned feature is bogus.

10156. The revenue funding is via a mixed economy of public funding, rents from shops and businesses in the park, events, plus very active volunteering, local groups and businesses, particularly those associated with Canary Wharf. I will now hand over to Neil Sinden who will deal with the main points of our petition.

10157. **Mr Liddell-Grainger:** Yes, Mr Sinden?

10158. **Mr Sinden:** Thank you. I am a member of the Executive Committee of the Friends of Mile End Park. I want to make three broad points, if I may, to kick off with, and please excuse the pun because the

first one relates specifically to what we, until this morning, still felt was going to result in the permanent loss of a number of football pitches that we have seen displayed on the maps before us.

10159. We are obviously very pleased that the Promoters have considered the point that was made by the London Borough of Tower Hamlets in their initial petition concerning the provision of the relocated football pitches prior to the commencement of any works, and we are very grateful that the Promoters, even at this very late stage in this part of the process, have come forward with proposals of that kind.

10160. I would say, however, that because of the fact that these football pitches are very heavily used and have only very recently been provided, and they were in part funded by the National Lottery Fund, they have met an important part of what is a very strong latent demand within the local community for such facilities, so we would be very concerned to ensure that the proposed relocation as set out on the maps before us will be deliverable and will not result in any diminishment of the ease of use of these facilities by members of the local community, and I think we probably will need some time to consider the very broad design proposals that are set out on this map in terms of those questions. That was the first main point—our concern about the impact of the loss of this vital community asset.

10161. The second point I wanted to make was in relation to firstly the spatial nature and extent of the work associated with the shafting in question which we believe very strongly needs to be minimised particularly in terms of its above-ground impact in the long-term, but also in terms of the disturbance on this part of the park during the construction phase, and I am not convinced from the two maps that we have been shown this morning that enough consideration has been given by the Promoters to the impact during the construction phase on the immediately adjacent facilities, the football pitches and, indeed, the Mile End Park leisure centre, which itself is another recently opened, hugely successful, very well-used asset for the local community and, indeed, the Mile End stadium.

10162. The second aspect is relating to the temporal impacts, if you like, in terms of the length of working and the disturbance to local residents and park users during the works, the construction period. We note that the Promoters' response to our petition says that it is estimated that these works will last no longer than three years and nine months. We would like to have perhaps firmer reassurance that that is the maximum amount of time during which disturbance may arise as a result of the works associated with the shaft.

10163. The third point I wanted to make by way of introduction really was just to draw attention to the very wide range of impacts that this relatively small aspect of the Crossrail project will have on a range of

 The Petition of Friends of Mile End Park

interests, both immediately during the construction phase and in the long term, firstly on the facilities of the park, which my colleague Andy Lyon has already talked about, notably the leisure centre and the stadium and, and this is a point that has not been made so far, the impacts both short and long term on the facilities to the south east side of the railway viaduct that are currently used for go-karting purposes. The entrance to the go-karting facility is on the north west side of the railway viaduct, very close to the construction work site, and my judgment is that at the very least during construction phase that access point will be rendered unusable. I am not sure whether the Promoters have heard from the go-kart company that run that facility but I would, if I were them, be very concerned about the impact on their business and the enjoyment of that part of the park from this element of the project.

10164. The impacts will also be very serious on the users of the park, as we have already said, both in terms of the people using the pitches but also the people using the cycle track that runs through the centre of the pitches, as you can see, which is a relatively newly instated cycle track used by a large number of people already. The impacts in terms of traffic on Burdett Road we feel have not been given adequate consideration.

10165. We do understand from earlier detail that the Promoters have provided that there is a proposal to use Burdett Road as a lorry holding area, or part of it, for the construction work associated with the shafts, and yet we have no reassurances that that facility or that requirement is going to be managed effectively in terms of existing users of Burdett Road and, indeed, those people who use the Mile End Park leisure centre and who arrive there by car, which from my understanding of these maps may well overlap with the access that counsel has mentioned in relation to the construction work, so there is an issue there that needs to be resolved.

10166. Clearly this is very near a residential area as well. On the east side of Burdett Road there is a very high density residential community, and the impacts of construction in terms of service noise, dust, security, and so on and so forth we feel need to be more carefully addressed by the Promoters, and we are also concerned about the use of the shaft once it is operational, and the impact of its use during the operational phase on park users as well needs to be more carefully considered.

10167. I want to hand back briefly to my colleague, Andy, who will say perhaps a few more words about safety, security and access, and then if you do not mind I would like to make one final point about the shaft.

10168. **Mr Liddell-Grainger:** Of course not.

10169. **Mr Lyons:** Obviously the park in its present form and even more recently the stadium are recent developments, so we have good experience of the

potential for accidents and overall security issues associated with constructions in and around the park, and we have learned from bitter experience that constructions, if not very carefully handled, tend to make a negative statement, they do attract adverse behaviour, and they need to be extremely well secured and protected to ensure that there is not unwanted attention, access to boarded off sites and accident by those people accessing those areas.

10170. During the early redevelopment of Mile End Park there was a rather serious accident and all those involved in the construction had to raise their game as a consequence.

10171. **Mr Sinden:** My final point, Mr Chairman, relates to the design and the long-term impact of the ventilation shaft on the park and its surrounding area. We would question the claim by the Promoters in their response to our petition that the shaft will "not be a dominant feature" in the local vicinity, but we are not adopting a position whereby we would oppose a ventilation shaft for the purposes of constructing Crossrail in this particular location. What we would want to say, however, is that every opportunity should be taken to make the most of the positive potential that there is to ensure that the shaft is an attribute, an asset in terms of its visual design and location to the local area, and I would like to draw the Committee's attention to some precedents in this context, in the immediate vicinity of the proposed shaft.

10172. Just south east of the railway viaduct there is a Grade II* listed modern church of St Paul's at Bow Common, a modern church designed by Robert Maguire & Keith Murray, which we believe is an asset in terms of the local environment which the Promoters have entirely ignored. It is the rather square block to the east of Burdett Road south of the railway viaduct that you can see quite clearly on the image, and we would like the design of the ventilation shaft to pay some respect to the design and quality of that existing structure.

10173. Also, we would draw the Committee's attention to the precedent set by the design and construction of the Blackwall Tunnel ventilation shafts, which are not too far away from this location, which themselves were designed by Terry Farrell, now one of our leading architects, and which themselves have become listed recently.

10174. So, in concluding, we would very much welcome the opportunity as a local community group to collaborate with the Promoters at some later stage in this process to ensure that the ventilation shaft delivers a positive contribution and becomes a welcome asset to the local environment in this part of East London.

10175. Thank you.

10176. **Mr Liddell-Grainger:** I thank you both. Mr Mould?

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10177. **Mr Mould:** Sir, what I will try and do, if I may, is to respond to the main points that have been made; I hope that will be sufficient for the Committee's purposes. I should say that if there was a need to call a witness it would ordinarily have been Mr Berryman but I have just been told he is at No 10 Downing Street at the moment—

10178. **Mr Liddell-Grainger:** Very careless of him!

10179. **Mr Mould:** First of all, can I say overall that you have heard some very helpful suggestions from the Petitioners about detailed matters of design and environmental control. We have heard what they said; we will read what they say again when we see the transcript; and, obviously, as you know, we are at a stage in the process and detailed design is for the future rather than for now, and that is something which is on-going, and we will take account of what they say in that respect.

10180. I cannot promise that we will instruct Mr Terry Farrell to design the shaft but let's say I will not completely rule it out at this stage! I hope I have made the position clear in relation to that.

10181. First, in relation to matters of permanent design, as you will recall that is a matter with which the local planning authority Tower Hamlets, have a very clear interest and there are powers under Schedule 7 to the Bill which provide for them to exercise powers of detailed planning and control in relation to matters of design. I have been looking at the matter rather more seriously and I have no doubt at all they will exercise those powers as they see to be appropriate in this case, and I have no doubt at all that they will take account of the views of the Promoters as consultees in relation to that matter, and I would hope and invite the Committee to share this view that through that process an appropriate design for the shaft will emerge and will ultimately be constructed.

10182. In relation to other matters of permanent impact which we touched upon, we are committed to making not only appropriate provision for final design above-ground structures but also to reinstating, as far as is reasonably possible, and making appropriate provision for matters of hard and soft landscaping. You have heard about that in the past and that will apply to this site just as much as any other site where there is a need for reinstatement of those kinds of facilities, and it is plain that the local planning authority will have in mind very much in exercising their powers, that when one is dealing with what is very clearly a highly valued area of recreational and leisure open space, that provision of hard and soft landscaping is to the fore, and I have no doubt that the Council will exercise their powers appropriately in that respect, and we will look to work with them in so doing.

10183. So far as construction aspects are concerned, there are concerns about the detailed working through of access arrangements both for the

construction site and for existing facilities within the park with reference to the leisure centre and sports pitches, and also to the go-karting facility which lies just to the south of the viaduct. Those are matters again which, as you know, the Bill provides powers of consultation and regulation to the local highway authority, and that in this case again is Tower Hamlets, and we would expect to work with them in relation to that. My understanding is that Tower Hamlets see no difficulties in principle with making appropriate access arrangements to accommodate the Crossrail construction provision and existing users in relation to this site.

10184. The transport assessment that we carried out anticipates that the work site during its operation will generate about five lorry loads, that is ten movements per day, and about 24 loads which would be 48 movements during the peak construction period. Now, the overall construction period is about three years to nine months, and I confirm that remains our best estimate of the overall duration of construction here. The peak overall period of construction we estimate to be about nine months, so during that period of nine months the lorry movements will move up to a rather higher figure of about 48 movements a day, for which access will be provided by Burdett Road, as I have explained earlier.

10185. In terms of the overall impact of construction upon its immediate environment, I refer again to the provisions of the Code of Construction Practice. As you know, we seek to make detailed provision as far as we can to minimise the impacts of construction in relation to dust and noise and overall impacts on amenity, and that will apply here no less than to any other location.

10186. We would hope, finally, that through those various controls and mechanisms that I have mentioned, both within and without the Bill, we can work with the Council and, indeed, with the users of the park to avoid the kind of perception of devaluation and depreciation that was mentioned to you, both on a temporary and a permanent basis, and I see no reason why that should not be a realisable aspiration.

10187. The final point I would make is this: I take the point about the need to share information and progress in relation to this shaft, not only with the local planning authority but also with petitioners, and I have expressed our regret about that earlier on.

10188. In the light of what has happened in relation to the proposals about the sequencing of the relocation process, we will, I have no doubt, be looking to embrace the Petitioners within further detailed design so we can make sure that a mutually acceptable solution as far as possible, not only to the local planning authority but also to the Petitioners, is achieved.

The Petitions of The Spitalfields Trust; J Akker and E Hill; Oliver Theis and others; and, Ali Nehru and others

10189. I hope that those comments by way of response will reassure the Committee, unless there is anything else I can help you with.

10190. **Mr Liddell-Grainger:** Mr Lyons, Mr Sinden, have you anything else to say?

10191. **Mr Sinden:** All I would say is that we recognise certainly that this is not the appropriate moment to consider matters of detail, and within that context we very much welcome the comments that have just been made.

10192. However, I do want to come back to this point about seeing this part of London as not another dumping ground for operational facilities associated with this major infrastructure project. As my colleague, Andy Lyon, emphasised at the beginning of our contribution this morning, Mile End Park has very quickly become a much loved, highly used and much valued asset to the local community, and we hope that Crossrail in working out its detailed design proposals in response to our concerns about the shaft impacts will be very mindful indeed of the opportunity that exists to enhance and improve the quality of this facility for the local community rather than further detract from its value.

10193. I just wanted to come back to saying that, whilst I perfectly understand that the Promoters cannot guarantee that Sir Terry Farrell, rather than Mr Terry Farrell—

10194. **Mr Mould:** I do apologise.

10195. **Mr Sinden:** —will be involved in this, we would very much like to keep on the table an idea for possibly a design competition that Friends of Mile End Park may well be able to assist in in conjunction with the planning authority, Tower Hamlets, and the Promoters to secure an asset for this part of the park.

10196. **Mr Liddell-Grainger:** Thank you.

10197. **Mr Binley:** Just a question to Mr Mould really, because I am sure you will appreciate, as I have, the presentation made by the Friends of Mile End Park and, indeed, the way they have reacted to your proposals at very short notice.

10198. **Mr Mould:** Indeed.

10199. **Mr Binley:** I think it is fair to say that it will be more and more difficult for me personally as a member of this Committee to accept that this could not be dealt with earlier, quite frankly. I think that message needs to be put to Promoters very firmly indeed, because I think they lose our appreciation and support in that respect.

10200. I am equally concerned about the loss of this kind of amenity value in this area, and I think we all appreciate how vital this particular centre and

stadium complex is and I hate the loss of football pitches, that is my personal interest and I tell you without any concerns whatsoever, and particularly in areas of this kind. I believe they make a major contribution to the well-being of areas of this kind, and certainly I gained a lot of benefit from them, so I want to be absolutely sure that the Promoters do not see a particularly nice green bit as an easy way of solving their problems. I really am looking for an assurance from you to that end, particularly in relation to sites of this kind, because I think it has been too easily done and that does not encourage me very much.

10201. **Mr Mould:** Sir, I can assure you that that is not what has motivated this, that is to say taking the easy option in that way. In this case, although I have not troubled the Committee with it because, frankly, it seemed to me that it was not necessary to trouble the Committee in that way, the selection of this location for the shaft has been the result of an optioneering exercise in order to identify what was, on balance, taking account of the considerations that you have mentioned amongst other considerations, operational and otherwise, the optimum as to location. Within that context I hope I made it clear that the Promoters are very conscious of the need, both during the construction phase and permanently, to keep the impact of this structure and this site to the minimum that we reasonably can, and to ensure in particular that the recreational facilities that exist are not lost but are relocated insofar as they are directly affected by the Crossrail works, and relocated in advance of the works so that the actual loss to the users is kept to the minimum. I hope that gives you reassurance.

10202. **Mr Binley:** Thank you very much. I think both of our comments are on record and that is important.

10203. **Mr Mould:** Indeed.

10204. **Mr Liddell-Grainger:** Mr Lyon and Mr Sinden, thank very much indeed. I now call Mr Akker.

The Petition of The Spitalfields Trust.

Mr John Akker appeared as Agent.

The Petition of J Akker & E Hill.

Mr John Akker appeared as Agent.

The Petition of Oliver Theis & Others.

Mr John Akker appeared as Agent.

The Petition of Ali Nehru & Others.

Mr John Akker appeared as Agent.

10205. **Mr Akker:** Sir, I have documents which I want to rely on. There are only two documents here which the Committee or counsel has not seen before,

 The Petitions of The Spitalfields Trust; J Akker and E Hill; Oliver Theis and others; and, Ali Nehru and others

and I have got 24 copies here.⁴

10206. **Mr Liddell-Grainger:** Thank you.

10207. **Mr Akker:** Thank you. I very much welcome the opportunity to address this Select Committee. You will be glad to hear I will not repeat the comments of others yesterday that were heard or those previously. I know that a number of members of the Select Committee were not present yesterday but I am very much aware that they will read very carefully the evidence which was given yesterday by Spitalfields Society, a leading preservation society of the East End of London, and also some residents, notably Huguenot Court Limited, in respect of that, and various assurances were given by counsel for Crossrail in relation to that.

10208. As an aside I would like to just say that there was a lot of concern, and I act for and, I should say, I am going to deal with petitions 227, 228 and 229 together, because I feel that would be very helpful to you and would save time.

10209. **Mr Liddell-Grainger:** Thank you very much.

10210. **Mr Akker:** I say not with too much criticism, sir, I hope, that a lot of concerns particularly of Huguenot Court could have been addressed much earlier and could have been dealt with by meetings between the Promoters and people in the area, and that would have saved quite a considerable amount of expense and worry, but I will leave that point.

10211. There are four distinct points I want to submit to the Select Committee on behalf of all the Petitioners that are noted there. It is not that I do not feel very strongly about all the other points there, because I do, nor do I think that they are not of equal importance; it is just that I want to concentrate on certain themes which I think ought to be brought to the attention of the Select Committee.

10212. May I first say, sir, who I am and why I want to present those petitions on behalf of those listed. I am a resident of Spitalfields, and have been for the past eleven years. I was born within one mile of Spitalfields, and it is quite a remarkable area. I do not class myself as an important person but there are very notable people who have been born in that area, people like Max Bygraves, and I am trying to think of one of the other stand-up comics which will come to me, but it is a remarkable area in the East End of London for people who have been associated with it.

10213. I am a member of the ward party of the Labour Party in that area and am a member of the management committee of the constituency party. I say that because I want to make certain that this is known for the record. Professionally, sir, I am a board member of the Refugee Council for England and the Immigration Advisory Service. Both bodies are pre-eminent in the field of refugees, immigration

and related matters, and I have close contacts with community organisations and NGOs that deal with refugees and other minority communities. I am a specialist in refugee matters and have close dealings with many communities in London and I hold a visiting chair at London's South Bank University. I have a very, very close relationship with the Bangladesh community and have worked closely with them relating to their concerns about Crossrail.

10214. It was characterised yesterday, I think, sir, that this is very much a David and Goliath situation in Brick Lane, and I think that is an understatement. I would characterise it as something far more difficult. I have held various positions in public life and, whatever the presentational issues that have been placed before you by Crossrail, certainly the best face has been placed upon it by them. I would wish to say to you that Crossrail has not behaved corporately with much sense in the way it has handled matters in the East End of London. Indeed, I think, because of the way they have dealt with it, they have placed the whole project in some difficulty because of their actions and inactions. I will leave it to you, sir, and your fellow members to conclude why so many from this area of Spitalfields have felt the need to petition. Even those who are not most effective have still felt the need to petition, and it is because there has been a dearth of information and because Crossrail has, in my view and the view of many, been very sparing with the information put before you.

10215. As I have indicated previously there has been no real attempt to meet first hand and directly the Petitioners. As Mr Mark Lancaster observed yesterday, he had written to Crossrail but only got back the most cursory replies and these had taken a month to reach him. I have posted a comment about the lack of information on their website about the Secretary of State's announcement re the change in tunnelling. This was done on 10 May and it was last Monday, 12 June, that I received a reply. I also had to inquire about what the implications of the changes were. This was a matter of very great concern in the East End and the statement which was announced by the Secretary of State, the Mayor of London and the Council was done with great publicity. It was me writing to them again wanting to know what the implications of these changes were that had to be done. There was no information that came from them and this was, I believe, the situation because I was told it by many other people in the area. We only received the information which allowed us to consider what the full implications of the changes were several weeks ago. The preliminary points I want to make to you, therefore, are there are very grave matters concerning the way Crossrail has dealt with it, but four specific points I want to deal with are as follows.

10216. Consultation. I purchased my property in Huguenot Court in the summer of 1995. Before doing so, I wrote to Crossrail and I asked them about the impact on this property. I was informed

⁴ Committee Ref: A117, Mr J Akker's Exhibits.

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that safeguarding the route was to be north of Princelet Street. I, therefore, purchased the property. This, sir, was, of course, the old safeguarding route. In early 2004 I learned from a fellow resident that the line had changed and immediately contacted Crossrail. Further contact with them assumed that all I was interested in was talking to them about compensation. There was no question in terms of the contact which I had with them that this was a matter which was open for consultation. After I had spoken to them and sometime after I learned that there was to be an exhibition. Sir, can I ask you and other members to look at exhibit A in the list. This is the first one and it is headed "Invitation".⁵ This was a leaflet which had the intention of being circulated in the area. In actual fact, sir, it was not distributed due to a fault which the arrangements Crossrail put in place for it to be distributed and many people did not see this. Can I draw your attention to the reverse side where it is listed Whitechapel and the Community Room in Wodeham Gardens.⁶ The first thing to note I would say looking at this leaflet is if you received this leaflet, would you think your area was seriously at risk? Would you think in the words of Mr Roy Adams yesterday appearing as a witness for the Spitalfields Society that this was going to be one of the largest construction sites in Europe? I think not. It does not in any way show clearly why persons would need to be worried about the size and difficulty of the construction. The other thing that I would draw to your attention to, sir, is that many people's native language in Spitalfields is not English. I ask, had any thought been given to diversity and equal opportunities issues relating to this? It says that further copies are available in other languages, but, of course, it does beg the question if you do not speak the native language to start with how would you know they are available? I would put it to you, sir, that given the length of time of the exhibition, which was barely two afternoons, given the fact it does not describe in any great detail what is happening in the area, given the fact there certainly were not copies being made available freely in the languages that was said, I would say this is not a fair way of portraying a major construction site or a major construction exercise. Mr Berryman in his evidence on 7 June referred to the considerable amount of issues in this area and subsequently how much time it had taken Crossrail to consider this. He said in column 9509 on 7 June that the consideration of issues in this area had taken "dozens of man years" and, indeed, this was repeated yesterday. This does surprise me in the sense that certainly, as far as the social issues and relating to the impact and explanation of what was happening, there was not this degree of attention. There may have been meetings internally in Crossrail relating to what was happening in Spitalfields. Certainly as far as public awareness and public contact, I do not think that can be said. I dare say, if Crossrail had done its planning

properly, it should have anticipated the great deal of indignation that would have been come about because of a plan to dig and to have a ventilation shaft so near Brick Lane. I have to say that all the consequences of the scheme were fairly explained to Crossrail. After the lack of information we obtained, we obtained the support of Mr John Biggs who was the GLA member and the league member on behalf of the GLA for transport, and meetings were held with Crossrail. It is the position that Crossrail still explained the building work in Hanbury Street as a primary ventilation shaft and not the tunneling site. This is a really key issue for a lot of the residents, that only in recent years has it been portrayed as a major tunneling site. It was a matter of great concern at the time that neither Crossrail nor the London Borough of Tower Hamlets had any meetings at all. I was equally concerned with Tower Hamlets at that stage. Both were waving away protesters, as were Crossrail, saying that the fears were greatly overplayed and that there were real benefits. The important point here, sir, I believe, is there was no transparency or plain speaking with the local community about what was happening. The only meetings that were held were by local residents. There have been at least three in recent years. May I draw your attention, sir, to A2 which is one such meeting which was held in May 2004.⁷ You will see that the resolution, which is given here, is how many people attended and the breadth of the organisations which were present from both the Bangladeshi and the resident population. There was not any input from Crossrail apart from one meeting in the House of Commons, but even that was not a public meeting; it was by invitation only. I organised a meeting with the Mayor attended by six leading members of the Bangladeshi community during its consideration of the various stages of consultation, but it was stated again that the proposal was just a ventilation shaft by the Mayor, and Mr Berryman did little to correct this impression. Tower Hamlets' Petition also indicated many of the general concerns about Crossrail and the lack of invitation. I know, sir, you have their Petition, but I am anxious it is not lost for two reasons. The lack of consultation was very keenly felt at all local levels of the local authority both at member level and officer level. Whatever—and I say this with some amusement—harmony that may have existed or broken out this week between Tower Hamlets and Crossrail, it was certainly not present at very early stages of consideration of this Bill and I believe the very plain speaking of Tower Hamlets about the lack of consultation on this.

10217. **Mr Liddell-Grainger:** Can I stop you there, Mr Akker. We have taken your points on board. These have been explored over the last few days, as you are well aware. We are fully aware of them. Unfortunately, you missed at the start of this morning, where I made it very clear as Chairman we are very unhappy, as a Committee, that information has not been passed down to you and others, that

⁵ Committee Ref: A117, Invitation to Crossrail Information Centres (SCN-20060614-003).

⁶ Committee Ref: A117, Invitation to Crossrail Information Centres (SCN-20060614-004).

⁷ Committee Ref: A117, Resolutions passed at meeting of 26 May 2004 against Crossrail plan (SCN-20060614-005).

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has been made abundantly clear. The points you are making, we take on board, we accept and we understand. What I ask you now is to move on from this. You have made the point, you cannot make it any more clearly than you have done and we are grateful to that. Can you now move on to the other points you have?

10218. **Mr Akker:** Sorry I missed that assurance earlier.

10219. **Mr Liddell-Grainger:** I understood you could not be here. I think it is important just to say to you that we are fully aware of that. Thank you.

10220. **Mr Akker:** I want to make a point, sir, about the exhibition in Brick Lane, if I may do so, because this relates to the relations with the Bangladeshi community in that area, and if I could just do that briefly. It is the position that there was an attempt to hold an exhibition in Brick Lane and very great exception was taken to this by the Bangladeshi community because it was held in an old brewery.

10221. **Mr Liddell-Grainger:** We are aware of this. This has already been dealt with. Could you move on from there? I am sorry to chivvy you, but it is just to try and bring a new point. That was brought out very clearly yesterday and we made very clear representation yesterday evening to Mr Elvin that that was not acceptable.

10222. **Mr Akker:** Okay. Can I just say for the record, sir, there have been very large meetings of the Bangladeshi community and the resolutions have been put down.

10223. **Mr Liddell-Grainger:** Thank you.

10224. **Mr Akker:** There is a point here which, with respect, I do not know whether you have considered and that is the position of the Crossrail referee.

10225. **Mr Liddell-Grainger:** Please carry on.

10226. **Mr Akker:** Many of us were concerned that there was a person in office who would or could help us with problems which we were having with Crossrail. I wrote to the Crossrail referee, as others did, but I have included in the bundle, sir, the reply which we received from the Crossrail referee. That is dealt with in A4.⁸ Now I will not go over the meetings which are listed here, though I could say all the meetings listed here were not ones called by Crossrail but were called by the local community. Therefore, to say that Crossrail was responsible for them is highly misleading. What I would say to you, sir, is that the Crossrail referee did not intervene and say that there were problems regarding consultation. It is as plain as a pike staff, as Lord Denning would perhaps say, that there was not any meaningful

consultation in this area and yet the Crossrail referee did not come to any view other than to say it was ill-founded. Now, from a common sense point of view, I would either say there is something wrong with the terms of reference of the referee or that he did not discharge his duty efficiently. I ask for future reference where there are major construction sites as this that the public does have the ability to apply through an independent person who can look at these things.

10227. **Mr Liddell-Grainger:** Thank you.

10228. **Mr Akker:** The other thing I would say in terms of the reference of the Bangladeshi community is something which you probably are not aware of, that is exhibit A3.⁹ This is a letter from the chair of the CRE. Can I draw your attention to paragraph 2 in which he says, and I paraphrase, 'We share your concerns that all the listed bodies have not been adequately consulted and informed the local community and especially the Bangladeshi'.

10229. **Mr Liddell-Grainger:** I think, Mr Akker, you made your point. We will wait and see what Mr Elvin says about that.

10230. **Mr Akker:** I would also say on that, sir, Crossrail did make some attempts later on to correct that, hence the exhibition and other things, but there has been a history here, a lot of damage was done in the early stages and the Bangladeshi community have a great soreness about this as a result.

10231. On the general public face of Crossrail, could I just make one point lastly on this, sir, as an aside. We live in a modern age where information technology is very vital to us. We rely a great deal on it. A great deal of disappointment, in my mind, relates to the information that is available relating to Crossrail on their website. I would very much like you in the Committee to look at their website. It has things which are no doubt very important such as the need to encourage young engineers, the changes in the management team and things of that sort, but when you have got a situation where a major bill is going through Parliament, there are a lot of concerns in the area. It is very good avenue for getting up-to-date information. I do not think that meets that test, and I ask you to look at that. Now the second issue, sir, and I am grateful for what you have said about your earlier statements, the second issue, and I shall be far shorter on this, concerns the alignment of the route. I think it is fair to say Mr Berryman has explained this on no ends of occasions that there were two prime reasons why it is necessary for the lines to go through Brick Lane. The need to get to the railway, the Great Eastern Railway, and the siting of Whitechapel Station. I have to say that on some things—and I do not mix in influential circles—I have spoken to one or two transport correspondents and to several politicians, but there

⁸ Committee Ref: A117, Correspondence from the Crossrail Referee to The Spitalfields Society regarding Crossrail Proposal under the Benchmark Scheme for the Spitalfields Area, 10 May 2004 (SCN-20060614-007).

⁹ Committee Ref: A117, Correspondence from the Commission for Racial Equality to Mr John Akker, 8 July 2004 (SCN-20060614-008).

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is quite a strong belief that as far as funding of Crossrail that the current proposal regarding Crossrail will be far too expensive and what has been put to me is that there may be a scaled-down version of this Bill by Mr Berryman's comments to the Committee yesterday and there may need to be forced economies to the route. You look puzzled, sir.

10232. **Mr Liddell-Grainger:** No, this is slightly outside our auspices as a Hybrid Bill, therefore, we cannot really take that into consideration. Your final remarks, please, to the matter in hand. I would be most grateful, thank you.

10233. **Mr Akker:** Really briefly, sir, that refers to the fact that Whitechapel might not be the determining factor in the future alignment of the route, but all the technical aspects which this Committee has considered over the last two or three days and Tower Hamlets last week all concern the compactness and difficulty of getting access to what is a very tight area of London; historic buildings, the access in terms of the ventilation shaft. I would say to you, as did the Spitalfields Society also yesterday, is that there should be consideration of the southern route. I will not go into detail because the Spitalfields Society did that very carefully. I would also say to you that, having listened to the Spitalfields Society yesterday, I agree with them that the best alternative, as it stands, is in my view Woodseer Street. I now want to turn, having dealt with Woodseer Street, to also deal with the question of the need for an intervention shaft at all in the area. This was mentioned again, but can I say to the Committee that there was some evidence of a view put forward by Mr Drabble in 9414 about the need for an intervention shaft and I hope that that will not be lost in the Committee's consideration. Can I also, and I have included this in the bundle, ask that Committee considers A5, sir.¹⁰ Of course the Committee will be aware of the statement made by the Secretary of State relating to the tunnelling but he does say in this statement, and it is the fourth paragraph at the end, that he has asked Crossrail to consider the residual impacts of the ventilation shaft in the area and he hopes that these can be further ameliorated. I, too, sir, and lots of other people in the area hope the impact of that ventilation shaft can be.

10234. **Mr Liddell-Grainger:** I think that point has been very well made over the last couple of days.

10235. **Mr Akker:** The fourth point, sir, and I do not know whether I can ask your indulgence on this, and it does relate to the whole principle of Crossrail. It is the concern that I think a lot of people got not only in Spitalfields but I think during the whole line of Crossrail is the situation that if you are so minded that this Bill passes and the Commons pass the Bill then there will be a Bill published which will authorise Crossrail to undertake this. The question

is that people's property and people's lives will be affected by this for many years. The question that is open is that the Government as yet has not indicated how this is going to be financed. If the situation is that people's property will be blighted because of the route I would hope that the Government will bring forward proposals certainly by Third Reading about further details regarding this.

10236. **Mr Liddell-Grainger:** We have no say in that. We are merely a Hybrid Bill reporting back to the House on the findings of this. We have no say on the funding or the Government's response to this. I am sorry. Your point is taken on board, but there is nothing that this Committee can do to help but thank you for bringing it up.

10237. **Mr Akker:** Therefore, sir, I would ask you to consider the following points, that it is my strong belief that the present scheme affecting the Spitalfields area is misconceived and has been subject to imperfect information by the local community. Far more attention should have been given to the human impact and to engage with the local population. Secondly, a southern route even at this stage ought to be urgently examined and that the study being undertaken by Crossrail about the choice of the ventilation shaft, indeed if there needs to be a ventilation shaft, ought to be seriously considered and I do hope that Committee will ensure that there is the most serious and deep investigation of that because of the concerns which it has in the area in terms of the disruption. I also say, and this is with some regret, that the number of Petitioners from the Bangladeshi community has been impacted on because it has been felt that this is a done deal and that, although we are very lucky in this country that we have got procedures like the one we are dealing with, open, transparent and democratic, a number of people within the Bangladeshi community have felt that people have not necessarily realised that.

10238. **Mr Liddell-Grainger:** I think we have got the tape on that point well worn, Mr Akker. Thank you for making it for the third time. I am very grateful.

10239. **Mr Akker:** I apologise. That is all.

10240. **Mr Liddell-Grainger:** Who is taking this on? Mr Elvin?

10241. **Mr Elvin:** Sir, on the consultation issues, we do not accept all the criticisms that have been made and I am going to explain why at 2.30. Can I deal with a couple of limited points at this point just so the Committee knows where we are coming from. So far as consultations are concerned, there was not only one consultation round, there were a number. Could I ask Mr Fry to put up Information Paper F2 page 2, please, just to remind the Committee it is a long time since I referred to the information which I gave in opening on 17 January.¹¹ You can see there

¹⁰ Committee Ref: A117, Written Ministerial Statement Crossrail (Tunnelling Strategy) 30 Mar 2006: *Hansard* Column 101WS (SCN-20060614-010).

¹¹ Crossrail Information Paper F2 Pre-Bill Consultation Process, Consultation Activities <http://billdocuments.crossrail.co.uk> (LINEWD-IPF2-002).

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that in terms of consultation there was a public awareness campaign in September 2003, which is item 3a. There was a major consultation round, the first consultation round, for 12 weeks, in the latter part of 2003. There was a supplementary public awareness exercise later. There was then a second major consultation round for another 12 weeks in 2004. Finally, there was an information round which accompanied the Bill Deposit to give information about the scheme as it finally emerged at the time of the Bill Deposit and Environmental Statement.

10242. Can I say this? The issue with regard to the old Truman's Brewery, I make no bones about it, it was insensitive given the nature of the community. But I am going to explain why—and it is not a good excuse because it was insensitive, as I accept. The problem was that in terms of obtaining proper accessibility it was the only available site at the time, and it was moved when an alternative site became available—it was moved to the Brady Centre for subsequent consultation. It was force of circumstances but I nonetheless acknowledge the lack of sensitivity involved in that. Can I also make it clear that information was given at both consultation rounds one and two that Hanbury Street would be used for tunnelling as well as ventilation and intervention? By way of illustration now—and I will deal with this more fully later—can I have put on the scanner the information panels that were displayed and which were also available in A4 format, and they were also available in Bengali.¹² This is the 2003 version and you will see in the text at the right hand side the last two paragraphs make it perfectly clear that this is to be a launch and retrieval point for tunnel boring machines used during tunnel construction. So we do not accept that information was somehow concealed about the true nature of the then Hanbury Street shaft and the purpose for it. Of course, the position changed in April of this year when the tunnelling strategy was changed and letters went out to Petitioners on 22 May, but a public statement was made in Parliament, a statement was made, I think—I cannot remember whether it by was me or somebody else—to the Committee and a new version of the Information Paper on Hanbury Street and on the tunnelling strategy was published in the last week of April and made available from that date. So in terms of the role of Hanbury Street and then in terms of the change we do not accept that there was not transparency or notice.

10243. I am not going to deal with other matters at this stage on consultation; I will make our position clear this afternoon.

10244. So far as the CRE is concerned and the Equality Impact Assessment, as I indicated to the Committee yesterday there has been a correspondence with Mr Trevor Phillips. This is only the first letter and there are others. Mr Trevor Phillips now knows that an initial assessment has been carried out, that another assessment is

underway and if the Committee wishes to see the full range of correspondence I am quite happy to provide it. But there are later letters than this, this is the first letter from Mr Phillips that we had in correspondence.

10245. In terms of the other issues, those are matters that have already been covered in evidence, both on Day 38 with Tower Hamlets; and why an intervention shaft is needed has already been covered by Mr Berryman. On questions such as the alignment and the need therefore for an intervention shaft at all and the Woodseer Street option, evidence has already been presented on Days 38 and 39. I do not propose to add anything else unless the Committee would like me to clarify any further matters?

10246. **Mr Liddell-Grainger:** Just one matter of clarification, Mr Elvin. Who appointed the Crossrail referee?

10247. **Mr Elvin:** Appointed by the Secretary of State for Transport.

10248. **Mr Liddell-Grainger:** And paid by the Department?

10249. **Mr Elvin:** It comes out of project funds.

10250. **Mr Liddell-Grainger:** So it is actually paid by Crossrail but it is honoured by the Department.

10251. **Mr Elvin:** It is paid by public funds and made available to Crossrail.

10252. **Mr Liddell-Grainger:** Mr Akker, do you have anything else that you would like to add?

10253. **Mr Akker:** No, sir, I think it has been fully dealt with.

10254. **Mr Liddell-Grainger:** I am very grateful. Thank you for your evidence, it was extremely well put.

10255. Since we have no other evidence I therefore call the Committee to order and we will now re-sit at 2.30.

After a short adjournment

10256. **Mr Liddell-Grainger:** I call the Committee to order. Mr Elvin.

10257. **Mr Elvin:** I have various pieces of housekeeping and I then propose to call a witness and, in part, myself, just to present some material on the consultation to assist the Committee in its considerations.

10258. Can I first, for the purpose of the record, record that a statement has been made by the Minister, Mr Twigg, this morning to announce that changes have been made in the scheme with regard

¹² Crossrail Information Panel: Hanbury Street Shaft Crossrail Proposals (SCN-20060614-011).

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to the main Crossrail depot, and what Mr Twigg said to Parliament this morning was that the government is aware of the concerns that have been expressed by the London Borough of Havering and others in that borough about the impacts of the proposed Crossrail train depot at Romford. Cross London Rail Links have been working for many months to reduce those impacts and at the same time to identify whether there is a viable alternative depot strategy that would remove the facilities at Romford altogether. Following a fundamental review of the depot strategy and in the light of changes in the occupation and expected future use of existing depots, CLRL has concluded that it is possible for Crossrail to operate entirely from the existing rail depots at Old Oak Common in West London and Ilford in East London. As a result Crossrail would not need to continue with any of the proposed facilities at Romford or to make use of the sidings at West Drayton in the London Borough of Hillingdon. The revised depot strategy will reduce the overall environmental impacts of the Crossrail project by removing the need for the construction of new facilities in Romford. CLRL estimate that the cost of the revised strategy will be up to £80m lower than that of the Romford scheme. The revised strategy will require the acquisition of a small amount of open land at Old Oak Common to allow for improved rail access. The land lost will be replaced by an equivalent amount from an adjacent brownfield site. In order to implement the revised strategy the Bill will need to be amended; the government will promote an additional provision in due course, including a detailed Environmental Statement, which will be subject to the agreement of the Select Committee. Those affected by the additional provision will be able to petition Parliament. As part of the revised strategy it is proposed to move EWS Limited from Old Oak Common to North Pole—that is North Pole and not *the* North Pole!—which is to become vacant in 2007. It is also proposed to move Bombardier Transportation Limited from or within Ilford Depot. CLRL will continue to work closely with these organisations to try to minimise the impacts upon them. CLRL will in due course write to existing Petitioners affected by this announcement and undertake information rounds in the relevant areas to explain the details of the revised depot strategy and the implications for the local area.

10259. Therefore, whether or not of course Romford now wish to appear in two weeks' time is a matter which will need to be considered.

10260. **Mr Liddell-Grainger:** We will need to address that.

10261. **Mr Elvin:** Indeed, and it will be another matter along with the tunnelling strategy which will be needed in AP3.

10262. The next matter is a matter which the Committee raised this morning, which is the Referee on consultation. I am afraid the documents were

provided to me about two minutes before I came into the room, but can I put them on the scanner? These are the terms of reference for the appointment of the Referee.¹³ The Committee will see in Section 1 it is intended that this be in Operation 3 of the Government Codes of Practice which apply, and they are set out—The Code of Practice on Dissemination of Information During Major Projects, the Code of Practice on Access to Government Information and the Code of Practice on Consultation, issued by the Cabinet Office. Therefore the Referee has been appointed to fulfil the requirements of those Codes and it is said that the Referee must be accredited by a recognised dispute resolution organisation. The role of the Referee is dealt with in Section 2 and the Referee, as recommended by the Code on Dissemination, should be independent, appointed with the authority to investigate complaints from members of the public who believe that they have not received information provided by the Code, and the Referee will assess the validity of the complaint and send a report of his findings to the parties; that is generally by written representation.¹⁴ And you will see that any duties may be added to by the High Level Forum, which is chaired by the Minister, and you will see that the Referee should act in a personal capacity, declare any interests, reach a decision within 28 days or longer period as is agreed, and send a report of his findings to the parties concerned. Therefore, his duties in this respect are firstly to act and to be seen to act impartially; secondly, be afforded access to any relevant records or documents held by the Promoter, except those which are protected by the Code of Practice. It then excludes certain matters and the Referee is, you will see from 2.5, to adjudicate on his own; he is to have his own office facilities and supporting staff; and he can produce information.¹⁵ It then sets out the role of Crossrail, which includes informing relevant parties, public and others interested in the existence and role of the Referee, and will seek to resolve differences by agreement. And reporting of the Referee will be to the High Level Forum. If I can put a leaflet on the scanner.¹⁶ This is an information pamphlet of the Referee which summarises the information that you have just seen for the purposes of the public, and it names the Referee as Professor Tony Kennerley, who is also the Complaints Commissioner for the Channel Tunnel Rail Link, so Professor Kennerley is experienced in dealing with these matters, already discharging that function for CTRL. You will see that it says that Professor Kennerley has already established a sound reputation for independence

¹³ Crossrail Ref: P91, Department for Transport, Crossrail Line 1, Appointment of a Referee, Introduction (SCN-20060614-012).

¹⁴ Crossrail Ref: P91, Department for Transport, Crossrail Line 1, Appointment of a Referee, The Role of the Referee (SCN-20060614-012 and -013).

¹⁵ Crossrail Ref: P91, Department for Transport, Crossrail Line 1, Appointment of a Referee, The Role of the Referee (SCN-20060614-014 and -015).

¹⁶ Crossrail Ref: P91, The Crossrail Referee, How he can help you, www.crossrailreferee.org (SCN-20060614-016 and -017).

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and fairness. You will see that he is also an Arbitrator for ACAS. He is supported by Tony Gregory, who was Assistant Channel Tunnel Rail Link Complaints Commissioner, bringing a similar quality and experience to his new role. It explains to those who receive the pamphlet what the Referee can do to help. There is a photograph of the Referee, and multiple language versions giving information on contact at the left hand side and key contacts in English in the middle.

10263. The Referee has adjudicated on complaints during the course of the consultation rounds so far and we have an email which summarises the position to date, and that is from Tony Gregory who is assisting Professor Kennerley, and you will see of the complaints that those that are unsupported are noted as “U”, those that are supported in whole or part are as “S”, and you will see that round 1 had 52 complaints of which three were supported in whole or part; round 2 had ten, of which two were supported in whole or part; and the 2005 information round had one.¹⁷

10264. I also have for the Committee the minutes of the High Level Forum of 6 June 2005, chaired by Mr Twigg, the Minister, with a report from the Referee at paragraph 14.¹⁸ “Professor Kennerley noted that he had previously reported on the consultation carried out by CLRL and that it had been good compared to previous projects.” I appreciate that that begs certain questions but I hope to make good some of that in a moment. “Then came the information round which he also commended. We are now at what the Code of Practice categorises as stage 3, which is characterised by a shift away from discretionary dissemination of information to a statutory requirement,” and that of course is embodied in the Environmental Impact Assessment Procedure. “Tony noted that in future his office will also be available to deal with any written representations that may arise from the proposed consultation on the Maidenhead-Reading extension.” That is the information on the complaints Referee and I hope that that provides further information to the Committee.

10265. **Mr Liddell-Grainger:** Thank you very much, Mr Elvin.

10266. **Mr Elvin:** In which case is it convenient if I deal with the public consultation issue at this stage, or would you prefer to hear the Petitioners first? I think the Spitalfields Medical Practice would like to be heard fairly soon because of the need to get away. I am quite happy to deal with this later.

10267. **Mr Liddell-Grainger:** Would it help you to do it now or do you feel that it would wait for a few minutes?

10268. **Mr Elvin:** It is going to take half an hour, I should think. (The Petitioner from the Spitalfields Practice indicated that he was content to wait)

10269. Thank you. In which case can I introduce a witness which the Committee has not seen yet, and that is Mr Simon Dean?

Mr Simon Dean, Sworn

Examined by **Mr Elvin**

10270. **Mr Elvin:** If I can introduce Mr Dean as an economist. He is the CLRL Equality and Consultation Adviser. Mr Dean, you have spent 17 years planning and developing major transport projects, mostly in London, is that right?

(Mr Dean) That is right, sir.

10271. You have worked on the East London Line northern extension?

(Mr Dean) That is correct.

10272. And you led that through the first TWA order application. You also worked on the Croydon Tramlink, South Central Rail Franchise and Network Rail infrastructure improvement projects.

(Mr Dean) Amongst others.

10273. You have worked in the public affairs field of Crossrail for four years, helping to deliver the consultation programme, analyse the responses and comments and prepare subsequent reports and coordinate the Bill deposit.

(Mr Dean) That is right.

10274. For the last two years you have been responsible for managing the Race and Equality Impact Assessment and you are now working on TfL's Age Equality Scheme?

(Mr Dean) That is correct.

10275. Can you explain briefly to the Committee how the Crossrail consultation process was designed, first of all?

(Mr Dean) Yes. I think it is helpful to try and set some context. We looked to prepare a set of objectives to take us through the whole programme and to base those objectives on the GLA's advice, the TfL toolkit consultation and also the Office of the Deputy Prime Minister's Code of Practice on Dissemination of Information during major infrastructure projects. Trying to follow that guidance we designed two rounds of consultation and then an information round. It was all preceded by a public awareness campaign, and that did exactly what it said in the plan and it was trying to introduce the principle of the project and to raise awareness throughout London of the proposals. Round one consultation tried to present some detail of the route and definitions, but at times it was

¹⁷ Crossrail Ref: P91, Crossrail Referee, Breakdown of Complaints during consultation rounds (SCN-20060614-018).

¹⁸ Crossrail Ref: P91, Minutes of the High Level Forum, Report from the Referee, para 14, 6 June 2005 (SCN-20060614-019).

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presenting too much detail and there were problems with the Code of Best Practice. But then to seek feedback not only on the proposals themselves but of course the consultation process allows consultees and the wider community to comment on the process itself, and so we have had some useful feedback. I would like to mention early on that we held lessons learnt exercises after every round on consultation and we took on board all the comments received, whether they be verbal, whether they were things that we noticed ourselves, and then round 2 was held. We looked to add fresh initiatives into round 2 and I think an important one to mention today is the introduction of information exchange, which was a permanent facility open two days a week in the Spitalfields area. That was then finished off with an information round which provided more detail still and that looked to present the content of the Bill to be deposited. I can come back and explain the process itself and all the activities in greater detail if I could take some time later to run through the report on Spitalfields.

10276. What I will ask you to do in a moment is to take the Committee briefly through the Spitalfields consultation report so that you can take the Committee through the stages. Before we do that I would like you to address again briefly to the Committee on the basis upon which you proceeded in trying to design the consultation around to be inclusive, having regard to the various community and different ethnic interests involved in the areas affected by Crossrail.

(Mr Dean) One of our headline objectives was to be socially inclusive and with that in mind we tried to offer a whole range of media from which consultees could find out information about the project or contact the project. First of all—and I think it is an important one to start with—all of the documentation was prepared in accessible formats, and we had 11 community languages at the outset, and that grew to 16 at one point, I believe. There were also large print versions, Braille, easy-read, audiotape cassette versions also available. The easy-read documents we hope are something that are accessible to everybody. We ran a 24-hour help desk seven days a week and that has been running since 2002. There are obviously facilities to email, send letters or faxes to us, and there is a freepost mail facility. There is a “Bobby” accredited website, Bobby being the accreditation of access and ease of navigation, and clearly that is available to all at all times, and on there is the community language translations microsite; there is a Young Crossrail microsite, which is another important area of work that I will come back to later. We tried to present the information in a whole range of different styles and formats—you have obviously had the written documents—and we used photography, artists’ impressions, diagrams, drawings, mapped plans, architectural models, usually with explanatory text. All of this was held on the website and most of it was used on the exhibition panels. Again, I will come back to the exhibition designs which I think are currently in the Spitalfields Report.

10277. Envelopes were provided and the Committee can see here the multi-language instructions written on the envelopes.¹⁹ In terms of the exhibition materials, particularly in the Spitalfields area, were they provided in multi-language versions?

(Mr Dean) Yes, we provided material translated primarily into Somalian and Sylheti, the local dialect, and you will find on all of our documents that there are these community language translation contact details, so that people of various first languages can get in touch with the project, and we translated some of the key documents. We have had briefing material available since April 2004, so that precedes the first consultation round, translated into all the community languages.²⁰

10278. Can we just give an example? This is from consultation round 2, and this is the English first panel for Hanbury Street, and if I could put it side by side with the Bengali version, and this is one of the versions that was produced for the Spitalfields consultations.²¹

(Mr Dean) That is right. There were a number of site-specific translated panels. There was a welcome banner in Sylheti; we had an interpreter available who attended most of the sessions but was always available on request and he made the best endeavours to try to be socially inclusive and aware of the local needs of the area.

10279. The second Hanbury Street panel from consultation round 2, and again we have it in English and Bengali.²²

(Mr Dean) That is right, and just to reiterate that these were available obviously on the A1 panels in the exhibition and also as A4 takeaway handouts and also then as downloaded documents from the website. They could be requested from the help desk and men at work.

10280. At this point it might be best to go to the report. Could I have the report distributed to the Committee? The first page is a note which has been prepared by you to explain the extent of consultation in the Spitalfields area.

(Mr Dean) That is right.

10281. The Executive Summary on page 1 effectively says what you have just said in terms of the overall approach. We can see from the penultimate paragraph that there were 34 days of staffed exhibition held in the Spitalfields area.²³

¹⁹ Crossrail Ref: P91, Crossrail multilingual envelopes (SCN-20060614-021).

²⁰ Crossrail Ref: P91, Crossrail Line 1 Briefing—English/Bengali versions (SCN-20060614-020).

²¹ Crossrail Ref: P91, Crossrail Hanbury Street Shaft, Proposed Shaft Design (1)—English/Bengali versions (SCN-20060614-022).

²² Crossrail Ref: P91, Crossrail Hanbury Street Shaft, Proposed Shaft Design (2)—English/Bengali versions (SCN-20060614-023).

²³ Crossrail Ref: P91, Consultation Activities in the Spitalfields Area, Executive Summary (TOWHLB-GEN02-002).

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(Mr Dean) That is right. It is over 20 per cent of the total number of exhibition days. There were 184 in total across the project over the consultation programme.

10282. Page 2, you set out the background.²⁴ Can I ask you with regard to understanding the identity of the stakeholders, that is the various groups within the area who might be both representative and interested in the issues, did you have consultation with Tower Hamlets Borough Council to identify those?

(Mr Dean) At the risk of spoiling what has become a very productive and constructive relationship with the local authority, I am afraid at that time they resisted helping identifying stakeholders in the area, and I fear that this may have put us at a disadvantage and perhaps slowed down the ability of the project to engage with the local community.

10283. So how were the stakeholders identified?

(Mr Dean) We had to do it by desktop research and then just during the consultation exercise we have gradually built up what I believe to be now quite a robust and comprehensive directory.

10284. You then set out the policy, which you have already referred to.

(Mr Dean) Yes.

10285. And it includes the GLA policy and the TfL consultation toolkit, and we see that on page 3.²⁵ Social inclusion is addressed and again that sets out what you have just summarised verbally to the Committee, so I do not think we need to go into it. It includes the Bobby accredited website and the help desk and the various multi-language versions of the documentation.

(Mr Dean) Could I just add something?

10286. By all means.

(Mr Dean) Just to mention that with the mass of contacts that the project has to deal with we have set up a bespoke contacts database that enables us to record all the communications that are held with outside and interested parties, and that has enabled us to send out mail shots, email project updates and the like, and produced reports from these.

10287. Page 4.²⁶ You refer to the education programme which has been running since 2003, which is known as Young Crossrail, in which 93 schools in Tower Hamlets are participating, 32 in the E1 postcode district, which includes Spitalfields, and I think you have listed the schools at the ingested pages 012 and 013.²⁷

(Mr Dean) It is appendix 2. Sorry, I have made the wrong reference in the document itself; they appear at appendix 2.

10288. I have actually read it, Mr Dean.

(Mr Dean) It is a curriculum-based programme that looks to engage with young people and there are a number of competitions, colouring competitions, story writing competitions, all based on the Crossrail concept, and it is something that seems to have been welcomed by all the schools involved and they participated in the consultation programme itself, attending the information centres, undertaking surveys on behalf of the project and then presenting their findings to local dignitaries at the end of the day.

10289. Then of the public consultation exercises generally you first refer in the second half of page 4 to the public awareness campaign, which was a three-week campaign which included 18 advertisements, including not only in the *Evening Standard* and the *Metro* but the *East London Advertiser* and *East End Life*, which is the weekly newspaper for the council for the borough.²⁸

(Mr Dean) It is delivered through every door in the borough.

10290. 60,000 leaflets were distributed in the Whitechapel, Liverpool Street and Canary Wharf stations and they gave information about forthcoming public consultations with a reply-paid card inviting comment and registration.

(Mr Dean) Yes.

10291. And Tower Hamlets were given copies of that information to display in public buildings such as libraries and the civic offices.

(Mr Dean) The council, councillors and the local MP at that time, Oona King, were also all invited to the preview exhibition where they could see the material, understand the process, meet the staff who were going to man the centres, and that was made available to them to make early comment.

10292. We then have the first public consultation round, which ran from October 2003 to January 2004.²⁹ This is not the consultation round that took place in part in the old Truman's Brewery, this consultation information centre was at Vallance Road.

(Mr Dean) Yes. We tried to find permanent sites which were local to the areas most interested in the project. Obviously they needed to have a catchment area and they needed to be spread route-wide, and in order to try and access the communities themselves quite often we used mobile units, but we always

²⁴ Crossrail Ref: P91, Consultation Activities in the Spitalfields Area, Background (TOWHLB-GEN02-003).

²⁵ Crossrail Ref: P91, Consultation Activities in the Spitalfields Area, Policy (TOWHLB-GEN02-004).

²⁶ Crossrail Ref: P91, Consultation Activities in the Spitalfields Area, Education Programme (2003 to present day) (TOWHLB-GEN02-005).

²⁷ Crossrail Ref: P91, Consultation Activities in the Spitalfields Area, 'Young Crossrail' Schools Education Programme in Spitalfields (TOWHLB-GEN02-012 and -013).

²⁸ Crossrail Ref: P91, Consultation Activities in the Spitalfields Area, Public Awareness (8-29 September 2003) (TOWHLB-GEN02-005).

²⁹ Crossrail Ref: P91, Consultation Activities in the Spitalfields Area, Public Consultation Round 1 (27 October 2003 to 16 January 2004) (TOWHLB-GEN02-006).

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preferred to have something that the local community knew, that was near high footfall and hopefully high profile in the area.

10293. The details are there set out and there is a preview exhibition for the councillors and the MP and you note in that section the difficulties that you had in identifying the stakeholders that you mentioned earlier.

(Mr Dean) That is right.

10294. You also sent Press releases to journalists for local Bengali-speaking media.

(Mr Dean) That is right.

10295. That consultation round was reported on and there is a report which I think is available on the website.³⁰

(Mr Dean) Yes, all of the published material is.

10296. **Mr Elvin:** In the second public consultation round, going back to the report, which was August to October 2004, preceded by a public awareness campaign. What does a public awareness campaign mean in this context?

(Mr Dean) It is based on advertising, leafleting at relevant stations along the line of route, accompanied by mail outs and emails to everyone who is registered on the database.

10297. We see that further information centres at Spitalfields, Whitechapel, Isle of Dogs and Liverpool Street Station, two public information exchanges were provided which were walk-in centres, one of which is the one that the Committee has already heard was at the old Truman Brewery. Can I ask whether in fact it remained at the old Truman Brewery for the whole of the period?

(Mr Dean) No, at the end of September it was moved to Bray Gallery and this was based on certain criticism from the local community.

10298. Display panels you have referred to and those have been translated into Bengali and Somali. Other community languages were also used and interpreter-based services were available. 92 advertisements, including local authority publications and local journals, and you have listed a number of community language-based advertisements, if we can move down a page.³¹ You have listed them and I do not want you to read them out, but they include Bengali journals?

(Mr Dean) Yes.

10299. Advertisements, newspaper and radio, including Muslim Radio at Tower Hamlets Station?

(Mr Dean) Yes.

10300. Then you say that following complaints, the direct leafleting exercise in round one had not reached some recipients, leaflets were posted by Royal Mail to more than 176,000 address in 100-metre corridor either side of the proposed route.

(Mr Dean) That is right. We widened the corridor and used the Royal Mail service who were able to identify every postcode within that corridor.

10301. You say on the foot of the page, land and property referencing continued to refine details of interests of those likely to be affected and as you learned of new directly affected property interests, they were written to directly?

(Mr Dean) Yes, it is probably important just to mention that we tried to develop a special relationship with those directly affected. They were offered discussions with a panel of property experts.

10302. If we go to the next page please, you had the information round which accompanied the bill deposit and you again note information centres were held in Spitalfields and Whitechapel, where was the Spitalfields information centre?³²

(Mr Dean) The Spitalfields information centre?

10303. Yes, for the information round.

(Mr Dean) For these exact dates?

10304. No, where was it?

(Mr Dean) Sorry, it was moved to the Brady Centre.

10305. The Brady Centre.

(Mr Dean) Yes, the Brady Centre, I think, would have been our preferred venue earlier, but it was non-accessible and being refurbished. By the time of the information round it had been fully refurbished and made accessible and so it was used then.

10306. As before, information was disseminated and displayed in a number of languages including Bengali and Somali and an interpreter was present?

(Mr Dean) That is right.

10307. You then sent out bill deposit, publicity and additional provisions, I am not going to focus on those because the complaints are focused on pre-bill deposit consultation and the Committee is well aware of what has happened with the deposited bill. Can I ask you about the equality workshops which are referred to at the foot of the page, please?

(Mr Dean) Yes, we held three workshops, one in the west, one in the central area and one in the east to which we ought sought to invite priority group representatives, obviously race, faith, part of the seven priority groups that are categorised where we looked to present the proposals and understand perhaps some of the more subtle concerns and interests and hopes of those priority groups.

³⁰ Crossrail Public Awareness and Public Consultation Round 1: Results and Crossrail's Response, August 2004, www.crossrail.co.uk (SCN-20060614-024).

³¹ Crossrail Ref: P91, Consultation Activities in the Spitalfields Area, Public Consultation Round 2 (5 August to 27 October 2004) (TOWHLB-GEN02-007).

³² Crossrail Ref: P91, Consultation Activities in the Spitalfields Area, Public Information Round (10 to 19 February 2005) (TOWHLB-GEN02-008).

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10308. If we can go to the next page, please, you summarise the communication history of the Spitalfields area to date, you set out the number of contacts in the database, over 25,000, and the total number of communications, nearly 340,000?³³

(Mr Dean) That is right. I should imagine it has gone up quite a bit since the report was first drafted.

10309. And you have given some specific examples, the Spitalfields area itself, just over 6,000 communications from the Spitalfields area and you have given the details for stakeholders in Spitalfields, the Small Business Association and the Woodseer and Hanbury Residents Association?

(Mr Dean) Yes, I could have put some more in. I hope those are representative.

10310. The next steps you set out at the bottom of the page, continue to provide a 24-hour seven days a week help desk and a regularly updated website. I do not know to what extent members of the Committee have had an opportunity to look at the website, Mr Dean, but how much information is available on the website?

(Mr Dean) Everything you need to know about Crossrail and probably an awful lot more. Everything is published and then we obviously publish it in all the accessible formats.³⁴ There are 20 micro-sites on there. The Young Crossrail microsite is something you can get lost in, there was a virtual train on there and results of all the competitions. There is a wealth of information.

10311. One of the micro sites, this is a print-out I did at the beginning of the year just as the Committee was starting to sit but part of the site includes all the supporting documents for the Bill. It includes the various environmental statements, the supplementaries, of which there were two at the time, the amendment to provisions of ES, of which there was one at the time, all the specialist reports and the technical reports that form the background to the environmental statement and the plans are all available and can be viewed from the website?

(Mr Dean) That is correct.

10312. Can I then ask you to go to the next page?

(Mr Dean) Are you at the appendices now?

10313. No, page 9.³⁵ I want to ask because this is something that Tower Hamlets indicated satisfaction with, community cohesion adviser has been appointed to assist the project. Can you just explain that?

(Mr Dean) Yes, it has taken some expert advice on how to improve community relations, to engage with those who are more difficult to reach and really looking just as always to improve our processes. I

hope that at every juncture we have tried to learn from what has happened behind us and try out some new initiatives to freshen up what it is we are doing and also to improve the overall process.

10314. The race equality impact assessment and equality impact assessment have been completed. That is a continuing process, is it not?

(Mr Dean) That is right, yes. We envisage that the assessment exercise will continue right into operation of the project so through the design phase, through construction and then once the railway is operational.

10315. So we have got the ongoing work of the Community Cohesion Adviser and the agreement to work with Tower Hamlets on future consultation of community relations exercises, continuing dialogue with the various affected communities and then the equality impact assessment monitoring a development process?

(Mr Dean) That is right. We also have a community relations team who are expert in major construction projects.

10316. The appendices, we have seen appendix 2, if we can briefly look at appendix 1.³⁶ That summarises the consultation events at Spitalfields, consultation round one which we have discussed consultation round 2, the information round and the additional provision at Whitechapel Station which also generate a centre. Appendix 2, we have seen, appendix 3 set out the stakeholders registered now on the Crossrail data base.³⁷

(Mr Dean) Stakeholders in Spitalfields.

10317. In Spitalfields, I imagine the complete one is longer than that for the whole scheme?

(Mr Dean) Indeed. I possibly missed some off myself from the overall list. Sometimes obviously groups outside Spitalfields may have an interest in the area.

10318. In appendix 4, you summarise the meetings with the community and stakeholder groups 2004 and 2006.³⁸

(Mr Dean) That is right.

10319. Before I turn to the CRE, I would just like to show the Committee briefly some of the materials provided on the consultation round and the Committee has already seen some of them. Can we just put up these. This is consultation round 1.³⁹ Mr Dean, you will confirm which is showing the central London stations and this is the 2003 to early 2004

³³ Crossrail Ref: P91, Consultation Activities in the Spitalfields Area, Spitalfields communication history summary (TOWHLB-GEN02-009).

³⁴ Crossrail Ref: P91, Crossrail Website, www.crossrail.co.uk (SCN-20060614-025).

³⁵ Crossrail Ref: P91, Consultation Activities in the Spitalfields Area, Next Steps (TOWHLB-GEN02-010).

³⁶ Crossrail Ref: P91, Consultation Activities in the Spitalfields Area, Appendix 1— Spitalfields consultation events (TOWHLB-GEN02-011).

³⁷ Crossrail Ref: P91, Consultation Activities in the Spitalfields Area, Appendix 3—Stakeholder consultation in Spitalfields (TOWHLB-GEN02-014).

³⁸ Crossrail Ref: P91, Consultation Activities in the Spitalfields Area, Appendix 4—Meetings with Spitalfields community and stakeholder groups (TOWHLB-GEN02-015).

³⁹ Crossrail Ref: P91, Consultation Round 1, Location of Central Stations (SCN-20060614-026).

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early consultation round and we can see that it shows clearly the route going from Liverpool Street to Whitechapel not to Stratford directly or bypassing Whitechapel?

(Mr Dean) That is right.

10320. In terms of that time, members of the public were also informed that an environmental impact assessment had been commissioned and was underway?⁴⁰

(Mr Dean) Yes.

10321. The regeneration issues that were involved with Crossrail?

(Mr Dean) That is right. We had a number of generic panels that were shown at all the exhibitions and then some site-specific and regeneration was one of the generics.⁴¹

10322. Hanbury Street I have already shown the Committee. As a reminder, this is the first Hanbury Street panel, which refers to the fact it was to be used for the launch of tunnelling.⁴² You can see the paragraphs in the right-hand column.

(Mr Dean) Yes.

10323. And then options for the shaft at that time, which was before the tunnelling strategy was changed?⁴³

(Mr Dean) That is correct.

10324. Can I then look, please, briefly at consultation round 2. If you recall the points that were made about the alignment of the tracks, the Liverpool Street Station map we can see the alignment of the tracks and the curvature that was discussed yesterday clearly shown on the plan?⁴⁴

(Mr Dean) Yes.

10325. Hanbury Street, the first sheet.⁴⁵ As in consultation round 1, the alignment of the tracks under Hanbury Street, Princelet Street and crossing Brick Lane and its proximity to Hugeunot Court are all shown on the plan?

(Mr Dean) Yes.

10326. Shaft design, sheet number 2, referring to Hanbury Street at that time as a location for starting the tunneling boring machines?⁴⁶

(Mr Dean) Yes.

10327. And indeed there was a third sheet which is now, of course, completely obsolete which was the Pedley Street arrangement which has been dropped?⁴⁷

(Mr Dean) Correct.

10328. It has then showed station proposals for a new station at Whitechapel?⁴⁸

(Mr Dean) That is right.

10329. Were there individual sheets or multiples of sheets for each station and shaft location provided as part of the consultation round?

(Mr Dean) We tried to make it consistent in terms of design across the project and there were panels dealing with service proposals or service improvements.

10330. This is the total document?

(Mr Dean) There are 189 panels.

10331. Yes. Can we then just look at the equivalent of the exercise for the information round. There are general sheets on various aspects, regeneration, what is Crossrail, things such as that, can I just ask you specifically again just to look at Hanbury Street. Again in two sheets, sheet one is much the same as on consultation round 2, showing the tunnel alignment?⁴⁹

(Mr Dean) That is right.

10332. Sheet two is very similar to consultation round 2, referring to the tunnel boring machine launch?⁵⁰

(Mr Dean) That is right.

10333. And Pedley Street again now superseded?⁵¹

(Mr Dean) That is right.

10334. And at this stage in the information round Whitechapel had been updated to show a western ticket hall?⁵²

(Mr Dean) That is correct.

10335. You referred to the fact that consultation reports were provided for the various rounds. Can I just draw the Committee's attention to the report on consultation round 2. That is the one that took place in 2004 because it sets out the response to some of the issues that were raised which has some bearing on the matters that were raised by Petitioners. They include a reference to settlement at item two,

⁴⁰ Crossrail Ref: P91, Consultation Round 1, Promoting Regeneration (SCN-20060614-027).

⁴¹ Crossrail Ref: P91, Consultation Round 1, Environmental Impact Assessment (SCN-20060614-028).

⁴² Crossrail Ref: P91, Consultation Round 1, Hanbury Street Shaft (SCN-20060614-029).

⁴³ Crossrail Ref: P91, Consultation Round 1, Proposed Shaft (SCN-20060614-030).

⁴⁴ Crossrail Ref: P91, Consultation Round 2, Liverpool Street Station Proposed Redevelopment (SCN-20060614-031).

⁴⁵ Crossrail Ref: P91, Consultation Round 2, Proposed Hanbury Street Shaft (SCN-20060614-032).

⁴⁶ Crossrail Ref: P91, Consultation Round 2, Proposed Shaft Design (SCN-20060614-033).

⁴⁷ Crossrail Ref: P91, Consultation Round 2, Pedley Street Shaft—Crossrail proposals (SCN-20060614-034).

⁴⁸ Crossrail Ref: P91, Consultation Round 2, Whitechapel—Crossrail proposals (SCN-20060614-035).

⁴⁹ Crossrail Ref: P91, Consultation Round 2, Hanbury Street Shaft (SCN-20060614-036).

⁵⁰ Crossrail Ref: P91, Consultation Round 2, Hanbury Street Shaft (SCN-20060614-037).

⁵¹ Crossrail Ref: P91, Consultation Round 2, Pedley Street Shaft (SCN-20060614-038).

⁵² Crossrail Ref: P91, Consultation Round 2, Whitechapel—Ticket Halls (SCN-20060614-039).

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referring to an information sheet which has been produced which I will show the Committee in a moment. It says it explains how settlement will be predicted and monitored and how action will be taken to mitigate it. It also deals with the opposition to the construction site of Hanbury Street and it notes and this is in relation to the consultation round in 2004 that seven possible locations have been considered including Woodseer Street.⁵³ It notes in the third paragraph that alternative alignments to the tunnel to the south were also considered and explains why Hanbury Street was the best option and it referred then to the justification for Hanbury Street as a launch site for the tunnel boring machines?

(Mr Dean) That is right.

10336. So far as the information sheets are concerned, what was their function?

(Mr Dean) It was to try and provide some additional information on some key topic areas, some of which we could foresee were going to be of interest, others were specifically raised either during comment or by requests straight to the project but still remaining mindful that by making them overly complicated they may be unhelpful rather than helpful. They tried to strike a balance and tried to be helpful in giving sufficient information for those concerned to understand what we are about and the issue or topic.

10337. This is the introduction.⁵⁴ The reason I put it up is because it lists all the others, EIA, the approach to development which is about the construction code?

(Mr Dean) Yes.

10338. Getting approval to progress, that explains the procedure for the Hybrid Bill, noise and vibration, roads, settlement, stations and tunnels?

(Mr Dean) That is right.

10339. I would just like to show the Committee briefly again because it touches on the matters the Committee have been asked to consider, the settlement paper. You see here an overview referring to the experience from other schemes; extensive experiences have been referred to. Basic information on ground movement, application of appropriate measures to control and mitigate are referred to and then listed in the third column.⁵⁵ It says "settlement assessments will be undertaken for buildings within the zone potentially affected". The Committee can relate that back to what Professor Mair said on 1 February and the Information Paper. We go to the next page which is the second sheet. That continues to include mitigation measures at source, ground

treatment and structural measures, the pre-construction surveys and in particular there are two specific paragraphs relating to listed buildings which says specific consideration has been given to listed buildings in order to protect the building and its sensitive features, the specific mitigation measures to be used will be detailed during the detailed construction and design planning phases?

(Mr Dean) Yes.

10340. So far as the noise and vibration issue, which is another matter which has been raised, we can see there that two of the most likely noticeable effects, practical ways of managing them, identifying design and construction methods to reduce potential numbers of noise and vibration impact, the requirement for an environmental statement, mitigation measures, effects of noise and vibration depends on a number of factors and it lists them.⁵⁶ What are the likely effects and it refers to the use of the construction code which is what is proposed and the Committee is aware of that from the various Information Papers of the significance of that?

(Mr Dean) That is right.

10341. **Mr Elvin:** Unless the Committee want to see any further materials, I appreciate I have shown you quite a lot. It is the tip of the iceberg, but I hope that, at least, has given the Committee a flavour of the sort of information that has been disseminated further materials can be provided and if and when necessary.

10342. **Mr Liddell-Grainger:** Thank you.

10343. **Mr Elvin:** Can I ask you, Mr Dean, to deal with the issue of the Commission for Racial Equality?

(Mr Dean) Yes.

10344. We have got a complete, or as complete as we could put together over lunch, bundle of correspondence. Would the Committee like copies of that or simply have Mr Dean summarise it?

10345. **Mr Liddell-Grainger:** We would like copies, please, if you could circulate that.⁵⁷

10346. **Mr Elvin:** I should have said that the consultation referee notice P91, I imagine this will be P92.

10347. **Chairman:** We will let you know in a second.

10348. **Mr Elvin:** I am afraid it is in reverse dated order in the way that files are often copied. The first letter is July 2004 which I think comes in just after the letter that was produced this morning which was a letter to local people rather than to CRL or the Department. Mr Dean, try to summarise this

⁵³ Crossrail Ref: P91, Consultation Round 2 Property issues (including settlement) and Opposition to construction at Hanbury Street (SCN-20060614-040).

⁵⁴ Crossrail Ref: P91, Crossrail Information, Introduction, www.crossrail.co.uk (SCN-20060614-041 and -042).

⁵⁵ Crossrail Ref: P91, Crossrail Information, Ground Settlement, www.crossrail.co.uk (SCN-20060614-043 and -044).

⁵⁶ Crossrail Ref: P91, Crossrail Information, Noise and Vibration, www.crossrail.co.uk (SCN-20060614-045 and -046).

⁵⁷ Crossrail Ref: P92, Correspondence between CLRL and the Commission for Racial Equality.

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without going through it in detail. Is it fair to say the CRE raised initial concerns about engagement of the various community and ethnic groups and requested the issue of equality impact assessment, is that right? **(Mr Dean)** That is true. I think it was the first time there was formal notification or correspondence with the project but there had been correspondence to the project from outside parties and we then reacted to that by formulating a strategy for undertaking quality impact assessment work.

10349. And can you summarise what then occurred? **(Mr Dean)** The correspondence took place between primarily the Chairman for the Commission for Racial Equality and senior management of Cross London Rail Links and it started off by notifying the project of its general duty. There was a certain amount of confusion and I think it was largely borne out of the fact that Crossrail had two stakeholders, one of which was the SRA, and whilst they both had their own equality schemes, Crossrail itself did not technically fall under the statutory duty. The project decided in any event that it was the right thing to do and forged ahead with this piece of work. The demise, if I can call it that, of the SRA then saw TfL become a major stakeholder. Then we had the issues of assimilating the DfT statutory duty under its race equality scheme with TfL's race equality scheme and coming up with a cohesive and robust way forward. More latterly then there has been continued correspondence from the CRE where they reminded us of their expectations under the duty and have expressed themselves content with progress and welcomed the fact it is an ongoing piece of work. I think it is possibly relevant they have not chosen to comment on the race equality impact assessment nor the comprehensive race equality impact assessment nor can I recall them commenting during any of the consultation rounds but perhaps that is all overtaken by the one-to-one correspondence.

10350. Can I just get this clear, of course the CRE can serve notice if it considers that there are significant failures in terms of their area of interest, can they not?

(Mr Dean) They can serve a compliance notice.

10351. Has any such notice been served or threatened in this instance?

(Mr Dean) No mention.

10352. **Mr Elvin:** I do not know whether you require any further summary other than that.

10353. **Mr Liddell-Grainger:** At the moment I do not think so.

10354. **Mr Elvin:** I thought it was better you had the complete documentation so you can see it warts and all.

10355. **Mr Liddell-Grainger:** I can assure you we will come back to you and if necessary call.

10356. **Mr Elvin:** That concludes the information I was going to present to the Committee on consultation.

10357. **Mr Liddell-Grainger:** Have you any questions to ask? Please come forward?

10358. **Mr Akker:** I do, sir. Could I just indicate that a lot of the material just stated by counsel will come as a complete surprise to many people, constituents and Petitioners, certainly the breadth of it and the detail. I would like to give an initial comment, sir, but what I would like to seek with your permission is since this goes to the heart of so many Petitions, principally Tower Hamlets London Council and Spitalfields Society and to a number of others, that I would like to seek whether we could put in a written comment to you based on what has been said not because we want to lengthen the process but it would just be a fact sheet. I say that because the leaflets and information which have been stated here many of us have not had any sight of these before. There has been a view put forward that these were available at exhibition centres, but the issue which many people have found with the exhibition centres, sir, is that the exhibition centres have been staffed by people or staff who are unaware of many of the principal features of the scheme and they have not been put forward and accessible in a way that has been suggested. What I would like to do, sir, with your permission is to ask the witness from Crossrail—I will not go into great detail at this stage—a number of questions in relation to what he said. First, could I ask, since your responsibility is very large indeed, how did you go about assessing which of the principal areas of the Crossrail project that would be likely to cause maximum impact and maximum disruption?

(Mr Dean) I am not sure whether that is my area of expertise. There was an environmental impact assessment conducted and the results of that exercise identified where the likely impacts arose and what the nature and extent of those impacts was likely to be.

10359. Your job was communicating what were the principal issues to the public which would affect the project. It has been put in many Petitioners' evidence that the impact on Spitalfields was very severe, to have drilling machines going from Spitalfields in a very condensed area was clearly of major importance as far as the local community is concerned. I am asking you what level of special considerations of Spitalfields played, in your view, of how it should be communicated to the people in the area and to the public at large?

(Mr Dean) I think as a general answer the response was to use all available media and extensive formats to invest heavily in the programme of consultation and to try and provide access to the project in best way we could. I mentioned earlier that we have had a special relationship with those directly affected. We have looked to introduce information exchange so there was a semi-permanent presence in the area

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during the second round of consultation and over and above that we hope that we have been accessible to consultees and I do think it has to be a two-way process rather than us trying to come out and give information to parties. There is also the ability for them to approach us via the website, the help desk, by members of the consultation team which, I think, was over a dozen strong at the time. We employed a professional company, Lime, whose expertise is in planning and staging consultation events. We widely advertised, we sent press releases to media in the area and I think very few, if any of them, choose to run stories at the time of the consultation and we were hopeful that they would; I stand corrected on that. I am not sure whether we were very successful in getting co-operation of local media. You heard we tried the radio. I could go through the list again. Perhaps one area where we were hoping that we would be able to filter information back to the community was via the schools programme, by students taking home their work, talking about a project or attending competitions as competition winners with their parents. These sorts of things were just supplementary ways—they were mainstream ways—of us trying to engage with the community.

The consultation process itself, as I mentioned, was another avenue for the community to say: “Hang on, why don’t you try A, B or C?” What we did have was some criticism of inadequacy but I cannot recall having any suggestions that we could have taken on board to improve the process.

10360. Could I go back to my question, which was there are major impacts in certain areas which Crossrail clearly was going to bring about. Perhaps I could put it like this. You did a public awareness project concerned with raising the public awareness about impact of Crossrail?

(Mr Dean) Yes.

10361. Where was it in any of the leaflets that a major issue was in relation to the area of the Spitalfields?

(Mr Dean) No, it was not. What the public awareness tried to do was to introduce the concept of Crossrail, saying: “Here is a major new railway scheme in London, these are the destinations, these are the general routes, this is how you can find out more information.” To have tried to do that on a leaflet, bearing in mind the scale of the project, I think would have been counterproductive. What it was trying to do was just to alert the London and the south east community at large that the project was moving into a progressive mode and that there would be opportunities, therefore the public awareness campaign said: “Look, this is how you come and find out more”, and it also presented the project’s contact details.

10362. So many of the leaflets you put out were not really designed for the process of actually aiding the consultation or the process of actually informing people who were going to be affected?

(Mr Dean): I think that is right. It was not part of the consultation. We had round 1 and round two of consultation. That is why it was specifically called “public awareness”.

10363. So why did you not consider putting out a special leaflet in the Spitalfields area?

(Mr Dean): We did a lot of special work for the Spitalfields area.

10364. But you did not put out a leaflet, did you? You did not actually show what learned counsel put on the pages as any information about the impact in Hanbury Street or the fact that there were going to be very large drilling machines put in there? You did not put the fact that there would be increased lorry movements or the hours of work?

(Mr Dean): I think it was the preferred way that we would hold information centres where people could explain this. It would be a lot of information and possibly rather upsetting for people to receive that through the letter box. There was not a leaflet as such but there has been a mass of information prepared, and we have looked to provide that to stakeholder groups, community groups, they were sent brochures, documents, explaining the project. You have seen the information papers so not a leaflet as such, but there would be more comprehensive documentation than that.

10365. Did you ever check that all this information was going to the people within the area? Because can I put to you an observation here—that there are a very small group of people in here but I do not think there is anyone of the group in this room who has seen the large amount of information that you have said is available.

(Mr Dean): Well, in the first instance we used a professional distribution company and they do checks of their work, and then we look to try and safeguard any mishaps by using Royal Mail, and we entrusted ourselves to their good service to make sure that all of the leaflets were posted through the doors.

10366. Can I put it another way to you? You will be aware that a large number of people from the Spitalfields area have petitioned Parliament in relation to their concerns. Why has Crossrail not said: “Here are your petitions, this is the information we have already circulated about Crossrail? This is what is happening in the area?”

(Mr Dean): Sorry, I am not quite sure what the question is.

10367. The question is, if you say there is all this information available, a lot of our concerns we have put forward have been about the information that is available. Why have you not said: “Well, you are very much mistaken.” You could have done an individual reply to every Petitioner saying that all this information was available?

(Mr Dean): I think we are replying here today and I am aware that there have been individual responses to petitions where it is sought to explain that

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position. The trouble is with perhaps issuing you with information that was produced, say, for a round one consultation is that some of it is out of date and it has been superseded, and there is a need to always use current information. Well, that was the Bill deposit which contains, I think, a huge amount of information. I guess this is where petitions arise—either the information that is provided is something that causes concern, or you want further information or clarification, and that is what the negotiation team will seek to do.

10368. Thank you for that. I am reminded of a question which a lot of people would be interested to know. How do people know to go to the information centres at all? How would they know that there was relevant information to find out there?

(Mr Dean): First, in the ways I have mentioned; there was widespread blanketing advertising in newspapers, local as well as regional. There were leafleting exercises, they were staged in high profile locations. One thing I did not mention earlier was we used what we referred to as satellite teams standing, giving out flyers, leaflets, within a close vicinity of the event. There were events that tried to be local to high footfall with good access. We also sent out the leaflets to all those registered on the database. We sent out information to stakeholder groups, community groups, and we hoped that they would disseminate information as well, the local authority had all the information, we put information in libraries, in civic offices—we really did make a huge effort to try and notify people. There are probably other initiatives as well that will be recounted in the report.

10369. I appreciate what you say in terms of the number of leaflets which you have sent out. What I think would be quite interesting to find out would be what steps you took to see that it was having any impact on the local community?

(Mr Dean): There was some market research conducted, and I have not got the findings with me but we obviously have constantly had area consultation managers in post. We get feedback from the local authority. I guess the main way is getting comment back through the help desk, the website, comment cards with free post facility—those are the main ways that we got comment back, and sometimes people are not necessarily that interested. I am not saying that is not true of this area; it is difficult to gauge whether you have been successful in reaching a target and, as I said, perhaps we could slightly suffer from not having a comprehensive directory of local groups from the outset.

10370. Could I ask why no public meetings were held about this? Why did Crossrail not consider having a meeting where people could come along and hear at first hand what was involved?

(Mr Dean): I do not know. There were some public meetings. I am aware—

10371. But none given by Crossrail?

(Mr Dean): I think there were. I remember one that Oona King called—here it is, 18 October, House of Commons.

10372. But that was by invitation. That was not a public meeting; that was by invitation of Oona King?

(Mr Dean): My own personal view, and I am not sure whether this was the decision, is that sometimes those sessions can be counterproductive and really what you are trying to do is deal with sometimes differing circumstances within the same community, and sometimes it is better to do that—either by written correspondence, which I do not think people appreciate, or by information centre if it is general information, but also then by identifying those with specific concerns and obviously dealing with those either in separate meetings or correspondence, but I participated in a number of public meetings myself over the years, and I am not always sure that either side gets what they are looking for out of them.

10373. Were you aware that there were some really big meetings that were taking place in the area concerning Crossrail? Were you aware, for example, of one meeting at the Brady Centre which attracted over 300 people, and that was reported in the *East End Advertiser*?

(Mr Dean): To be fair I am more involved in managing the process and analysing the comment and reporting on it. In terms of what actually is going on out on the ground I am afraid I would have to get some advice from one of my colleagues, one of the area consultation managers.

10374. That would be quite an important aspect to reflect on, would it not, because if there were public meetings, if large groups of people were getting together, it would be a really good measure of what was happening on the ground.

(Mr Dean): It depends what they are discussing.

10375. But it was really clear from all the press that there was very great concern in Spitalfields about Crossrail?

(Mr Dean): Certainly I have been aware that there has been a high level of misinformation and I am aware that there has been constant reference to Brick Lane being used as a lorry route, which I understand has never been proposed by this project, and I fear there may also have been some confusion with another major project in the area which does have impact in the same area, and perhaps there has been an issue there where there has been a degree of misunderstanding.

10376. But it could be said that, if there was any misinformation, it was in Crossrail's interest to put out the correct information?

(Mr Dean): Certainly we have endeavoured to try and address that issue.

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10377. I will not be long, sir, there are two other points. Could I ask, since it was raised by me this morning and answered by learned counsel, about this exhibition in Brick Lane which offended the local Bangladesh community? It is the position that there are a large number of public meeting halls in Brick Lane area which could be used other than the Brady Centre?

(Mr Dean): Of the ones we identified it seemed that the Truman's Brewery was suitable against our criteria that we set out. We regret that has caused any level of concern or even offence. My understanding at the time, and it is called the Old Truman's Brewery, was that it had not been set up for its original function for some 15 years, but it was very popular with the local community. There are cottage industry and craft shop type facilities within the building and, on the face of it, it seemed to be a good location in terms of everyone knowing where it was, with good access, access for those with mobility difficulties, and unfortunately the Brady Centre was not available. We did correct ourselves as soon as we received the criticism, and I must admit that I was surprised myself by a short petition that was received, I think, with ten or twelve names, and the first two names on that petition were the owners of the local off-licence, so we could not fully understand or agree with the concern on that basis. However, we took corrective action as soon as we could, and we took a lease on the Dray, which was nearby, so we could re-direct people there and anyone who did travel would still be able to find it easily, but I would like to end by saying that we do regret having used that as a venue and shall not in the future.

10378. And I did hear you correctly saying that there was a check done on the Brady Centre --

(Mr Dean): We checked the Brady Centre and it was being refurbished, and it was not suitable for people with restricted mobility getting access, and when it was refurbished and fully accessible then we used it in the information round that we gave. If I have got that wrong then I apologise but that is my recollection.

10379. **Mr Akker:** I, in fact, visited the exhibition in the Truman's Brewery, and my experience was that the exhibition was staffed—and I have got nothing against Australian I add—by some very young Australian students who knew absolutely nothing about Crossrail?

10380. **Mr Liddell-Grainger:** I think that is enough; you are going off the point now, Mr Akker. I have let you go on for quite a long time. You have made your points very clearly, have you any other specific points?

10381. **Mr Akker:** Just about the website, sir. I looked again after I said what I did this morning about the attractiveness of the website and how user friendly it is. Do you accept, Mr Dean, that there is little information relating to the concerns of Spitalfields on that website in relation to trying to

address their specific concerns? There is a lot of technical data about Parliament which needs to be explained in terms of ordinary language, and it is not explained in ways which many organisations would explain a complex and difficult arena.

10382. **Mr Liddell-Grainger:** Mr Akker, I think we will get counsel to look at the website. I must confess I have not seen the website myself; I do not know if any of the Committee members have, so I think we will come back to that point. Mr Binley?

10383. **Mr Binley:** I have two very quick questions which really concern the general attitude of consultation within the national government and local government scenario, because the whole business of consultation came upon us rather quickly and became a fashion item in this respect. I want to ask two questions about the depth of professionalism and ability that you feel the public sector has in effective consultation? I know we are throwing a lot of money at it but I want your view on how professionally we do this as a general response, first.

(Mr Dean): I am not sure whether I can speak for the whole industry and all consultation exercises. What I would say is that a number of respected commentators in the transport industry have complimented on the standard and quality of our work, and they have said, and I quote, "We have raised the bar for every other project", and the work we have done has been warmly received.

10384. Let me then be more specific, finally, and I need to declare an interest. I come from the marketing world and I have been horrified to learn that you did no market testing of the work you undertook in this respect, and that concerns me in two ways. One, you can throw a lot of money at a project and not get any effect from a project unless you market test, so I want to be absolutely sure from you that there were no elements or that you did not really consider market testing to be important or to be a sizeable part of this project, is that the case? I want to know what market testing you did, because you could be throwing your money in the wrong direction unless you actually knew how the market was reacting to your marketing thrust.

(Mr Dean): I think there was a continual exercise of market testing. We have had approaches—

10385. Let me cut this short. Then you will be able to show us the results of that market testing?

(Mr Dean): Well, the results are the number of people that we engaged in the project—

10386. No. I am talking about professional and specific market testing. You can show us those results.

(Mr Dean): There has been market research undertaken—

10387. No, market testing. You can show us those results?

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(*Mr Dean*): What I am saying—

10388. I am asking the question at this moment. Can you show us the results of your market testing?

(*Mr Dean*): I am not sure whether “market testing” is something that I fully understand.

10389. Let me explain it to you very briefly. It is talking to the people that you are targeting to find out if your thrust is getting through to them and being understood by them. That is what market testing is about. So, it saves you a lot of money because you could get it wrong. Can I ask again: you say you did market testing. If that is the case can you show us the results of that market testing? It is a yes or no answer.

(*Mr Dean*): I can only give you my previous answer, that the results of the market testing are in all of the reports where people—

10390. Well, I have not seen any yet.

(*Mr Dean*): —have commented on the adequacy of consultation.

10391. **Mr Binley**: I will leave it at that, but I have not seen any, quite frankly, and I think that is a shortcoming.

10392. **Mr Liddell-Grainger**: Mr Akker, we will not take written submissions but what we suggest is if you would like to come tomorrow to conclude I would be happy with that, but could you be concise, please, and I will stop you again, or Mr Meale, when he is back, will do so, and I thank you for your questions.

10393. **Mr Akker**: It may not be necessary, sir --

10394. **Mr Liddell-Grainger**: I leave that in your capable hands but I do say again, please keep it concise. We do want to hear everybody.

10395. **Mr Elvin**: May I just try and help Mr Binley by saying that there are two NOP surveys which we have not produced because we have not been asked for them yet, but if Mr Binley would like to see them I have not got them to hand but I will make surely copies are produced.

10396. **Mr Liddell-Grainger**: That would be helpful. Thank you. Mr Dean, could you stand down, please? Thank you very much.

10397. Could I call Dr Jeff Safir?

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Mr John Akker appeared as Agent.

10398. **Mr Liddell-Grainger**: Dr Safir, can I apologise to you for the slight overrun? It was unexpected. We felt as a Committee it had to be dealt with now and I think it has been a good use of time.

10399. **Dr Safir**: I have already arranged a locum for this evening, so thank you.

10400. My name is Jeff Safir. I am senior partner at the Spitalfields practice in Old Montague Street. We have 7.2 doctors, seven full-time and one one-day-a-week doctor and three full-time nurses. We are the nearest practice to the proposed site and an awful number of patients of mine will be represented in the discussions we are dealing with today, so I welcome the opportunity to give what I consider to be a non-biased factual report to the Committee. I hasten to say I am not a resident of Spitalfields, I have no vested interest in the properties, I am not against Crossrail in concept, I am not an expert witness on pollution, and if you want that I can call on people who are, but I will tell you that pollution in very deprived areas has a much greater effect than pollution in not so deprived areas. Also, my practice is three streets away, so directly I will not be affected by the drilling or the vibrations or whatever. So I am trying today to give a factual report on what the health and social environment of Spitalfields is.

10401. I would like the Committee to understand that Spitalfields is unique, it is not a normal inner city area. We are one of the most deprived areas in the whole of the UK and under my old GP contract there was a thing called the Jarman Index which listed deprivation on social, medical, health, housing, unemployed, et cetera, et cetera, and under the old Jarman Report which was done away with under the new contract, and I will not go into that, Spitalfields was joint top in the whole of the UK, so you are dealing with an exceptionally deprived population, top of the pops.

10402. I have been working in Spitalfields for 33 years, I was supposed to stay for six months but something went wrong and I am still here, so I really feel there is nobody better than me to present information to the Committee on what my population is like.

10403. Our practice has 12,500 patients. 75 per cent call themselves Asian, we have a sprinkling of so many other, South Asian, Somali, AfroCaribbean, and an increasing amount of people coming from the new European Union. We have an enormous amount of unemployment, an enormous amount of housing problems which I will touch on, an enormous amount of illiteracy, and I hear today learned counsel saying about all the documents that have come through and they are bilingual and everything, but we have an enormous amount of Bengali people who are illiterate in their own language.

10404. They are also, not wishing to be racist or rude in anyway, totally unaware of concepts of health, housing, of major impacts on social undertakings that would have perhaps influenced different populations. I imagine an awful lot of my population would have no idea what Crossrail is about. I will reiterate Mr Akker’s concept that I

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think it is very poorly publicised. I do not remember seeing any leaflets coming through my door, and I think an awful lot of my population, especially the Bengali population, will not have understood concepts even if due consultation as described by Crossrail has gone ahead.

10405. I would like to touch on the health issues and the social issues by just saying that Spitalfields is a medical disaster area. I called the health authority in six months ago to point out our problems of disease entities and prevalence of diseases and they were absolutely amazed, so not even our health authority have really understood the problems we are facing, the deprivation in Spitalfields. We have an enormous birth rate which adds to overcrowding in housing. We have 3-4 new births a week which is probably double what it should be; every single disease entity under the chronic disease register, I have brought figures which I will not bore you with, that GPs are supposed to look at are massive for Spitalfields. This is compounded by the ignorance, the non-compliance, the difficulty in understanding concepts, the difficulty with language even though we have interpreters in our surgery—we are dealing with a very unique population who really are not on the same wavelength as all the people in this room, and that has to be taken into account when we are talking about impact on population. We are dealing with a very poor illiterate people who do not understand loads of concepts, who have not got computers, who have no idea about internets or whatever. I have people living in the country for 20/30 years who do not speak a word of English, and people who would have no idea who the Queen of England is or the Prime Minister. We are one mile from Tower Bridge and I often ask people: “Have you ever been to Tower Bridge?”, and the answer is invariably “No”, because they live in their little community a few blocks square. That is where they live, that is where they survive, and that is their life. And what is going to happen with the Hanbury Street project is it is going to have a major impact on the Spitalfields community, far more than any other community of similar population.

10406. What is going to happen with the Hanbury Street project, it is going to have a major, major, major, major impact on the Spitalfields community, far, far more than any other community of similar population. Just to give you an example of non-compliance, we see three new diabetics a week in our practice alone. Already our total population is seven per cent and countrywide it is three per cent. We tried converting people to insulin when all else has failed. We have a highly trained nurse-practitioner, with interpreters, who spends ages and ages and ages showing the people how to inject themselves with insulin. So it is not a language problem. We have shown them how to prick their finger to test their blood and tell them how to adjust the insulin doses according to the blood test results. Invariably—maybe that is a bit too strong—in the majority of cases when they are called back a week later they have been injecting themselves with the starting dose

of insulin, they have not been taking the blood testing meter out, and when asked why they have not bothered testing their blood there is just a shrug of the shoulder. There is no concept of health wellbeing in the area. As I say, every disease entity—asthma, chronic obstructive airways, which is the in-word for basically chronic lung disease, we have enormous amounts. We have the worst of the worst. I was at a recent meeting and unfortunately they did charts of hospital admissions and the cost to the health authority, and unfortunately on the top of the list, my name, Dr Safir, “top of the pops”, most admissions, most expense, most everything for hospital admissions due to lung disease. There is this thing called FEB1, which basically is a disease which is the amount of air you can get out in the first second, and according to the lung specialists this is the biggest indicator of premature death—far more than cholesterol or blood pressure and all the other things that we read about in the papers all the time.

10407. **Mr Liddell-Grainger:** I think we have what you are saying. Can I ask you what you would like from us? I accept that you have an enormously difficult job as a doctor.

10408. **Dr Safir:** What I would like you to do, in a nutshell, is accept the fact that our population is going to be far more affected by the Crossrail project in Hanbury Street than any other population that I know of because of all the problems I have said, because of the non-compliance, because of the housing problems. I would very briefly like to say that it is not uncommon to have four families living in a four bedroom flat—20, 30 people, including children. So although you have already a very close-knit community with fairly close housing together the devastating effect on the Hanbury Street project will affect far more residents than I think people understand.

10409. **Mr Liddell-Grainger:** Doctor, I think you have put forward a very eloquent case. Is there anything else that you would like to add?

10410. **Dr Safir:** I would say, number one, that it is a very highly sensitive area at the moment with the Muslim population, and I think we need to retain race relations. I am not aware of any detailed assessment of health issues that have already gone through that Crossrail have asked for. I am sure there is going to be a big impact on the health of my population. I feel that there is a different route that can be taken that does not involve Hanbury Street. I am not political, I do not know the ins and outs, but there is a different route that could be used that would totally avoid the Hanbury Street population.

10411. **Mr Liddell-Grainger:** So you would prefer to see one of the other routes?

10412. **Dr Safir:** I would much prefer to see the route not going through the middle of my patch, for all the reasons that I have said.

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10413. **Mr Liddell-Grainger:** Your point is taken.

10414. **Dr Safir:** I just would really like to say again that the impact on the community is not going to be the same as the impact on another similar community—I really feel that very strongly.

10415. **Mr Liddell-Grainger:** I think that is a very fair comment, and I do not think you can add to that.

10416. **Dr Safir:** I will not add to that.

10417. **Mr Liddell-Grainger:** This Committee has taken on board your concerns as the local GP for this area. Thank you very much indeed.

10418. **Mr Mould:** Sir, all I want to say in response to Dr Safir’s presentation is this. The need to consider carefully the impact of the project both during the construction phase and during its operation upon the health of people and communities through whom the railway will pass, both directly and indirectly, is something that the project has very much in mind. We have carried out a Health Impact Assessment and that has been the subject of public consultation. It is available, as I understand it, on the website and it is also available on application in paper copy. We have also had carried out and are in the process of continuing with an Equality Impact Assessment, and I emphasise that in particular because the particular concerns that Dr Safir has identified are in what are known in the jargon as the differential impacts of the scheme on particular communities, particularly those who suffer from social and economic deprivation. We are engaged in that process and that is focused specifically upon the kind of issues in terms of the potential for markedly greater impact upon areas of social and economic deprivation, whether it be in relation to matters of health, environmental impact and so on, and we are focused specifically on that in that Equality Impact Assessment. It seems to me that Dr Safir is very well placed to provide us with detailed local knowledge and understanding in relation to that. That has been the subject of public consultation already but that public consultation round, as I understand it, is continuing, and certainly it would be the subject of further consideration through consultation as the detailed design of the project emerges. I would urge Dr Safir to engage himself and to use the benefit of his local knowledge and expertise in contributing to that process—we welcome him doing so, frankly. And the gentleman who was giving evidence to the Committee a few moments ago is an obvious point of contact for him if he wishes to take advantage of that offer. That Equality Impact Assessment has specifically focused, amongst other areas, upon the area of Tower Hamlets and upon the area around Hanbury Street in particular, as indeed has the Health Impact Assessment, and I can say that to you because I was involved in the preparation of that document and I know how much focus and attention we attached to impacts on Tower Hamlets and Hanbury Street, precisely because of the particular problems of social deprivation that he mentioned.

So I can assure this Committee that from this end those concerns are not by any means new to us. So I think those are the points I wanted to raise. I am not going to say anything about routes because you have heard about that.

10419. **Mr Liddell-Grainger:** Thank you very much.

10420. **Dr Safir:** Could I just say, sir, that I have not been advised at all about any previous—

10421. **Mr Liddell-Grainger:** Just one second, I am going to come on to that. I would ask two things. First of all, a copy of the Health Statement for this Committee and for the doctor.

10422. **Mr Mould:** Yes.

10423. **Mr Liddell-Grainger:** And I would also like to think that perhaps there will be contact made from the Promoter to the doctor’s practice, to actually discuss this at greater length. I think there are issues here that need to be looked at and I would like to think that the effort would be made to do so.

10424. **Mr Mould:** I can see no good reason why we should not.

10425. **Mr Liddell-Grainger:** I will take that as read and there will be contact made.

10426. **Mr Mould:** Yes. We will make sure that the HIA is ingested into it.

10427. **Mr Liddell-Grainger:** Thank you. Dr Safir, are you happy with that?

10428. **Dr Safir:** I am, sir. All I would say is that the Health Authority has no idea what is going on either.

10429. **Mr Liddell-Grainger:** I do not say that we can rectify that one, but thank you for coming along. Could I now call Miss Eleanor Ferguson?

The Petition of Eleanor and Alistair Ferguson.

The Petition of Gerald Collins and Mona Hatoum.

The Petition of Caroline Hamilton.

The Petitioners appeared in person

10430. **Mr Liddell-Grainger:** You are Miss Eleanor Ferguson?

10431. **Ms Ferguson:** Yes.

10432. **Mr Liddell-Grainger:** I would just like to say that I will be calling the Committee to order at half past four and we will then, if you have not finished, bring you back tomorrow morning, not tonight, although there is a session but it is a separate session. So would you like to at least start?

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10433. **Ms Ferguson:** Yes. I am Eleanor Ferguson and I am one of the owners of the properties of flats at number 61 Princelet Street. I have a second floor flat and Caroline Hamilton, behind me, and Gerry Collins, are the owners of the other flats at number 61, and we are immediately adjacent to Britannia House, which has been the subject of a lot of discussion with others. What I would like to do—and I think with the best will in the world I am not going to do it between now and half past four—is to give an overview on behalf of the three of us, because I am conscious that what you do not want to listen to is the three of saying the same thing one after the other. So my proposal is, if that is acceptable to you, for me on behalf of the three of us to give an overview of the concerns that are common to all three of us and then I am sure that Gerry or Caroline will pick up on anything that I have omitted. But then maybe just very shortly, just in a couple of minutes if each of us perhaps could address you on our specific individual concerns in relation to the whole aspect of the project.

10434. **Mr Liddell-Grainger:** You start and let us see how we get on.

10435. **Ms Ferguson:** Fine. The other thing which I am not going to do—and I am sure you will be glad to hear it—I do not intend to go through each and every portion of our Petitions; you have them, they do reflect our views and the points that we have raised. I would just like to make it clear that we do not accept Crossrail's responses, even if it is not something that we specifically address either this afternoon or tomorrow, because what we would like to concentrate on is simply our personal aspects of the impact on us and what we would like you to do about it.

10436. Going straight to that, Crossrail have said that obviously they are not intending to tunnel from the Hanbury Street site and they are going to go for the end to end tunnelling, no need to demolish Britannia House and no need to construct adits, et cetera, and this was communicated to us in a letter of 22 May, and I think it is reflected in the answers to our Petition. That letter—and I think the general responses that come in for the Petition—gives a view of, “Well, this is a much smaller project. What is all the fuss about?” From our perspective at number 61 Princelet Street we are not fooled and we would like to stress that this is a major construction project. It is two years of construction work on our doorstep, just behind our windows, with all the dust, the excavation, the vibration and the noise, and it will have a major impact not only on our properties as such but on our lives as well, and I think that is very important. I think yesterday when you had the Spitalfields Society talking to you they had a number of pictures, and I think they were looking at them from the comparative aspect of Hanbury Street versus the Woodseer Street site, and in order to set the tone so that you have this in your mind as a Committee, when I am talking about what is personal to us and what is happening at the site and

how we see it impacting on us, just to look very briefly at a couple of these photographs, and that was number 24⁵⁸. If you look on that picture there, what you see is going straight into the site at Hanbury Street, the three windows you see dead straight ahead in front you. The middle one is a flat I own, the one on the top is a flat owned by Gerald Collins and the one below is a flat owned by Caroline Hamilton. The building to the right, as we are looking at it, is Britannia House and the blue lorry poking out is the loading bays in the Britannia House section and that is their car park. The bit at the front, I believe, is the part that is going to be demolished. This is where the work is going to be taking place and if I can go on to the next one, number 25;⁵⁹ this is a slightly more close-up version. I think what you can see quite clearly is that the distance between where these windows are and the site of the car park where it is quite clear Crossrail are going to be doing the work. This is where the actual digging et cetera is going to take place, where the cranes are going to be and where the lorries are going to be coming to and fro. It is there right underneath our windows. It is as close as that. There is no distance between ourselves. It is minimal distance between ourselves and that back white wall that you see there. It is essentially having us as close as it is possible to be without being on top of the drilling site.

10437. The next picture which we have, number 26, is simply to show this is the building next door, what we have is Britannia House, as you saw in the first picture, us joining on and then we have this building going towards the end of the pub at the corner, which you cannot see because the ledge is here.⁶⁰ I think you can also see from the height, as you are looking over, this is Princelet Street. This is the back of the houses; the front is in Princelet Street. You cannot see the houses on the other side. The elevation of these properties there is, in fact, about a story or so higher than the properties on the other side. That is a kind of shielding effect that comes from the additional elevation that comes from ourselves and from Britannia House to which we are joined on. There is a lot of talk about Britannia House as if it was almost a separate, freestanding entity; it is not. It is joined on to us and joined on to this which is 63 and on to 65.

10438. The next picture which you have there, number 27, was taken from Caroline's window which gives a very clear perspective of just how close this is.⁶¹ You are at the level where you can see exactly what is there, the bits are going to be demolished and

⁵⁸ Committee Ref: A113, Photograph of the proposed entrance to the Hanbury Street site showing Britannia House (TOWHLB-32805-023).

⁵⁹ Committee Ref: A113, Photograph of the proposed entrance to the Hanbury Street (TOWHLB-32805-024).

⁶⁰ Committee Ref: A113, Photograph of the Provenance Row Housing Association properties on Princelet Street (TOWHLB-32805-025).

⁶¹ Committee Ref: A113, Photograph of Hanbury Street Option site area from Princelet Street flats (TOWHLB-32805-026).

 The Petitions of Eleanor and Alistair Ferguson; Gerald Collins and Mona Hatoum; and Caroline Hamilton

where, as far as I am concerned, all the work is going to be done. It is a tiny site so the work is going to be there, as you see it, for want of a better word bang smack in front of these windows. We have heard I think when I put in my Petition—and this was literally at the time when we were talking about the drilling being done from this side—that the sort of construction we were talking about was about equivalent to the size of one of the towers at Tower Bridge. Crossrail have come back in their responses and it is section G3, paragraph 6.1.⁶² They say it is 50 per cent of the size of Tower Bridge. In anybody's view that is a massive structure in such a tiny area such as this. It is kind of hard to imagine half the length of Tower Bridge sitting in there.

10439. I think some of you may have been on a site visit when everybody was walking around. At that stage because no information had come to me as to the actual dimensions of what was going to be above and below ground, I asked the question at that stage, “Where is this going to be and how big is it going to be?” I was told at that stage that what would be above ground would be about 11 metres in diameter and 11 metres high. Perhaps that does not sound much. 11 metres is the equivalent of a four-story house and it is large, huge, and it is right outside that window. It is not only a question of having that above-ground structure, the work that is supporting this project, I believe, and I may be a metre or two out in my figures here, goes down below the ground to something like 30 metres. In effect, what we are talking about is a ten-story house down below and a four-story house up above. What I think I am trying to get here a good image in everybody's mind of exactly what that means to us on that particular site. None of the three of us are engineers. I cannot say to you with any technical evidence or any proof whether this is a better site than Woodseer Street. I cannot say for technical or engineering reasons it should be aligned in some other place. What we can say and do say is if you do not need to build the shaft here, if it can be avoided, then that is exactly what should be happening.

10440. **Ms Ferguson:** For us, personally, but also for all the other reasons that you have heard from the Spitalfields Society and the likes of the doctor that you have just been listening to, we would also say Crossrail should be looking properly at the impact of all the options not just picking one to suit the plan that they have. I think you heard a lot from the Tower Hamlets Borough Council about this and the relative merits and the relative assessments. I think you also heard from the Spitalfields Society about looking into the southern option. The three of us would certainly say it would be our view if you do not need these shafts, do not put them there; if this is an alternative, look for it. You as a Committee have heard from people on behalf of the council, Dr Bower, Dr Whalley, Dr Turner, the experts. It is possible. It is not impossible to do it and what we feel is that if there is a way and a will, then it can be done.

10441. **Mr Liddell-Grainger:** Can I just stop you just there. One of the things you are obviously concerned about is rehousing or housing?

10442. **Ms Ferguson:** Yes.

10443. **Mr Liddell-Grainger:** Just to cut you to quick, are you looking for rehousing compensation to stay where you are or temporary?

10444. **Ms Ferguson:** We are looking for rehousing.

10445. **Mr Liddell-Grainger:** What you are looking for is permanent rehousing. I let you nod at that stage, yes. I am quite happy to put this to counsel now, if you like, because I can understand exactly what you want. I think this Committee understands, yes, we are happy to ask counsel now.

10446. **Ms Ferguson:** Crossrail, what they propose to do? I am happy to ask Crossrail what their proposals are. I would love to hear. I have been waiting for three years.

10447. **Mr Liddell-Grainger:** If we get to the stage where we know what the three of you want and this is cannot go anywhere else, I am quite happy to ask counsel now to reply to that. Would that be acceptable?

10448. **Ms Ferguson:** It is acceptable to do anything that gets me to my end result, which is to be bought out.

10449. **Mr Liddell-Grainger:** I should ask, Mr Mould, if you can reply to the specific point which the Petitioners would like their answer.

10450. **Mr Mould:** The answer is that we are not prepared to offer permanent rehousing. What we are prepared to say, what we do say, to you in the light of what you heard from Mr Thornley-Taylor yesterday is that we accept the impact of the work site on Hanbury Street under current proposals, particularly in relation to noise impact, will certainly justify the provision of noise insulation and will justify temporary rehousing for the duration of the most significant period of the work. That was made clear by Mr Thornley-Taylor yesterday. It has been our position in written responses to the Petitioners. I am not instructed to make a commitment for permanent rehousing. That is the position. We have told you what the nature of the noise insulation provisions that we offer under our mitigation policy are, which is set out in information paper D9, you have heard evidence about that.⁶³ We have explained to you how the housing policy operates. I cannot tell you precisely what the duration of the housing offer would be in relation to these resident, but I can tell you that we accept rehousing would be acceptable for a period of time in this case.

⁶² Crossrail Information Paper G3—Hanbury Street, <http://billdocuments.crossrail.co.uk>

⁶³ Crossrail Information Paper D9—Noise and Vibration Mitigation Scheme, <http://billdocuments.crossrail.co.uk>

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10451. **Mr Binley:** Might I cut to the quick because I am sure you believe, as I do, that we would do unto others as we would have done. I quite frankly would be very unhappy if this were happening to me, and that is the judgment I bring to this. I am sure, Mr Mould, in your heart of hearts you would be very unhappy too. On that basis, are you prepared to go away and talk to Mr Berryman and the proposers and say to them “we need to have a bit of human compassion to be applied here, that this looks to me to be a special case for these three people” and maybe you can come back to us with a slightly different proposal?

10452. **Mrs James:** My concerns are that this is practically on top of the plan here. It appears to me unacceptable. I certainly would not be happy if it was happening next to me and I certainly would be expecting you to go away and look at this. I echo everything that my colleague has said because what level of noise insulation would be sufficient to guarantee?

10453. **Mr Mould:** Of course, the Committee has put a particular proposal to me. It is a proposal I think probably for the Secretary of State rather than Mr Berryman, but I will certainly take instructions on that. I will report back to you with what those instructions are. I should make it clear, perhaps in referring to noise insulation at all, I deflect attention to the real question. As I say, we accept the certainty of noise insulation and temporary rehousing to provide mitigation to take the residents away from the work site for the most severe duration of the works. Now the difference, therefore, between accommodating them in that way, paying, of course, all the costs of temporary rehousing and then allowing them to return to the property when the worst is over or we buy their property straight out. The Secretary of State will then be able to deal with it as he sees it fit. That is the choice. It is between temporary rehousing and them being able to return to their homes at a later stage or them having financial compensation for their homes straight off.

10454. **Mr Binley:** Mr Mould, if you are as happy about what you can do, as you say you are, then purchasing and having property to resell thereafter is not a problem, is it?

10455. **Mr Mould:** Sir, I have told you I will take the Committee’s concerns away and take instructions, but I thought it right to clarify where the difference between us lies.

10456. **Mr Liddell-Grainger:** I will, therefore, ask on behalf of Ms Ferguson, Mr Collins and Ms Hamilton you do that because this Committee is concerned looking at the photographs, we can see exactly where this is, and I think précis to what Ms Ferguson has got to say, I know that is what she would want. We accept the realignment; the ideal solution for these Petitioners, the reality is it cannot be changed, they will be living on top of a shaft.

10457. **Mr Mould:** The message is loud and clear.

10458. **Mr Liddell-Grainger:** Therefore, to come back to the Committee as soon as possible after deliberations.

10459. **Ms Ferguson:** Can I ask the mechanics of it. Mr Mould has grossly oversimplified the position. He talks blithely of moving us out. If admitted, we would be subject to noise insulation or temporary relocation for 9 to 12 months but they will not commit themselves that that would be a continuous programme. What it looks from their timeline schedule is they seem to have in mind shuffling us out for three months and moving us back in for a couple of weeks. That is not certainly the way that we would come; they have not given us any alternative. What I would like to say is if they are prepared to make proposals clearly with indications from yourselves on that, how does that work from my point of view and, practically speaking, will I be notified?

10460. **Mr Liddell-Grainger:** Let us see when they come back. We can get you back, we know where you are. Let us find out what the Promoters come back with. Would that be acceptable for the time being?

10461. **Ms Ferguson:** I am happy to come back at any time.

10462. **Mr Liddell-Grainger:** I thank you for that and, Mr Mould, there is anything you wish to say?

10463. **Mr Mould:** No, sir, I am very clear on what the Committee would like us to do and we will take that and follow that up.

10464. **Mr Liddell-Grainger:** Thank you very much. Therefore, I will end the session to say on the record that we will be back in touch with all three of you as Petitioners. Thank you for giving your evidence, I am sorry we cut you to the quick. This Committee will now meet at six o’clock in public not as published on the audit paper in the House as said privately. We will be in public session at six o’clock.

The Committee adjourned until 6pm

Mr Alan Meale resumed the Chair

Ordered: that Counsel and Parties be called in.

The Petition of George Galloway MP.

The Petitioner appeared in Person.

10465. **Chairman:** The Committee will continue hearing the petition this evening of George Galloway, MP. Some of the issues regarding Hanbury Street and Whitechapel have already been raised by the London Borough of Tower Hamlets last week and, of course, by the petitioners who appeared yesterday and today to this Committee. Just to remind those present, the Committee will

 The Petition of George Galloway MP

take all of these cases into account and consider them in their entirety at the end. Can I remind those present the Committee does not really wish to hear the same argument being put time and time again, we do not think it would best help their case. We also encourage counsel not to do the same thing either. Before I call Mr Galloway, would Counsel for the Promoters like to set in context the petition itself?

10466. **Mr Elvin:** Sir, the petition by Mr Galloway raises in very similar form to the other Spitalfields' Petitioners, follows a very similar format, issues which I described to the Committee yesterday, Day 39. I do not propose to go over those matters again. We have called evidence in the context of the main issues which have been raised, they are recorded in the transcript for Day 38, which is the hearing of the petition of Tower Hamlets, and in the petitions heard yesterday to which we have added evidence this afternoon from Mr Simon Dean on the consultation process which took place. The context of the petitions for Spitalfields, including Mr Galloway's, is to raise a series of issues: consultation, involvement of the local community, issues of impact from construction, impact on the local area and from the use of the lorries, and certain other issues, Whitechapel Station and the like. As I say, I have already described them and, following the Committee's guidance that we should not repeat ourselves, I simply refer the Committee back to the transcripts for the last few days.

10467. **Chairman:** If you are referring to transcripts if you could quote them and get them on the record, I think that is fair.

10468. **Mr Elvin:** In which case, sir, I refer you to my opening in the transcript yesterday, paragraphs 9629-9642, and remind the Committee that it was agreed yesterday that I would provide a comprehensive closing tomorrow afternoon. Thank you, sir.

10469. **Chairman:** George Galloway. George, do you want to stand up, sit down, or whatever?

10470. **Mr Galloway:** I will sit down if that is all right.

10471. **Chairman:** Can I just say at the outset that you are looking even more distinguished than usual this evening with this new look! We are all very appreciative that you are trying so hard for us.

10472. **Mr Galloway:** I am not as elegantly dressed as my adversaries. I do hope, notwithstanding your strictures in your opening remarks, that you will give some latitude on account of the fact that I am the elected Member of Parliament for the constituency and that I was elected on an explicitly anti-Crossrail platform, if you will forgive that pun.

10473. **Chairman:** I think it is fair to say that was one of the issues that you were facing at the election; there were a number of others also. Believe me, Mr Galloway, we will give you necessary leeway in this

Committee to present your case, but where you may breach any of that you will be treated exactly the same as everybody else. You are more than competent to deal with these matters.

10474. **Mr Galloway:** I will do my very best not to breach your strictures. As we have been friends for 30 years—

10475. **Chairman:** And still are in spite of everything!

10476. **Mr Galloway:**—it would be hardly in my interests to irritate you or the Members of the Committee. I do want to say that I do have a mandate on the Crossrail issue, which was a major plank of my election campaign. As Dr Johnson said, the knowledge that one is to be hanged in the morning concentrates the mind wonderfully. There is no doubt that new Labour in Tower Hamlets felt that it was to be hanged last month at the local elections if it did not execute a very considerable u-turn and put a bit more locomotive power into its notional opposition to the impact of Crossrail on the community that I represent. Not being a churlish man, I obviously acknowledge the fact that there are significant changes that have been won as a result of the widespread community campaign, led by Khoodelar, from whom I am sure you have heard, or will be hearing, whose leaders are behind me, encompassing a very wide section of political and civic opinion in the Borough of Tower Hamlets.

10477. I believe, and you know this from my speech in the House on 19 July last year, that Crossrail will prove to be the most expensive white elephant in British history, knocking the Scottish Parliament and the Millennium Dome into a cocked hat. It will cost more than £20 billion, I believe mostly from the taxpayer, for a short commuter line working five days a week to service rich people who live and work in Canary Wharf and want to travel to Heathrow Airport. You and I both know there are many other things that could be done with £20,000 million, not the least of which would be doing something about the shocking state of public housing in the Borough of Tower Hamlets, no doubt in Mansfield too. I know that is not this Committee's business but it does inform everything that I have to say.

10478. The changes that have been made have not mitigated my and the Respect Coalition's position that we do not want Crossrail at all. We think that it is a grotesque waste of public money.

10479. **Chairman:** Mr Galloway, can I stop you for a moment to give you some guidance really. We have given you the leeway to state the case on that but you have to pay due regard to what our position and responsibilities are as Members of this Committee. We are restricted. The House has found that Crossrail is a good idea, it is a good Bill, and we should see it through and come back with a report to the House to decide what the ins and outs and ends of it should be. We do not really have the power to stop it.

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10480. **Mr Galloway:** No, I understand that. I was just about to move on to the next station of my argument. I am grateful for your not stopping me before I got to this station. The context I am trying to set is that some of the very poorest people in England live in Tower Hamlets and live in the epicentre of this development so far as it affects our borough. I am glad that you went on the site visit that you did because you will have in your mind's eye collectively the area that we are talking about. It is a part of London but quite unique. There are very few capital cities in the world where so many poor people live in such poor housing so close to the centre of the capital city, so close to the power and wealth in this society. This is not the place to argue about how that might be remedied, but it has led to a situation for very, very poor people, a large number of them immigrants and the children and grandchildren of immigrants, a significant number of them for whom English is not their first language and for whom parliamentary proceedings and consultations on major public works are not the Lingua Franca of their everyday lives in the way that they would be in, say, Kensington & Chelsea. I think that has informed the way this procedure has been followed up to now.

10481. One of the things I will be arguing here, if you will permit me, is that the consultation on all sorts of matters, environmental and other matters, has been woefully insufficient, and insofar as the Race Relations Act inform some of what I have got to say, it is unlawful. There have not been the efforts made that should have been made, that are required to be made, in compliance with the Race Relations Act to properly inform and consult, and seek agreement if possible, with the ethnic minority communities who live in very large numbers right at the centre of this development so far as it affects our borough.

10482. **Chairman:** George, are you going to elaborate on that?

10483. **Mr Galloway:** Yes. I wanted to say that in your site visit you will have seen just how narrow and clogged are the arteries around Brick Lane, Hanbury Street, Woodseer Street and Durward Street. These are very dense concentrations of people, overwhelmingly poor people, amongst the densest concentrations anywhere in the country. There are very narrow streets, narrow and well-used pavements. In the heart of this warren of narrow streets the Promoters intend to visit what I described in the House as a Ground Zero for seven years utterly devastating the lives and the livelihoods of very large numbers of people in my constituency. I am glad that under popular pressure (although we were told it was impossible when we first advanced it) the tunnel is now to be dug from both ends. We were told it was impossible but it turned out to be possible because of popular pressure. That has mitigated some of the impact.

10484. It is my argument that the Tower Hamlets Borough Council in their evidence to you has fantastically oversold the mitigation, that the building of the shafts that are still proposed in Hanbury Street will still cause massive disruption and danger to the lives and to the health of my constituents, and should not be permitted. This response that I have from the learned gentlemen on my left, and that you have, is full of the usual soft soap about assurances and the rest. I have sat on committees like yours; I sat on the longest running railway Bill since Isambard Kingdom Brunel, the King's Cross Railway Bill. There were many such assurances given but assurances, as you know with your long parliamentary experience, are worth little unless they are copper-fastened and I have not seen in the documents presented to me and to you anything like copper-bottomed guarantees on the disruption, the noise, the pollution and dangers that will be caused by the digging of these shafts in Hanbury Street or Woodseer Street. For the record, let me say I see no difference materially between these two options. The number of people whose houses will have to be knocked down, the number of lorry journeys, the amount of pollution, the amount of noise, will not be significantly different if the shaft is built in one or the other.

10485. I simply do not accept that the assurances on the table to date in any sense solve this problem which I have and which my constituents have. I have to tell you that locally it is regarded as inconceivable that streets as narrow and as congested as Hanbury Street, Durward Street, Vallance Road, could conceivably handle the amount of traffic that is being talked about here. That is just the amount of traffic. The character of the traffic, multi-wheeled vehicles, massive juggernauts every five minutes, every ten minutes, who knows, thundering through these very narrow arteries, past schools, past libraries in heavily densely populated areas is regarded as inconceivable. People laugh at the idea. How could you possibly run these trucks in addition to the traffic which is already causing so many problems of congestion in that area? I tell you, Chairman, it will blight the lives of some of the poorest people in England, and for what? For the purposes of a five day commuter line for wealthy people and very little of the claimed benefits of this scheme will ever trickle down to the residents of the streets that will be blighted. I will come on to that point in more detail later in my presentation to you.

10486. You saw the schools and you saw the schoolchildren, and I am glad that you did. You saw how many there are. You saw how precarious the journey to and from school is already. I ask this Committee to give due weight to the plea I am making not to endanger the physical safety of these children, of this population, from this level of traffic. Seven years is a long time, Chairman. If a week is a long time in politics, seven years of constant workings on this scale is a very, very long time. And it is in the context, I hope you will permit me to say, of other massive developments taking place cheek by

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jowl and simultaneously. The Royal London Hospital, a vast project, will be proceeding more or less at the same time. The East London Line, now I see to be a wholly privatised piece of work, will be proceeding more or less at the same time. It will be hell on earth. It will be no bliss to be alive for those seven years in these narrow streets where some of the poorest people in England live in some of the most overcrowded houses and some of the worst houses in England. I hope that this Committee will not visit upon my constituents that which I think they would be reluctant to visit on other communities that perhaps historically have a longer track record of defending their interests. I argued in July last year that one of the reasons why this scheme was going to affect my constituency so very severely was that the community there was regarded as a pushover, unable to stand up for itself, unable to articulate its case, and ruled by a political class which has sold itself to this project for a mess of potage called the Whitechapel Station, about which more later.

10487. I am doing my best now to try and salvage something for them in this process. Please do not imagine, whatever you have been told by Tower Hamlets Council, that the beating hearts in this area have been stilled by the concessions that have been made; they have not. Once the work starts, if it starts on this basis, it will have a very severe impact indeed.

10488. I said that my constituents thus affected are amongst the poorest people in England, in some of the worst houses in England, some of the most overcrowded houses in England. They also already suffer amongst the poorest health in England. We have a situation where the people in that area, literally in the shadow of the City of London, the wealthiest square mile in Europe, and metaphorically in the shadow of the gleaming spires of capitalism in Canary Wharf, live six years less than the people in Kensington & Chelsea, six years less. The incidence of asthma, diabetes, heart problems, in my constituency are way above the national average now. It is already amongst the most polluted boroughs in England and that is before these seven years begin. Once the dust is flying, the mud is splattering, the trucks are rolling, the juggernaut is in full flight, the impact on the health of my constituents will be, I predict—I am no physician but I do not have to be Einstein to work this out—hazardously affected. Not just the physical safety of walking in the streets going to school, going to the shops, going to the library, but the longer term impacts of the pollution that will be visited upon them by this project if it goes ahead in this form will be very grave and very serious indeed.

10489. In the responses there is reference to the three monitoring points which will monitor the pollution levels thus created. This is completely insufficient. One of these three is on the tip of the Isle of Dogs measuring the air pollution in the middle of the Thames! I am asking you for this: we need a special zone for the observation of pollution generated by this project in the heart of this project. That is the

very least you can do for me and, more importantly, do for them to ensure that this pollution is monitored where it is happening in a serious, scientific and systematic way, and if, as I predict, pollution levels exponentially rise that proper mechanisms are in force to ensure the work is halted until that problem can be resolved.

10490. I want to turn if I can to the issue of hours of work, Chairman. I saw a quote—let me paraphrase it, from Mr Keith Berryman. He referred to the site during your proceedings as “not a 24 hour site, generally speaking”. What does that mean? A 23 hour day, generally speaking? A 15 hour day? What does that mean, “not a 24 hour site, generally speaking”? How much of it is going to be a 24 hour site? How is it conceivable that in such a built-up area you could even contemplate anything remotely approach a 24 hour site, generally speaking? I am asking you to ensure that this work stops at six o’clock at night so that some kind of life can be lived for seven years by the people living in this area. A 24 hour site or a site that stretches beyond six o’clock is unacceptable to the people in the area and I hope that you will take that on board.

10491. I note in passing that no agreement has been reached on the amount of local labour. This adds insult to injury. Not only, as I am coming on to argue, will this railway line take jobs from Tower Hamlets but the actual building of it, the digging of it, will not even involve local labour, so it will be imposed upon the local people. There will be no benefits for the local people, there will be disbenefits for the local people, and they will not even get seven years of work out of it. I am asking you to turn your attention to that question of local labour which is not resolved and all we have is an assurance that it will be discussed. You are a trade union man, Chairman, I hope you will hear the import of what I am saying on that matter.

10492. The mess of potage that I referred to earlier called the Whitechapel Station has been one of the great red herrings that has been dragged across this whole affair. We do not need a Whitechapel Station. If it had not been for the previous Tower Hamlets Council’s fixation with a Whitechapel Station, not for transport reasons but for “regeneration” reasons, a concept I will also come back to, there would not necessarily have been this Whitechapel alignment in the first place. We do not need the Whitechapel Station, we have got a perfectly good station. In any case, London Underground were going to renovate that station in 2009 so, in fact, the chimera of the Whitechapel Station will delay by many years the renovation of the Whitechapel Station. On the Whitechapel Station, which the Tower Hamlets Council say is needed for regeneration purposes, I now see a reference in their newspaper—they call it *East End Life*, we call it East End Lies, the sort of weekly *Pravda* paid for by the taxpayer and published by Tower Hamlets Council—that they want it to be a piazza-style, plaza-style, entrance to the station. I do not know

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about you, Chairman, but I start counting my spoons when I hear words like “piazza, plaza developments” for regeneration purposes. I think *Blade Runner*, I think Canary Wharf, if you like. I certainly think the death of the community as exists in that part of Whitechapel at the moment.

10493. One of the reasons why so many people want to come and live in the warehouses, want to come and live in the lofts, want to come and live in the trendy bijoux flats in and around Brick Lane is precisely because of the character of the area, precisely because of the multiracial, multicultural nature of the area, one of the most important jewels in the crown of which is the Whitechapel Market. If you ask me to choose between the Whitechapel Market and a piazza-style regeneration development, I know what I and the vast majority of people would choose. Whitechapel without its market would be no Whitechapel at all.

10494. When the Promoters, in league with the Council, talk of regeneration, I think Spitalfields. Spitalfields was another jewel in the crown of the East End. It was regenerated with a piazza-style development. They call it regeneration, I call it death. Anyone who has been to the redeveloped, regenerated Spitalfields knows that we have exchanged a real community with real life’s blood coursing through it for a windswept, concreted square with a few homogenous, globalised multinational stores and restaurants for very rich people like you and me, Chairman. None of the local people could buy the hors d’oeuvres in the restaurants in the regeneration Spitalfields, and I refuse to do so on principle.

10495. **Chairman:** Can I say that I am not very rich.

10496. **Mr Galloway:** It depends whether it has been a good day at the bookmaker or not, unless your habits have changed.

10497. **Chairman:** It is very nice of you to comment on that but I think you are wrong.

10498. **Mr Galloway:** I meant it not in any pejorative sense, Chairman, you were a very good pundit on matters of turf in years gone by.

10499. **Chairman:** I think it is called the economics of the racing industry.

10500. **Mr Galloway:** I know, of course, you did not gamble, it was merely a sporting interest. My point is, we will get a new station in Whitechapel without Crossrail faster than we will get one under Crossrail and we do not need the kind of new station at Whitechapel that they are proposing to give in exchange for the devastation that is going to be caused to the local people, and by the way most of whom do not use Whitechapel Station anyway.

10501. This brings me on to my next point. It is the case already in Tower Hamlets that the vast majority of jobs are held by people who do not live in Tower Hamlets. I said in my speech last July—I repeat it, it is worth it—there are 30,000 people who work in Canary Wharf and not ten per cent of them come from Tower Hamlets. Incidentally, almost 12 months on I still do not have the demographic breakdown of that ten per cent, and I wonder why. In the City of London, where upwards of 100,000 people, the best figure I have got is that 88 Bangladeshis work in white collar jobs in the whole of the City of London. Bangladeshis, perhaps, are not very good at business, it is just by chance that they created a £4 billion a year industry out of vindaloo. They are good enough to do that but they are not good enough to get jobs in the City of London. People commute into Tower Hamlets and take these jobs and then they commute home again. This Crossrail will only make that whole conundrum worse. More people will come into the borough and take more of the jobs. The local people will have paid with seven years of their lives, which by the way given our life expectancy in that part of the borough is well over ten per cent of their lives, but they will get no benefit from it, they might even lose jobs from it, lose the market as a result of it. It is simply unconscionable and I hope that you hear what I say in that regard.

10502. I turn to the race issues. I hope that it is accepted by the learned gentlemen on my left that Crossrail singularly failed to properly consult with the ethnic minority communities in the borough. It is certainly the view even of the pliant Tower Hamlets Borough Council, who have worked hand in glove with the Promoters throughout this long period, that not enough effort was made to properly inform and educate this huge swathe of the population affected of what the impact on them would be. I do not believe on the environmental issues, on the race relations issues, on the case for the need to drive these ventilation shafts, these access shafts, in either Hanbury Street or Woodseer Street, the case has been made in my reviewing of your proceedings to date. I still have not heard a reason why there has to be a ventilation shaft there. There are no ventilation shafts in the Channel Tunnel, we would be in trouble if there were, why do we need a ventilation shaft in Hanbury Street? I still have not heard a convincing argument for that. I said I am not a physician, I am not an engineer, but I was able to understand engineering principles well enough to argue when they were saying it was impossible that this tunnel could be dug from both ends. They said it could not. Me, a factory worker, said “It must be possible” and, hey presto, it turned out to be possible. I am saying again now, with such engineering genius as I have, it must be possible to build this part of the line without a ventilation shaft in Hanbury Street at all, and I have seen no convincing argument otherwise. Unless we are talking money, Chairman. Unless it is about saving money for the multinational conglomerates that will one day build this great white elephant at public expense. That was the real reason, as you very

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well know, why they did not want to dig the tunnel from both ends, to save money, to make more profit, profit at the expense of the poorest people in England. I do not think you, with your great history, are likely to be easily persuaded to prioritise profit over people. I hope that you hear what I say on that.

10503. I may be trying your patience, Chairman, so I will wind my initial comments up. If I am allowed to make more after the response, I would be grateful to you.

Examined by the Committee

10504. **Chairman:** I think what we might do is if there are any questions from Members at this point we will take those. I have one or two. You said about the Race Relations Act and being in breach of it through lack of consultation. Although you implied it was insufficient, and this was agreed by Tower Hamlets, you were not specific about how it was in breach.

10505. **Mr Galloway:** All they did was produce some leaflets in some minority languages, but they do not know whether the leaflets ever reached the minorities. They did not meet the minority community's organisations, they did not meet the people who are in my surgery every Friday, either as individuals or as members of organisations, they were never contacted. It is not enough. You cannot say it is consultation if you place leaflets in a library.

10506. **Chairman:** George, I am not saying that they did sufficient or insufficient, what I am saying is the reference you gave was they were in breach of the Race Relations Act and I want to know specifically.

10507. **Mr Galloway:** I believe they discriminated against the ethnic minorities in the borough in the way that they went about their consultation.

10508. **Chairman:** So it is just lack of consultation rather than specific breaches of the Act itself.

10509. **Sir Peter Soulsby:** Might I just come in for a second because I might give you some comfort, Mr Galloway, and I am sure you would welcome that.

10510. **Mr Galloway:** Indeed.

10511. **Sir Peter Soulsby:** We did raise this issue quite thoroughly this afternoon and we have asked for market testing results, because I was assured that market testing had been undertaken but I am still to be convinced that is the case and, therefore, we are awaiting the results of what is called market testing. I think that will help you and I hope you feel on that basis that we might proceed further on another occasion.

10512. **Mr Galloway:** I am grateful for that intervention.

10513. **Chairman:** Can I just say you said something in the course of your statement about breaches of legality. It might be that we will accept a note in respect of that at a later date. I accept that it is not readily to hand this evening.

10514. **Mr Galloway:** I will write to you, Chairman.

10515. **Chairman:** The second thing is in relation to your comments on the developments which are there now. You mentioned there is a massive redevelopment about to occur at the Royal London Hospital and the station which is there now is clearly inadequate. I say that because we visited it. Bearing in mind quite a lot of people who go to hospital are old and infirm, it would take quite a major engineering regeneration to make it possible for the upsurge in numbers to readily have access to that hospital. You have implied the redevelopment was planned for 2009 anyway but, bearing in mind the scale of reconstruction and redevelopment that would have to occur at that station, do you think that could be carried out without something as large as the total redevelopment of this station which is included in Crossrail? It would be a phenomenal amount of investment required at that station.

10516. **Mr Galloway:** The melancholy truth, Chairman, is there are going to be fewer people in the Royal London Hospital after the redevelopment than there are now. There are going to be fewer beds thanks to the PFI at far greater cost. There are going to be far fewer beds in the Royal London Hospital. The huge development at the Royal London Hospital is not going to mean more patients, it is going to mean fewer patients as a matter of fact.

10517. **Chairman:** I think that is the way hospitals and medicine is going but it does not mean fewer patients, it means fewer patients who stay in hospital.

10518. **Mr Galloway:** Fewer patients in beds.

10519. **Chairman:** There will be many more who are visiting the hospital.

10520. **Mr Galloway:** This is perhaps not a debate to be had here. I accept your point that the 2009 renovation which is already on the worksheet is needed, but that is all that is needed. We do not need what is now being talked about, this piazza-style development for regeneration purposes, not transport purposes—that is explicitly stated—of the Whitechapel Station. 2009 would fit nicely with any increase in traffic at the Royal London Hospital.

10521. **Chairman:** The perception is there. What I was trying to get to was do you think the 2009 development which has been proposed is sufficient to meet the needs of the Whitechapel area with the new development of the hospital?

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10522. **Mr Galloway:** I honestly do, yes.

10523. **Sir Peter Soulsby:** You said the number of people whose houses would have to be knocked down was going to be the same whichever site was chosen for the ventilation shaft. That is news to me. I wondered how many such houses you understood would have to be cleared in order to make way for the sites.

10524. **Mr Galloway:** I understand only that the numbers involved would be similar whichever street was chosen.

10525. **Sir Peter Soulsby:** I understood the number would be zero in both cases.

10526. **Mr Galloway:** There will be re-housing of a significant number of people in both cases.

10527. **Sir Peter Soulsby:** Perhaps counsel for the Promoters will be able to clarify that later. I understood that was to be the case, it would be the same either way and the number is zero.

10528. **Mr Galloway:** I do not think that is right.

10529. **Chairman:** Just two other points on that. In relation to the timescale: the timescale which you referred to of seven years in relation to Hanbury Street we questioned last week and it is just over two years. The perception of seven years is work that will commence somewhere in the borough but in the evidence which was given on Hanbury Street it is a maximum of just over two years. Was that a reference to the earlier calculations or predictions?

10530. **Mr Galloway:** My advice is that the seven years might be cut to six years and that, of course, there will be a period of the most intense, disruption, traffic, noise and pollution and that might be a figure of two to three years. Either way, that is still a hell of a lot of noise and disruption and danger.

10531. **Chairman:** I accept that. What we are saying is some other evidence which we have received in relation to Hanbury Street in particular. We did go there and accept an invitation by a load of residents to traverse the route which the lorries would leave from on whichever site given the options being proposed.

10532. **Mr Galloway:** And they are very glad you took them up on that.

10533. **Chairman:** We came back and went into the question of timescale because of the difference between seven years and one year, we did not know which the true fact there was. All I can say is we have been told that area in particular will be just over two years.

10534. The final thing is I was very interested in your request for a special observation zone for measuring pollution. Do you have anything written up on that?

10535. **Mr Galloway:** Again, I can write to you with a specific proposal.

10536. **Chairman:** I personally, and I know Members of the Committee, would be very grateful for your idea on that, if we could get that an early opportunity.

10537. **Mr Galloway:** Yes. The asthma problem in the borough is particularly acute, but there are other pollutants that will be flying around and well able to travel indoors and well able to travel long distances which will undoubtedly exacerbate pre-existing health problems. A special observation zone specifically for that part of the area would be a very valuable thing that you could insist upon.

10538. **Chairman:** I am grateful for that. I am advised that this afternoon evidence was given in respect of that particular element. I was not aware of that because I was not here this afternoon. I was not in the bookmaker's either, I was on the way back from Amsterdam.

10539. **Mr Galloway:** I am sorry if I hurt your feelings on that. I know you are not a gambling man.

10540. **Chairman:** I was at the Annual General Meeting of the War Graves Commission. Mr Elvin, would you like to enter the frame?

10541. **Mr Galloway:** If my learned friend—I should not say that, I do not have his qualification—would just let me read this inspiration which has reached me on the issue of the race relations question. “The Spitalfields Society was in constant touch with the CRE, Trevor Phillips”, a good friend of the Government, “and the legal requirement on a project like this is for a racial impact assessment to be carried out” and that is a legal requirement, “Crossrail only carried out the racial impact assessment after the CRE pointed this out and after round two of the consultation. Further, there were no leaflets in Bengali in round one, only in Chinese and some other languages”. That is the reference that I made to “unlawful”.

10542. **Chairman:** Mr Elvin, would you like to get up a bit more quietly this time!

10543. **Mr Elvin:** I will try not to throw everything on the floor! I was not trying to upstage Mr Galloway and I do not think I would be effective to do that, even if I did.

10544. Can I deal with the racial equality issues. We presented, in fact, to the Committee as P92 this afternoon a complete run of the correspondence there has been between Crossrail and the Commission. As we made clear this afternoon, racial equality impact assessment has been carried out and it is now being kept under review, as there is a requirement to do so. The reason it was late was there was initially some question about whether it applied to Crossrail. It was accepted later that it did

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and it was carried out. We have not received any adverse comment from the Commission as to that. As Mr Simon Dean gave in evidence this afternoon, the Commission has not served any notice in respect of a failure to comply with the duties under the Act and, indeed, the position now is that additional matters have been put forward.

10545. If I might just draw the Committee's attention to document P91, which is the document on consultation in Spitalfields. Following consultations with Tower Hamlets, and I appreciate that may not satisfy the Petitioner, Tower Hamlets asked for, and there has been appointed, a community cohesion adviser to improve community relations. The consultation does not end with the lodging of the Bill, it continues, and even past Royal Assent it continues because there is then detailed design and all the other matters that have to be resolved where discretion is left and where there is consultation required with the local authority and the like, for example under Schedule 7 of the Bill.

10546. **Chairman:** Would that include full coverage in all languages?

10547. **Mr Elvin:** I will come back to that in a moment. It has also been agreed that there will be future collaboration directly with the borough for community relations purposes, and that has been agreed and has satisfied the borough.

10548. In terms of language versions, in fact Bengali information was provided in 2004. Indeed, I showed the Committee this afternoon the English leaflet and the Bengali leaflet. I also showed the Committee some of the display panels for the information rounds, both the equivalent English and Bengali versions. They were made available and, indeed, Bengali speaking interpreters were made available at the information locations. That has all been given in evidence this afternoon. I am summarising the position but the Committee will have it in the transcript from earlier this afternoon.

10549. I am reminded by Mr Mould to say that of course there is a broader equality impact assessment which is ongoing. That involves, as a consultee, the CRE as well. As far as the allegations of breach of the Race Relations Act are concerned, there is no evidence that has been breached and we would say in the material we put before the Commission, and before the Committee this afternoon, that we have complied, so far as we have been requested to do so, with the requirements of the Act. Therefore, I do reject Mr Galloway's suggestions that there is a breach of the law. No doubt if he puts in a note which raises further matters we will respond to that in due course.

10550. Can I deal with certain other matters. Much of Mr Galloway's objection is to the principle of the Bill, and, sir, you have already reminded Mr Galloway of the remit of the Committee. Mr Galloway made his passionate views very clear to the

House at the second reading debate on 19 July, columns 1154-1158 of the Commons' Hansard for that day. They were rejected by the House. The House took a different view. The democratic views of the locality are not represented solely through Mr Galloway. The Borough of Tower Hamlets, and I appreciate he has strong views about their position and I cannot say anything about that, he is obviously entitled to the views he holds, the democratic representation through the Council takes a different view of the importance of Crossrail, of its benefits to the area, and of the position now reached on consultation. Indeed, Mr Whalley on behalf of Tower Hamlets on Thursday last week, Day 38, and I will give you the reference to this when I close the case on Spitalfields tomorrow, said that whatever problems there might have been in the past there had been a major change of late and Tower Hamlets were satisfied so far as community consultation was concerned.

10551. Be that as it may, the democratic process has both approved and supported the principle of Crossrail through the House, reinforced, and one only needs to read *Hansard* for 12 January at the instruction debate to see the support reiterated, through the local authority. Whilst Mr Galloway is entitled to express the views that he does, within the context of the Hybrid Bill procedure that issue is no longer open to debate, the House having reached the view it reached on the second reading.

10552. Can I say this: I do wish to point out that there is exaggeration in the claims that have been made of the impacts of Crossrail. Again, Mr Galloway may have strong views but it is not helpful to his constituents, nor to the debate generally, if matters are exaggerated. Can I give you a few instances of those exaggerations. Firstly, as Sir Peter pointed out earlier, no houses are to be demolished in the Spitalfields area. The question of re-housing arises simply as a temporary measure because of the impacts of noise in a limited number of properties in the vicinity of Hanbury Street. Mr Galloway quite rightly points out that the environmental impacts of a shaft, whether it be at Hanbury Street or at Woodseer Street, we think, and we agree with him on this, are likely to be broadly the same. The temporary re-housing is simply to deal with the noise for those who are most likely to be affected by the worst impacts during construction. No houses are to be acquired and demolished.

10553. The second exaggeration is we are not dealing with lorries every few minutes. There will be of the order of 15 lorries a day at the height of the construction of the shaft, about one lorry every half an hour. That is a drop in the ocean compared with the number of lorries which already go up and down the street, which you will have observed on your site visit and which I observed on my visit to Hanbury Street. There are already lorries going up to the Woodseer Street site and the Committee has seen photographs of the large lorries which currently use the area. Be that as it may, at the height of the

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construction of the shaft it will be 15 per day, about one every half an hour. As Mr Berryman explained yesterday, and indeed last Thursday on Day 38, that will reduce after no more than two years to a single vehicle a day, if that. The construction period under the revised scheme is not seven years, it is at most two. It may be less than that depending on which of the options for the Hanbury Street shaft is taken up. The Committee may recall there are a variety of options. They are not yet decided, they can be decided in consultation with the local authority and the local community. They range from putting as much as possible under ground and a range which includes more over ground. The more you put under ground the longer the construction period, the more you put over ground the shorter the construction period, putting it crudely. The two years is for the maximum construction which is for most of the shaft and equipment being put under ground, so not seven years and certainly not a lorry every minute.

10554. If we come to working hours, the working hours are being currently agreed with the representatives of the local authorities, principally Westminster, and Mr Berryman explained that yesterday. If Mr Galloway had read the rest of the transcript he would have seen that 24 hours relates to underground tunnelling work but the likely general working hours will meet his requirement of finishing at 6 o'clock. It looks as if the generally agreed working hours will be—and I cannot promise this, Mr Galloway, because we are reaching the final stages of agreement and it is the City of Westminster who are the legal authority in the negotiations—but the likely general working hours will be eight in the morning until six in the evening. The transcript reference is Day 39, paragraphs 9816 and 9817.

10555. In terms therefore of the impacts, we do suggest that it is unfortunate that they are being exaggerated because it creates a false sense of anxiety amongst local residents. There has been misinformation, and misinformation from the side of the petitioners as well as, it is claimed, from Crossrail. I do not suggest we have been giving misinformation out but clearly there are misunderstandings which Mr Galloway's presentation demonstrates graphically are being pursued despite the information that we have given to the Committee and elsewhere.

10556. I understand Mr Galloway's position on the "grand plaza" scheme that Tower Hamlets has in mind for Whitechapel Station. Mr Galloway will, I am no doubt, be pleased to hear that we oppose it as well. And the Committee will recall the debate over the demolition of McDonald's. We all may have our views about getting rid of McDonald's and the like. Tower Hamlets may wish to do that but Crossrail certainly does not.

10557. The reason for a Whitechapel Station, which is regarded as fundamental by the Borough, is to provide a new station which is accessible to all, whereas the current station is not. It is to provide a

new station accessible to all and this area of all areas within London deserves better public transport which Crossrail will bring. We propose an appropriate ticket hall and appropriate entrance; we do not propose a grand piazza entrance onto Whitechapel Road.

10558. So far as the need for the Hanbury Street shaft is concerned, it is not merely ventilation; it is emergency intervention. Recent events have shown graphically the need for the Fire Brigade to enter the Tube and other underground railways in case of an emergency at a minimum of risk to themselves and maximum ability for them to get in and out to deal with those who may be injured by unfortunate events. The reason the Channel Tunnel has no shafts, apart from the obvious point—it would be a little difficult—the Channel Tunnel has a third tunnel, so the emergency intervention on the Channel Tunnel is via a third independent tunnel not via shafts. We have already shown to the Committee the Health and Safety Executive's requirement for one kilometre-spaced tunnels for intervention purposes.

10559. Finally on the question of environmental guarantees, I remind the Committee that I gave an undertaking, not merely an assurance, but an undertaking on behalf of the Secretary of State on day one to ensure compliance with the environmental minimum requirements which are tied into the various mitigation measures and the Construction Code which will apply to this project. I think, Mr Galloway, the King's Cross Bill was a private bill. I do not know about the undertakings given by private promoters but the undertakings that I give are on behalf of the Secretary of State and they are deserving, in my submission, of proper weight and respect, as has always been the case with hybrid bills.

10560. I do not propose to say any more on the matter other than to note that the final exaggeration that has been presented this evening is the project is not costed at £20 billion but at a little over £10 billion.

10561. **Chairman:** Before you sit down there are a couple of questions in relation to Mr Galloway's evidence. I wonder if you could give a view on the need for child protection from construction work around the school area, if you could elaborate on that, and also a little bit more on recruitment of labour, two of Mr Galloway's claims. The reason I am asking that now is because I suspect as the debate is on European affairs that we may in the next couple of moments be having to pause for a moment or two to have a vote. No, you can proceed straight into it.

10562. **Mr Elvin:** As an example—and I have not got the precise list at my fingertips—you will recall that Swanlea School is the school which is most closely affected. Both in the case of Swanlea School and generally an agreement has been reached with Tower Hamlets that special measures should limit, for

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example, the running of construction traffic at certain key times of the day which will have to be applied in the case of specific schools dependent on what time those schools have children leaving and entering. So there will be special measures to ensure that children will not be placed at risk from construction traffic at the times when they are arriving and leaving school. There are other measures which are close to being agreed or agreed with Swanlea. I do not have them all at my fingertips, but I am sure I can produce more information if it is necessary.

10563. If the Committee will just give me a moment, I may be able to find the letter to Tower Hamlets. Yes, if Mr Fry could put it up, it is exhibit 21804C-OO5.⁶⁴ It is our letter to Tower Hamlets of 6 June and it is the section really dealing with Swanlea School. There are a number of issues which are raised in the case of Swanlea School. You will see reference is made to the response to the head teacher; noise mitigation measures to assist the school; the Promoter arranging, in co-operation with the school, to carry out surveys of the structure; the case for meeting reasonable technical support costs; meeting costs in terms of ventilation and like; meeting direct support costs for having to move examinations off-site; the issue of passengers discharging into the school playground during an emergency, as that is an emergency access point, but that is not expected to be a regular usage; and then an agreed co-operative approach with the school and the Council.

10564. There is a further section, if I can find it. It is page 2 please.⁶⁵ You will see under section 7, where it is proposed lorries pass a school not currently subject to heavy goods traffic the Promoter will restrict the hours. That is setting out the point that I have just made, that there will be special restrictions put in place and a strategy for lorry routes will be developed with Tower Hamlets to take into account such sensitive usage. Under the requirements of Schedule 7 of the Bill—and the Committee will remember this and the letter refers to it—lorry routing arrangements have to be dealt with in consultation with the local planning authority and approved by them in any event.

10565. On the question of local labour and use of local employment, the Committee will recall that this was an issue raised by the lead authority, Newham, and agreement was reached with Newham which is repeated in the case of Tower Hamlets, slightly elaborated. You will forgive me if I just find the reference, yes, it is page 4.⁶⁶ In our letter to Tower Hamlets we refer to the undertaking to Newham,

which we can have supplied to Mr Galloway if he would like a copy of that undertaking. We have agreed to take forward discussions with regard to possible enlargement of that undertaking to use local labour along the lines of Newham's agreement with the DLR.

10566. Our only concern is that we make sure that any agreements to use and to assist local workforces to compete are compliant with the law. Subject to that, undertakings have been given for the use of local labour.

10567. **Kelvin Hopkins:** Mr Galloway's objections where layered in a number of ways, the first of which was an objection in principle to Crossrail, which is beyond our purview so we cannot discuss that. The next layer down I think was whether or not there is really a need for a new Whitechapel Station, given that there is a Whitechapel Station already which is linked to the Hammersmith and City Line and the District line and linked to the East London Line. Mr Galloway also said that London Underground was in any case going to modernise the station presumably with disabled access and better communication between the platforms and that kind thing in time so it may just be that the inadequacies of Whitechapel Station at the moment were going to be addressed by London Underground and that it would not necessarily be an argument for having a Whitechapel Station for Crossrail. I can understand also local authorities being keen on a station for status and whatever. Mr Galloway made what seemed to be a reasonably strong point that there would not be much passenger demand from Tower Hamlets or from Whitechapel for the use of Crossrail and, in any case, there is a fairly quick link to Liverpool Street Station which would mean people coming on the East London Line, transferring to Hammersmith and City and going straight to Crossrail at Liverpool Street, and they could get through that way in any case. Have we had detailed passenger forecasts for Whitechapel and Crossrail and are they compelling in terms of cost-benefits?

10568. **Mr Elvin:** Can I take instructions, Mr Berryman is whispering in my ear. I am not sure I can put my finger on them offhand. I was going to call Mr Anderson yesterday to deal with the benefits but because of the shortage of time I did not. Would it be a matter which would assist the Committee if I call evidence on it tomorrow? What I can say to the Committee at the moment is that a station would not be being proposed at Whitechapel if there were not likely to be substantial passengers using the trains there. I recall that when we were dealing with the petition of the London Borough of Greenwich, some comparisons were made, when looking at the analysis of the Woolwich contentions, that Whitechapel was one of the comparators that was used to show in terms of benefits of numbers of passengers and regeneration. Mr Hopkins, I will do

⁶⁴ Crossrail Ref: P90, Correspondence from CLRL to London Borough of Tower Hamlets—Swanlea School (TOWHLB-21804C-005 and -006).

⁶⁵ Crossrail Ref: P90, Correspondence from CLRL to London Borough of Tower Hamlets—Highways and Traffic Issues (TOWHLB-21804C-002).

⁶⁶ Crossrail Ref: P90, Correspondence from CLRL to London Borough of Tower Hamlets—Use of Local Labour (TOWHLB-21804C-004).

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my best, but unfortunately I have not got the Greenwich material with me to hand. Would it help if we reproduce that tomorrow?

10569. **Kelvin Hopkins:** Yes, indeed. Just a little more on that if I may. If there were no Whitechapel Station would this affect the overall viability of Crossrail or could indeed Crossrail be regarded as a viable project without Whitechapel Station?

10570. **Mr Elvin:** I will provide a proper answer to that when I produce the passenger numbers tomorrow. Can I remind the Committee that what Mr Whalley said from Tower Hamlets last week was that the provision of a station at Whitechapel, because of the need for interchange and because of the regeneration benefits, was fundamental to Tower Hamlets' support for the scheme. Can I also remind the Committee that the GLA and the Mayor's plan targets Whitechapel as an area of opportunity for further growth in homes and jobs linked to improvements in public transport, and the areas of opportunity in the London Plan are tied to regeneration initiatives in closely allied areas. Again, if the Committee would find it helpful, I can have reproduced for tomorrow the relevant two or three pages from the London Plan.

10571. **Chairman:** That would be helpful, Mr Elvin, but I am not sure if that is satisfactory and I will tell you why. The point we are discussing now, although Mr Hopkins raised it, is Mr Galloway's point as to whether or not due work had been done to show that we need a station at Whitechapel. Because it is his point the fact that Mr Anderson is not here today and may have to come tomorrow to do it, what I have got to bear in mind is Mr Galloway is unlikely to be available tomorrow and I think he should have the opportunity to cross-examine. What may be the case is that we might be able to arrive at an agreement with Mr Galloway in that if he was available he could question the witness and if he was not available he could read the transcript and respond to the Committee in writing about that particular point. Mr Galloway, would that be a satisfactory solution for you to have the capacity to cross-examine that evidence if it is given and either to do it verbally or to do it in writing after the transcript has been made available.

10572. **Mr Galloway:** Yes, Chairman, I am grateful for that.

10573. **Mr Elvin:** I am quite happy to call Mr Berryman now. I am not sure he can give you the precise figures.

10574. **Chairman:** That is the point. I understand Mr Berryman is very talented and very capable but the person that has been suggested is Mr Anderson who is the expert. I have asked Mr Galloway about his position. He has agreed if that evidence is given at this hearing and you examine that evidence, then he

can get the transcript from that and he can then respond in writing to this Committee. I think that is a good halfway house really.

10575. **Mr Elvin:** Sir, to be absolutely fair, it is not just a question for Mr Anderson. All I said was that I had proposed to call some evidence on Whitechapel yesterday but lack of time required me to abort that.

10576. **Chairman:** You are going to call Mr Anderson tomorrow?

10577. **Mr Elvin:** No, it may be Mr Berryman. Mr Berryman can explain now the railway case for a station at Whitechapel, and I am more than happy he should do so if it would assist the Committee.

10578. **Chairman:** Mr Galloway, are you happy for Mr Berryman to come in now?

10579. **Mr Galloway:** If he is the man with the answers.

10580. **Mr Elvin:** I am not promising he is going to have the figures at his fingertips but—

Mr Keith Berryman, recalled

Further examined by **Mr Elvin**

10581. **Mr Elvin:** The Committee knows Mr Berryman; I do not introduce him further. Mr Berryman, can I just ask you to explain briefly to the Committee the railway reasons for having a Crossrail station at Whitechapel?

Mr Berryman: The primary reason for a station at Whitechapel from our perspective is the inter-connectivity it gives between the Crossrail route and other significant routes in East London. The East London Line is a bit of a, what could one call it, lost soul in terms of Underground lines in London but after the modernisation which is currently taking place it will be a long line running from Croydon in the south up to Dalston in the north and will become quite a major important traffic artery for London. The District Line, as you will all know of course, is already very busy. As I say, the East London Line will become a very important artery in the Underground network. The District Line and Hammersmith and City Line already are. There will be very significant passenger numbers interchanging between those lines. I do not have the figures at my fingertips because, as you know, we were not expecting to give evidence on this point this evening. There will also be significant numbers of people entering and leaving the station. The Royal London Hospital is nearby and it is quite a busy generator of traffic. There are a lot of local residents in the area which are good traffic generators. It will be quite a busy station, both for interchange purposes and also for people entering and leaving to the street. It is also a good bus interchange particularly with all the traffic going to the north towards Bethnal Green and that way.

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10582. **Chairman:** One of the central planks of Mr Galloway's argument is what Mr Hopkins indicated to you as to whether or not there was a need for this enormous new station. It seems extraordinary to me and other Committee members, that everywhere else in London is saying they want a Crossrail station and Whitechapel is the only one saying "we do not want a station at all."

Mr Berryman: The local authority of course is absolutely of the contrary view; they do want a station and they have welcomed enthusiastically the proposal for a station from the beginning.

10583. Your argument is that it is Mr Galloway and some of the people he represents that do not want a Whitechapel Station in the form that is being presented rather than the area and the Council?

Mr Berryman: We can only go on the feedback we get from various sources and we do know Mr Galloway and people who feel the same way as he does do not want a station. There are other places in London where people do not want things to happen but this is the area where they are most vociferous.

10584. To be specific, can you tell us what the sources were, the noises you are hearing in favour of a Crossrail station?

Mr Berryman: We get it from the Mayor of London and the GLA, we get it from the local authority in the area, we get it from a significant proportion of the people that we consult. We do not get it from everybody in this area, there is strong opposition, it would be fair to say, but it is by no means universal.

10585. **Chairman:** Mr Elvin?

10586. **Mr Elvin:** I have got nothing else at the moment. I will try and produce the more specific figures for the Committee tomorrow.

10587. **Chairman:** Mr Galloway?

Cross-examined by **Mr Galloway**

10588. **Mr Galloway:** Please, I am champing at the bit! If you will allow me to say so, I think it is surprising the paucity of facts and statistics and information that you have just been given on this point. It is no surprise, I should have thought, to Crossrail that this very point, to use your words Chairman, is a central part of my argument. I should have thought they would have come armed with the witnesses and evidence to back up their case. I hope the witness will not take it as anything personal when I say for a professional to come in front of a parliamentary committee and use phrases like "a large number of people", "a lot of people" is not very satisfactory.

Mr Berryman: I could not agree more.

10589. Why is there not a cost-benefit analysis, Mr Berryman, of having a station or not having a station? There is on Woolwich Station a cost-benefit analysis? Why is there none on the Whitechapel Station?

Mr Berryman: I could not agree with you more that it is unsatisfactory to come to this Committee and say things like "a lot of people" and "many people", but I do not have the figures at my fingertips. We will provide them in written form tomorrow but I just do not have them with me.

10590. But, Mr Berryman, you knew I was the witness at 6 o'clock this evening. You presumably read my statement and my speech of 19 July?

Mr Berryman: I not only read it I sat there and listened to it.

10591. I am sorry for that.

Mr Berryman: It was very entertaining.

10592. Is it not extraordinary that no-one came armed with the arguments to the contrary? You agreed it was unsatisfactory. Is it not more than unsatisfactory; is it not extraordinary?

Mr Berryman: I said it was unsatisfactory to give that kind of response to a select committee. I would never try to defend that.

10593. Can I put to you then what I think is the truth, that the Whitechapel Station is the *quid pro quo* for Tower Hamlet's support for the Whitechapel alignment. This is my point, you see, Chairman, we would not be having this discussion, I would not be here, you would not have to listen to me if there was no Whitechapel alignment. The Whitechapel alignment is the alignment the price for which was the Whitechapel Station. There is no other case for a Whitechapel Station except as a *quid pro quo* to get Tower Hamlet's support for the Whitechapel alignment.

Mr Berryman: I am afraid you are not quite correct in saying that because any route which goes east-west across London and goes through Liverpool Street at one of its points must go through your constituency, and irrespective of whether there was to be a station at Whitechapel or not, there would still have to be ventilation and intervention shafts at various points through your constituency. It is really academic as far as that goes whether there is a Whitechapel Station or not.

10594. It could have gone along the River. It could have been the southern alignment rather than the Whitechapel alignment?

Mr Berryman: I personally do not think the southern alignment is at all practical.

10595. You did not think it was at all practical to dig the tunnel from both ends but it suddenly became practical.

Mr Berryman: That is not the case at all. You may have been advised or not by your supporters that we had been looking all the time at the possibility of eliminating the tunnelling sites at Hanbury Street. The reasons for the change in the policy were actually through change of circumstances which occurred in connection with planning and funding issues. It was not because we did not wish to change. We were forced into that strategy by what we

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understood at the time to be the planning issues. We have now revised the strategy based on development of some ideas which have been floating around for some time. You may be interested to know that the revised strategy will be cheaper than the original strategy and that is what we were always aiming to do.

10596. That is not what we were told at the time of course. We were told we could not tunnel from both ends because it would be a vastly more expensive scheme.

Mr Berryman: The reasons are quite complex. I am very happy to explain them to you, if you wish, but the previous assumption was that there would be a period of advanced works before powers had been granted by this Bill that is being considered which would include diversion of utilities and sewers and things of that sort. And that would be followed by a six-year construction period, in other words a total of an eight-year construction period from the day the first shovel went into the ground to the day when the railway opened. It subsequently became clear that it would not be possible for us to start those enabling works prior to having the consent which would be granted by this Bill because of changes in environmental impact legislation, and we therefore realised that we had eight years to build the tunnel instead of six years as we previously thought. Once you put that into the equation you can start looking at alternative tunnelling strategies and that is what we did, and we came up with a solution which involves starting at a site where there are no utilities to divert, giving us the full eight years to go at it, and that is why the strategy changed. It was because of that change in understanding of the legislation that it became practicable to tunnel from both ends rather than from three sides.

10597. Mr Berryman, why is there a cost-benefit analysis on Woolwich Station but not on Whitechapel Station?

Mr Berryman: Each station was considered as an adjunct to the scheme, and it is customary to do cost-benefit analyses on those kind of elements.

10598. Is it not customary to do cost-benefit analyses on most developments as significant as this?

Mr Berryman: A cost-benefit analysis on the whole scheme has of course been done.

10599. I am talking about the building of a station at Whitechapel. Is that not as significant as the Woolwich proposal? Do we not deserve even a cost-benefit analysis in Tower Hamlets?

Mr Berryman: We have done a cost-benefit analysis of the station, but I have to say, irrespective of the results of any such analysis, Whitechapel is a fundamental part of the scheme because it provides that connectivity between the Crossrail alignment and other routes in London which would not exist if there was no Whitechapel Station.

10600. Only because you have chosen the Whitechapel alignment which I am here to plead against.

Mr Berryman: No.

10601. My point, Mr Berryman, is if you had properly evaluated the cost-benefits of this, you might well have chosen the southern alignment.

Mr Berryman: Which southern alignment?

10602. Along the River.

Mr Berryman: There was no question of us proposing a southern alignment.

10603. **Mr Galloway:** I know there is not, that is my point.

10604. **Mr Elvin:** It would be helpful if Mr Galloway would allow Mr Berryman to finish his answers.

10605. **Mr Galloway:** I am sorry.

Mr Berryman: I do not think there is any point in pursuing discussion about the southern alignment. We do not believe it to be feasible from an engineering point of view. I have already given evidence on this matter some time ago.

10606. **Mr Galloway:** Yes, but Chairman, I am arguing that you should not choose this alignment and I am entitled to adduce in that argument—

10607. **Chairman:** You are certainly allowed to cross-examine Mr Berryman but it is fair, as Mr Elvin did raise the fact, that he should be allowed to answer.

10608. **Mr Galloway:** Yes and I apologise for that. I am more used to the parliamentary cut and thrust rather than the quasi legal system that you are operating and I apologise for that. Let me ask him a direct question. Mr Berryman, you said the Council leadership was fully in favour of this. Do you know what happened to the Council leadership at the elections a few weeks ago?

Mr Berryman: I understand that their majority was reduced.

10609. No, the Council leadership.

Mr Berryman: You mean Councillor Keith?

10610. The people who have been doing the negotiating with you?

Mr Berryman: Are you referring to Councillor Keith.

10611. I am referring, Chairman, to the Mayor, the Deputy Mayor, the Leader of the Council, the Deputy Leader of the Council, they were all defeated in the elections last month, were they not?

Mr Berryman: I believe they were, yes, but I have to say that they are not the only people we have been negotiating with in the Council. We were negotiating with the previous leadership before that as well and their approach has been consistent throughout.

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10612. **Mr Galloway:** I would have hoped, given that Mr Berryman has accepted that this little vignette is unsatisfactory, Chairman, that at least in writing he will provide the kind of answers that he has not been able to give this evening because it is a trifle amateur for a Committee to be discussing matters of this weight on phrases like a “a lot of people”, “a significant number of people”, and no cost-benefit analysis.

10613. **Chairman:** That, Mr Galloway, is the point I raised earlier on upon which Mr Hopkins has elaborated. Can I draw this to a conclusion because I am very interested in what Mr Berryman said in the course of the answer he gave to you in which he implied that a sort of cost-benefit analysis had been carried out in relation to this. I would like to see provision of that for members of this Committee, if we could have a note on that.

10614. **Mr Galloway:** May I respond to that in writing, Chairman?

10615. **Chairman:** When they supply it to the members of the Committee we will also supply it to you, Mr Galloway, and if you evidence given tomorrow, from another person or Mr Berryman indeed may be recalled again, we will send to you copies of the minutes of that and you may then respond again in writing to the Committee.

10616. **Mr Galloway:** Thank you very much.
Mr Berryman: We can provide the passenger numbers certainly tomorrow morning. It may be later in the day or even the next day before we can get the benefit cost ratio to you.

10617. **Chairman:** I am less concerned about whether that is all available tomorrow in a note or anything else than whether it is correct. I am trying to make is having received it, it will go to Mr Galloway and Mr Galloway will be allowed to put in writing his views back to the Committee for our consideration. Is there anything else, Mr Galloway?

10618. **Mr Galloway:** Thank you, Chairman. I realise I am all that stands between everyone and a World Cup match so I would like to just respond on a few things that Mr Elvin said, if I may.

10619. **Mr Elvin:** Mr Berryman can therefore move out of the hot seat.

The witness withdrew

10620. **Chairman:** I am very interested, Mr Galloway, in your new interest in the English football team, being Scottish!

10621. **Mr Galloway:** Unlike the Chancellor of the Exchequer, I now fully support the England football team.

10622. **Mr Elvin:** I am pleased to hear it.

10623. **Mr Galloway:** I said earlier, Chairman, that I count my spoons when I hear talk of piazza and plaza type developments. Another phrase that makes me count my spoons is the phrase “area of opportunity”. It is precisely that kind of opportunity that they have in mind when they use it in relation to Whitechapel that concerns the people there. You see, we believe that what is underway is the building of a corridor above and below ground connecting the City to Canary Wharf, a corridor which will eventually, socially and ethnically cleanse that part of East London. There are already permissions for tower block office developments in Aldgate, Canary Wharf is bursting at the seams, the City of London is bursting at the seams. Crossrail is their blue riband idea and the big losers will be local people—black and white, Asian, indigenously English—who live in and call themselves Eastenders. It is precisely the extent to which—it is quite a revealing phrase—this is seen as an area of opportunity that we are worried by because we like living there. The people who live there, notwithstanding their poverty and the cramped housing, they do not want to leave there. They do not want to be driven east. They do not want this juggernaut that is underway to cleanse them and to drive them out of their area.

10624. Mr Elvin was right to reproach me—and he did it in an elegant way but he reproached me nonetheless for selectively quoting from transcripts. Neither should he, with respect, selectively quote from the correspondence with the Swanlea School. The Swanlea School community is utterly opposed to these proposals and remain utterly opposed to them. The Swanlea School is going to lose part of its garden, part of its playing area. We saw—although it was hurried over and not quoted—from the letter that was put up on the screen not only the things that the Promoters have agreed with the Swanlea School but also the things that they would not agree to.

10625. On the subject, Mr Elvin, of undertakings, I respect the fact that you are here as Mr Solomon Binding when you are talking for the Secretary of State and when you give an undertaking, of course that undertaking will be met, but there are so many things, you see, which are not undertakings, there are so many things that are assurances, so many things which are warm words about the seeking of agreement. For example, he said, and I am quoting him because I wrote it down, “I cannot promise you, Mr Galloway, that it will be between 8 and 6 pm.” We will try and make it between 8 and 6 pm is really what he is saying. That is no undertaking at all.

10626. **Chairman:** He said, Mr Galloway, that he expected it would be, it is probable that it would be, but I think the Members are getting your implication about that.

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10627. **Mr Galloway:** In that case I will not labour that point. We all know—we are all politicians here, at least we are—the difference between an undertaking and “probably” or “possibly”.

10628. He was remarkably sanguine about the idea of a lorry every half an hour. I am not sure how he would feel about a lorry every half an hour, for two years, if I accept his two years—although it would be the only contract ever performed in England that was performed to the time that we were told it was going to be performed at the beginning, but let us take him at his word even though it was not an undertaking—that it will be “only” two years—a lorry every half an hour for two years is a lot of lorries. I think if it was up the leafy lane up which he no doubt lives he would not be quite so sanguine about it.

10629. I tell you candidly I do not believe that it will be a lorry every half an hour, as I do not believe it will be only two years. I believe it will be more than two years and more than every half an hour, but every half an hour is bloody bad enough.

10630. Now, I take the point about the third tunnel in the Channel and I take the point about the Health and Safety Executive’s requirement for ventilation and intervention access. All I am saying is that the cost-benefit analysis approach should be made here. The devastation to a poor, cramped community should be weighed against the need to have the intervention shaft at precisely that point. Is it beyond the geniuses—highly paid and qualified geniuses—working on this project to find another place they can make the ventilation shaft that would obviate all of this devastation, all of this misery, all of this inconvenience, health risks dangers? Is it beyond them to come up with another place where they can put the ventilation shaft? After all, they came up with the tunneling from both ends when it looked for a long time like there was no such possibility.

10631. Mr Elvin reproached me, too, about my prediction that the project would cost £20 billion. That was very brave of him! In fact, he said it is going to cost £10 billion. He did not tell us that that prediction is four years old and not a ball has been kicked, not a brick has been laid and will not be so for many years to come, even if God speeds your proceedings. Is it really going to be £10 billion, Mr Elvin, or is it more likely to be £20 billion? As you will tell from my accent, I am Scottish. Do I have to drag you through the cost of the Scottish Parliament? Do I have to drag you through the original estimation of what it would cost? Or the Millennium Dome might be more closer to home. Who in this Parliament, who in this public believes a prediction of £10 billion for this—£10 billion which of course has not been raised or identified but let us leave that aside. I tell you this is going to be the most expensive white elephant in British history and you as a Committee should weigh that responsibility

very carefully. I would not want to be in your shoes. The Whips would never have chosen me anyway to have the responsibility.

10632. **Chairman:** I think they would!

10633. **Mr Galloway:** Maybe they would.

10634. **Mr Binley:** Given half a chance they would! The same way they chose us.

10635. **Chairman:** I can remember when you were put on the Gas and the Water Bill at one point.

10636. **Mr Galloway:** They send me on such Bills over and over again; I do not know why! I had a special relationship with the Labour Whips. Now, Mr Elvin says that I was exaggerating. It is my job to as powerfully as possible make the case for the worst case possible because in my experience the worst case usually turns out to be the case. He said I was exaggerating about the 24-hour working or to use Mr Berryman’s phrase—I think it was Mr Berryman—not a 24-hour operation “generally speaking”. But I have got the works schedule here. It looks like plenty of 24-hour working scheduled on it to me. Again they are remarkably sanguine about 24-hour working being underground. Only underground then? Are we going to feel no vibration? Are we going to hear no noise? Are we going to have no disruption caused by 24-hour working underground? I very much doubt that but again Mr Elvin is being very brave and bold in predicting that. The proof of the pudding is in the eating; unfortunately it is my constituents who have got to do the eating if he turns out to be wrong.

10637. Now, on the issue of race, I was “exaggerating” again, but let me quote, if I may, from Trevor Phillips not a Respect supporter, nor one of what Mr Berryman called “the people who support me”, but in his letter of 8 July to my distinguished constituent John Akkar he says: “These proposals will indeed have a devastating impact on a thriving area in East London and particularly so in light of the fact that it is densely populated by residents and local businesses alike.” These are the views of the Head of the Commission for Racial Equality.

10638. **Mr Binley:** Chairman, can I ask Mr Galloway what the date of that letter was?

10639. **Mr Galloway:** 8 July 2004.

10640. **Mr Binley:** Which I think I am right in saying is quite early in the process of the correspondence, is it not?

10641. **Mr Galloway:** I am not sure he would resile from what he said in that correspondence.

10642. **Mr Binley:** I draw attention to the fact that is not necessarily the whole of the correspondence being quoted to us.

The Petition of George Galloway MP

10643. **Mr Galloway:** It is a fair point that is made, Chairman, but it is equally a fair point that I make. These are the extant views of Trevor Phillips, as far as I am aware.

10644. **Mr Binley:** If I just might add, is it not case, if I recall it correctly that was something Mr Phillips wrote after having received two letters from two people in the area and that he has perhaps modified his views since?

10645. **Mr Galloway:** You may be more familiar with Mr Trevor Phillips than me.

10646. **Mr Binley:** I am.

10647. **Mr Galloway:** But my constituent John Aktar knows this scheme inside out and knows the impact it will have inside out. Trevor Phillips did write the words I have just quoted. I am aware of no other words from Trevor Phillips in which he withdraws his observations.

10648. **Chairman:** Neither am I, Mr Galloway. Can I just say that we have all the correspondence from the Commission and we will appraise all that information.

10649. **Mr Galloway:** Okay. I am coming to my last point, Chairman.

10650. **Chairman:** And we will give a judgment.

10651. **Mr Galloway:** I am coming to my last point. Mr Elvin, again rather bravely, stated that there was material in Bengali. There are three things wrong with that. First of all, these must have been phantom materials because none of the Bengalis appear to have ever seen it. Secondly, most of my constituents do not speak Bengali, they speak Sylheti. Thirdly, many of my constituents do not read at all. Many of the older Bangladeshi origin people in my constituency do not read at all. They were not communicated with. If you like, I will bring them all

here to tell you that they do not feel that Crossrail properly communicated with them during this long period in which they had a right to have their views properly taken into account. I can fill this room and every room in this corridor with Bengalis who will tell you that, Chairman. So I do not withdraw the case I made that Crossrail only very belatedly undertook that which they are required to by law, the race impact studies. Only when they were taxed about their failure to do so by the Commission for Racial Equality and only in the second round were materials in Sylheti produced. If there were any in the first round they were not seen by very many Sylheti speakers in my constituency.

10652. So I am very grateful to you, Chairman, for the very kind way that you have conducted your management of what I have had to say. I apologise if I have broken any rules. I am grateful for the opportunity to come back on the things that we have agreed that I can come back on. I have nothing more to say.

10653. **Chairman:** You only broke a few, George, but that is par for the course: one or two pieces of unparliamentary language like the use of the word “bloody”, and the outrageous suggestion that Mr Elvin lived down a leafy lane!

10654. **Mr Elvin:** If only!

10655. **Chairman:** All in all, are you concluded?

10656. **Mr Galloway:** Yes.

10657. **Chairman:** Thank you very much for your attendance. We will take account of all the evidence that has been given. We will adhere to the promises that have been given from this chair about correspondence to you and your right to respond to that. We will be in touch in that respect. Ladies and gentlemen, that concludes today’s hearing. The meeting of this Committee will be tomorrow at 10 am. Order, order.

Thursday 15 June 2006

Before:

Mr Alan Meale, in the Chair

Mr Brian Binley
Ms Katy Clark
Kelvin Hopkins

Mrs Siân C James
Dr John Pugh
Sir Peter Soulsby

Ordered: that Counsel and Parties be called in.

10658. **Chairman:** Can I draw your attention to the fact that I will suspend the Committee at a convening point around 11.30 so people can take the opportunity to get tea or coffee in the corridor.

10659. Today the Committee will continue hearing the petitions of The Spitalfields Festival Ltd, The Spitalfields Centre, The Spitalfields Community Association, The Spitalfields Housing Association and Patricia Jones. There are many cases to hear today and we will proceed in a similar manner to yesterday. We want to hear every petitioner's case however as we all know we should not listen to the same case being made more than once. There are many people here today with similar concerns, however, we would ask them to listen carefully to one another and the cases which are made so they may respond from the promoters and also try not to repeat any of the petitioners' arguments and that goes for the promoters as well as the petitioners. If you agree with the case made by the petitioner you can tell us which points you support, you do not need to repeat the argument. In many cases points regarding Hanbury Street and Whitechapel have already been made on a number of occasions and of course they have also been raised by the London Borough of Tower Hamlets and by the petitioner who appeared on Tuesday of this week. Can I first of all call on Mr Elvin to summarise?

10660. **Mr Elvin:** Is this for the festival, Sir?

10661. **Chairman:** Yes.

10662. **Mr Elvin:** The concern of the Spitalfields Festival, perhaps I can have ES, volume 4(a), Plan C8(i), if you could take the bottom left corner please.¹ The concern of the Spitalfields festival, and they were kind enough to let us have a note of what they were going to say last night, is concern about the festival and any impact in terms of noise and vibration on the use of Christ Church, Spitalfields which is one of the best known churches in the capital and is a grade one listed building. You will see it on the plan, it is in dark purple which indicates it is a grade one listed building and the Committee will recall Mr Berryman's evidence two days ago on day 39 that one of the reasons that care was needed

with the alignment of the tunnels was to avoid Christ Church, Spitalfields. The position on the church and the concern about noise and vibration is easily dealt with. It was in fact mentioned in the course of discussion of the issues on day 39.

10663. Mr Thornley-Taylor and the team have looked at Christ Church, Spitalfields and the noise predictions based on the tunnel alignment as it currently means the church will not be affected. If the Committee remembers, there is a general standard and there is a more exacting, we call it a concert hall standard, of below 25db(a), the church will be below the 25db(a) standard and therefore we consider there to be no cause for concern. Thank you very much.

The Petition of The Spitalfields Festival Ltd

Ms Judith Serota appeared as Agent.

10664. **Ms Serota:** Thank you, I am very pleased to be here as I said in the notes that some of you might have seen and I do have copies of them here. I very much welcome Crossrail as essential to the continuing growth and vitality of London as a place of culture, life and regeneration. The festival was founded 30 years ago—we are not a new organisation—to bring attention to Christ Church, Spitalfields. If any of you have not seen it, this is roughly what it looks like.² It includes here, which you probably will not see, which was removed as part of an almost £6 million restoration programme almost entirely from public funding. If the festival had not taken place and kept going in Christ Church, there is a lot of reason to believe, but I cannot prove it, that Christ Church would have become completely derelict and closed and not been saved by the nation. As you said it is one of the great jewels in the crown of the UK. The acoustic is very unusual in Christ Church, there are a number of churches used as concert halls in London that have been converted to be more like concert halls than churches. They are deconsecrated like St. Johns, Smith Square, around the corner, St. Lukes, Shoreditch, but they do not sound like churches inside and this is where Christ Church is so special. Derek Sugden who co-founded and who is now consultant for acoustics for Crossrail says it is the best church in the world in which to hear music.

¹ Crossrail Environmental Statement, Volume 4a, Whitechapel Station, Key Environmental Features—Map C8(i) <http://billdocuments.crossrail.co.uk> (LINEWD-ES16-034).

² The witness referred to an image of Christ Church, Spitalfields (for example www.christchurchspitalfields.org).

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When someone like Derek Sugden says that I think everyone has to take note, he said that on BBC Radio 3. I have a pile of press cuttings we have regularly been getting four star reviews in the national press, we have got one three star but all the rest are four stars. We have a further festival in December and we have an education programme which works throughout the year in Tower Hamlets. I say that we are good but I can prove it. In the last spending round, the Arts Council put us in the top 20 per cent of organisations to receive an above inflation increase. Last month we were awarded the Royal Philharmonic Society prize for education for Jonathan Dove, our artistic director, for his piece on Spitalfields and their programme book is there. We are investor and people accredited which is quite unusual for an arts organisation, not so unusual for the rest of the voluntary sector. We got two mentions in the House of Lords on the debate of the arts on 11 May from Lord Howarth. Tomorrow night, if you finish listening to people, you can hear two of our concerts on Radio 3 from 7.30 onwards. If you are not working on Saturday night, you can see some of our work on BBC2's culture show. We have had lots of lovely mentions and features on Radio 3 and Radio 4, so our work is widely recognised. One of the keys to the success of our work is using Christ Church and integrating it into the community. It is quite hard when you are working with a schools community which is predominately Bengali, 65 per cent of school children in Tower Hamlets are Bengali but the majority of them will come into Christ Church as Muslims and perform and they said on Radio 3, when we had won the Royal Philharmonic Society award, that was a real turning point for them to come into a church and be allowed to perform. I see it as part of integrating the very mixed society in Tower Hamlets.

10665. Christ Church is quite a noisy venue at the moment, but I will talk about that in a little bit more detail later. It is the second largest permanent building in Tower Hamlets so it is an ideal space for bringing communities together, bringing people together to share their work. The only larger hall is York Hall in Bethnal Green which is used for boxing and weddings. I think you all agree that Christ Church is rather more stunning. It attracts musicians from all over the world of all different standards, from school children to Sir Peter Maxwell-Davis, who we have got tonight. Later in the festival we have got Sir William Christy, we have Sir Andrew Davis coming in December. That is not because of our budget, it is because they want to perform in such a beautiful building. David Lammy, Minister of State for Culture is coming next week to a concert that is sponsored by Bircham Dyson Bell.

10666. **Mr Elvin:** That is marketing.

10667. **Ms Serota:** Our audience is very diverse as well as all the participants in our education programme. We do not just do music, we do education and we have a strong social conscious. Arts Council England has recently produced their

strategy for *Every Child Matters*. Arts Council London did a document on their response to *Every Child Matters* and we are working closely with Tower Hamlets on *Every Child Matters*. There are only four photographs in this publication but the front cover is one of ours and the front piece, Sue Hullock's introduction, is also one of ours. It is not just music for people who can pay, there is much more to us than that.

10668. Just to clarify the position we pay Christ Church, an organisation they set up called Christ Church community. The rent goes towards the annual maintenance of Christ Church which I am told is approximately £200,000 a year because when they have their public funding, it was not built into the funding agreement how they would generate their income, it was built in that they had to generate their income, so it is quite a hard building to generate an income because every time you put in a concert in order to meet health and safety requirements, you have to make sure the seats are joined together, you have to make sure there is adequate lighting and adequate emergency lightening, that all fire exits are clear, that a stage is taken in and is built. It is a shell that Christ Church Community Vision rent out and then organisations like ours can rent it and take everything in to make it acceptable to Tower Hamlets and indeed parliamentary standards.

10669. The festival has reflected the different communities of Spitalfields over the past five years when Jonathan Dove become artistic director so we have had a Jewish strand, a Bengali strand, an Irish strand and this is year a Somali strand and this is reflected in our print as well. On Saturday night we had an incredible concert at Wilton's Music Hall where the Jewish strand met the Bengali strand, met the Somalian strand and it was quite an event.

10670. We are also working towards the Olympics in 2012. I have already had a meeting with the London Organising Committee to talk about our role because we are known to deliver quality projects. I have a meeting as soon as our festival has finished. I am also working with East London Business Alliance who are working closely on a range of activities for 2012 leading up and in fact they have called it 2020 because they are very keen on the outcome and the legacy of the Olympics and that is what they are working towards.

10671. I would briefly like to mention on a personal note, my family were all Jewish immigrants, my great aunt and uncle used to work in Spitalfields in Fournier Street and if the house had not been sold two or three years ago, Bircham Dyson Bell would probably be using it next week. I am really concerned about Christ Church and the 25 decibels. When I got home last night I made a very, very basic Blue Peter style model which I hope you can all see. Just pretend there is a church on top. In an ideal world Christ Church would be acoustically sealed as Arup Acoustic did for the Sage Gateshead and many other international award winning concert halls. In

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an ideal world that lovely bubble wrapped cone could go on top of Christ Church but because Christ Church is so special and grade one listed it cannot, you cannot do anything to the exterior at all, even if you change the lightening conductor you have to get permission. Christ Church also has a crypt which is under my little box and ideally you could put insulation under there to help prevent the noise and vibration. Because Christ Church is as big as it is, because it is so fragile and I am not a civil engineer, I do not believe physically you could put anything right underneath Christ Church.

10672. If we talk about Crossrail and its two tunnels, insulation is being provided up to 25 decibels which is concert hall standard. Christ Church is a church, it is not a concert hall. If Christ Church were a concert hall 25 decibels would be fine because all my bubble wrap and more wrapped right around the building could come into use easily and be integrated into the design and this is what they have done at St Lukes, Old Street and what they did in Manchester when the IRA bomb went off in the Bridgewater Hall ten years ago, no one heard the bomb go off, Manchester was flattened but the Bridgewater Hall was intact and they did not even hear a vibration and that was the quality of the work that Arup Acoustic can deliver.

10673. What I hope can happen is that you all understand that 25 decibels is completely insufficient for Christ Church and that by using more and more bubble wrap or the equivalent you can pad it out completely with as much as needed to do and I can go on and on but I will not waste your time.

10674. Given the fact that Crossrail has not been built, there must be an opportunity on the right length of rail to increase the sound insulation because I have it on lots of different authority and we have not been able to afford to pay for any professional advice that if trains are running through at the rate I have been told they will and there is construction work, the festival will no longer be able to take place in Christ Church because we will not get that magic silence that we do sometimes get and this is in bearing in mind that when the ring went around the City, more traffic came into Commercial Street and Bishops Gate. Then with the congestion charge even more traffic came onto Commercial Street but we can cope with that, we can cope with the odd ambulance but above 25 decibels would be the straw that breaks the camel's back and Radio 3 would laugh at me and say "forget it".

10675. My second question is how we know how to work during the construction period because when they were builders working out on Commercial Street as they were when they were testing the soil around Christ Church we could go and say, "do you mind not doing this for the next half hour or 40 minutes because we have got a concert or a very subtle bit of tuning". If these people are working

under ground, if we do not have that wonderful insulation I hope we will have, it is going to make a lot of noise.

10676. Two years ago we booked the Royal Academy of Music with Trevor Pinnock to come and perform Bach B minor mass in the festival next year, a three year lead time, it is quite unusual for it to be three years but it does happen. So, how do we work once Crossrail has the green light in planning our programme so that we are not interrupted by underground noise.

10677. My final question is one that you might feel it is not relevant to answer, but having been involved in so many public funding projects in Tower Hamlets and Spitalfields that have really, really helped the area come to where it is now not without some problems but Spitalfields would not be where it is without regeneration funding, without the English Heritage funding. I am wondering how far this Committee relates to all the funding that has gone into Spitalfields. Thank you.

10678. **Chairman:** Thank you very much indeed. Can I first of all on behalf of the Committee congratulate the work that people who work with you do for the community there.

10679. **Mr Elvin:** Can I clarify two things, firstly, it is not proposed that there be any works of insulation, it is not possible to insulate the church as the petitioner has said. It is simply that the operation noise from the running of the trains will not breach the 25 decibel limit. The only issue when noise is likely to arise is when the tunnel boring machine is going through in the closest proximity to the church which will be a period of the order of a week or so, maybe two weeks. What we can say is that we can notify the church and the festival of that short period at the time the project starts. You can understand the difficulty of predicting the precise day on which a tunnel boring machine is going to arrive, when it has to drill through a considerable length and it will be launched from a particular point some miles away. What we can do I am told is that we will be able to give an approximate estimate as to quarter at which the tunnel boring machine will arrive at least two years in advance. We will be able to refine that and at least a number of months in advance we will be able to say which week it is likely to arrive. Logistics simply do not allow for greater precision. We are well aware of the difficulties and the need to organise the festival. We will do what we can to make sure that there are progressive updates to ensure that the festival has a progressive idea as to when the tunnel boring machine will arrive. As I say, it is only likely to be audible in a period of about a week, perhaps two weeks. Other than that there is no need for insulation because the noise levels of 25 decibels are not going to arise from the operation of the trains.

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10680. **Chairman:** How noisy would they be?

10681. **Mr Elvin:** Mr Paris from Crossrail tells me it is difficult to predict the noise at the time, I think one should proceed on basis it will be audible.

10682. **Chairman:** Are you planning to call any experts?

10683. **Mr Elvin:** No. I accept the tunnel boring machine will be audible for a period of a week or two weeks but there will be no audibility for the operation of the tunnels.

10684. **Chairman:** We have had the opportunity in the past to question an expert on how to mitigate sound effects. Can we not have a brief period where we can do the same?

10685. **Mr Elvin:** Unfortunately Mr Thornley-Taylor is in Edinburgh today.

10686. **Mr Binley:** Tell him to shout!

10687. **Mr Elvin:** Mr Paris who deals with some of these matters within Crossrail, however he is not an acoustics expert as Mr Thornley-Taylor is, would be able to give the Committee some information, would that be helpful?

10688. **Chairman:** Yes.

10689. **Mr Elvin:** I am quite happy for him to answer questions if that helps.

Mr Robert Paris, sworn

Examined by **Mr Elvin**

10690. **Mr Elvin:** Mr Paris, can you give your name and explain what your position is?

(Mr Paris) My name is Robert Paris and I am the Environment Manager for Crossrail.

10691. Can you explain the position to the Committee with regard to the passage of the tunnel boring machine along the tunnels in the vicinity of Christ Church please, the duration of that passage?

(Mr Paris) Certainly, the tunnel boring machine will be audible as it travels by, that will be a transient effect probably for a week or two weeks at most.

10692. Is it possible to mitigate against the noise from the tunnel boring machine itself?

(Mr Paris) Unfortunately with the tunnel boring machine, no. You can design the railway to mitigate noise impact but you can imagine that tunnel boring machine simply has to cut through the ground.

10693. **Chairman:** We have in the past had experts here who talked about floating slabs and all kinds of mitigation, would these be employed in respect of this area once the tunnel has been bored?

(Mr Paris) The predictions as they are at the moment indicated that we would not need something like a floating slab or an enhanced trap for this location but if during the detailed design it was identified that we could not meet the criteria we have set out in our policy then those measures would be implemented.

10694. **Mr Binley:** I recognise your difficulties with regard to programming and where it should be at any given time. I understand that however the time at which the music festivals are on at Spitalfields are relatively limited and there are some big holes in the year. Does that not allow you to have some sort of planning?

(Mr Paris) I am not really able to speak on that at the moment.

10695. I can see Mr Berryman grimacing, I know it is a problem but I think we have to deal with problems.

(Mr Paris) In terms of predicting the engineering of the tunnel boring machine, that is not something I feel I can advance the Committee on.

10696. **Ms Serota:** I really do not mind when the tunnel boring machine happens if we can guarantee that the insulation will be considerably above 25 decibels. We have moved out of Christ Church before and I can see how complex the logistics are of programming the tunnel because you cannot suddenly go and do another bit but at this stage as the design is not complete, I have not had the answer from Crossrail that I asked by email a few days ago, if the design is not confirmed, I would have hoped that it could be changed at this stage to increase it very significantly.

10697. **Mr Elvin:** As I have already said we can start at least two years in advance by giving a general indication of which portion of the year it is likely to be and progressively refine that. It means that we will be able to say to the festival two years in advance at least, "it is likely to be in this period of three months" and we will be able to progressively refine that over the time after that two years. It will not be a question of telling the festival two days before hand or anything like that, there will be a progressive approach as the work begins to warn the festival, firstly by giving that wide indication of a three month slot and then narrowing that down as time goes on.

10698. **Mr Binley:** We have got to appreciate that the festival planning and the spending for the advertising and promotion of the festival takes place sizeably in advance of the whole festival and I think we have got to be a little more certain in a way than you are saying. I understand your difficulty but are you currently thinking we have got to do all we can to protect this festival.

10699. **Mr Elvin:** As I said I can give the Committee assurance, we will take such steps as we can to notify as far in advance as possible. We are not talking about days, we are talking about a significant period

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of time to help with the festival planning. I am quite happy to call Mr Berryman in a moment to explain to you the difficulties, for example, of stopping the machine or slowing it down, it has major ramifications for the programme and it also creates difficulties in terms of settlement. The project is well aware of the significance of Christ Church as I have acknowledged already and clearly we will do what we can to work closely with the festival to make sure that as much warning as possible is given and we can do what we can to accommodate their needs. I cannot be more precise than that because of the logistics of such a project.

10700. **Sir Peter Soulsby:** The way I understand it, the petitioners are obviously concerned about the passing of tunnel boring machines but that is an inconvenience that can be dealt with. I understand the point that you are making that the particular needs of the church are such that Ms Serota is not convinced that a limit of 25 decibels will be inaudible and is going to be one that will not prevent them from continuing the work that they are doing there.

10701. As we have had explained to us in the past, there are technologies available in the construction of the track that will provide what she has very helpfully described as bubble-wrap. The one that we have particularly focused on in the past is floating track, which is the embodiment of that bubble-wrap in terms of construction. We have had quite a lot of evidence on this, and it is that 25 Db in a concert hall is inaudible and would not, in fact, cause any diminution of the quality or the silence which is obviously so important to them.

10702. **Mr Elvin:** That is the level you must not exceed if these sensitive locations are to function without impact, bearing in mind their special needs for quietness. Of course, it is much lower than the normal standard of 40 or 35. Can I remind the Committee that in our groundborne noise and vibration IP D10 at paragraphs 2.7 and 2.8 we give an assurance in relation to such sensitive properties, and if there were to be an issue, and if the predictions turned out to be wrong, then those mitigation measures would have to be employed which are listed in 2.8 and include matters such as a floating slab.³ At the moment, it does not appear likely that noise levels would be likely to cause problems to such a sensitive location, but if there were the proper mitigation measures would be employed in order to keep it below the special level for such locations.

10703. **Chairman:** Ms Serota, if you think 25 is too high, what do you think is the right level? How much lower down would you want it?

10704. **Ms Serota:** I would like Arup Acoustics, who presumably are involved in some way, to give their expert advice because they are my favourite experts. I have not been able to talk to them about this because of a conflict of interest.

10705. **Mr Elvin:** Would it help if I offered to get our experts, and I will get Mr Thornely-Taylor when he comes back from Edinburgh to write a letter to the festival and explain the position?

10706. **Chairman:** And meet with them?

10707. **Mr Elvin:** Yes, and meet with the festival and explain the position. I am quite happy to do that.

10708. **Chairman:** Would that be okay with you, Ms Serota?

10709. **Ms Serota:** It depends if I agree with the outcome.

10710. **Chairman:** Whatever the outcome would be reported to us and we would have to make a decision on the Petition anyway.

10711. **Ms Serota:** That sounds very fair.

10712. **Chairman:** I am wondering whether it would help in the proceedings of that.

10713. **Ms Serota:** Certainly. Arup Acoustics are my favourite acoustic consultants, they absolutely know what they are doing and they are the best.

10714. **Mr Elvin:** I am sure we can find some way of accommodating that.

10715. **Chairman:** I think that would be most helpful. Again, I think there are very special circumstances with this particular building, and if there are any ways that can be found to help we should try and find those. Is there anything else?

10716. **Mr Elvin:** I do not seek to disagree with that at all. Mr Mould reminds me of evidence given on day 8 by Mr Thornely-Taylor and, if you recall, it was his general evidence on noise issues. If I can, for the record, give you the transcript numbers, it is day 8, 2349 and 2350. You will recall that he explained that the recommended level was 25 dB, and he told you about hearing the tube rumbling when Mrs Jones went to see Billy Elliot at the Palace Theatre. Mr Thornely-Taylor's view was that rumbling would have been well above 40 Db and that 25 is not audible within the auditorium.

10717. You have then got at paragraphs 2350 through to 2351 the fact that the experience with the Jubilee line has demonstrated his views on those matters and that modern technology means we can be certain that the levels which are predicted from the usage of rail, which is a known quantity, can be properly predicted. We are as confident as one can be that those lower levels will be achieved and they will not be audible. Having said that, we accept the special position of Christ Church, and as a special location if the levels look as if they are going to be exceeded, then mitigation measures will be put in place as are necessary to achieve the relevant standards.

³ Crossrail Information Paper D10—Groundborne Noise and Vibration, <http://billdocuments.crossrail.co.uk>

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10718. **Chairman:** I am grateful that you reminded us of that evidence. You followed it by saying that the special circumstances relating to Christ Church are as such that we cannot take Billy Elliot against what we are talking about. What we will do is you have very kindly agreed to arrange this meeting and then you will write a note to the Committee. Ms Serota, you can also write back to the Committee on how you found the usefulness or otherwise of that meeting which is going to be arranged, then we will deal with that in our decision-making.

10719. **Ms Serota:** Is it possible for Arup Acoustics to recommend what the level should be taking Christ Church as Christ Church rather than Victoria Theatre?

10720. **Chairman:** Whatever you choose to put in your letter.

10721. **Ms Serota:** Arup Acoustics will look into.

10722. **Mr Elvin:** Indeed, the frailty of the building is understood, and mitigation measures which would be employed would be mitigation measures to the track not to the church, so it would not involve any interference with the fabric of the church.

10723. **Chairman:** Is that okay?

10724. **Ms Serota:** Yes.

10725. **Chairman:** Have you anything more to add?

10726. **Ms Serota:** No, thank you, unless you want to refer to my final question but I do not know how relevant that is about linking with the different government departments and all the funding which has gone into Spitalfields. I know you are pressed for time.

10727. **Chairman:** The role of these select proceedings is as such that this is something we cannot take forward to be included. Thank you very much. Mr Mould, is it you?

10728. **Mr Mould:** Yes, it is, sir. I was not proposing to say anything but simply to respond to points that are made by the Petitioner.

10729. **Chairman:** Do you want to outline the arguments?

10730. **Mr Mould:** I understand that the particular areas of concern of this Petitioner are to do with the impact of the underground construction in terms of ground settlement on those buildings within the Spitalfields area and also with more general concerns which have been raised already about the environmental impacts of the proposed Crossrail construction within the area of Spitalfields and around Hanbury Street and its environment. I believe that is the thrust of it. I have no doubt the Petitioner, from reading the written material they have provided, shares concerns about the

justification for the shaft in Hanbury Street and the arguments which the Committee have already heard in some detail about possible alternative alignments and locations for the ventilation and emergency access shaft. I think that is probably the position, but I will be corrected by Ms Symes if I am wrong about that.

The Petition of the Spitalfields Centre

Ms Susie Symes appeared as Agent.

10731. **Chairman:** I notice that you have been a very regular attender of the Bill, it is unusual, but this is your moment.

10732. **Ms Symes:** Good morning. I am pleased that you noticed I was present yesterday evening, I would not have called that regular myself, it is the only time in which I have been present, but I am delighted to be here. I am the Chair of the Spitalfields Centre Charity and that is its registered name. It is more generally known locally, throughout London, nationally and internationally as the Museum of Immigration at 19 Princelet Street. I also serve in East London on the advisory board of the London East Research Institute. I am an economist by profession. I have a Masters Degree in econometrics, and I make this point only because it is about the application of analytical and statistical techniques to clarify the disentangling complex economic effects. I have spent most of my career in Her Majesty's Treasury across the road, where part of my expertise was in cost-benefit, options and investment appraisal. I then spent the later part of my career in the European Commission in Brussels where I was an expert on regional policy and environmental policy. I contributed to the European Commission's work by writing the very first paper on regional sustainable development which has gone to inform for the past ten years of European community and indeed British government policy on assessing regional economic and regional sustainable economic effects of large projects.

10733. I will tell you what I will not do and I will tell you what I will try to do. I will not address my remarks to everything we have mentioned in our Petition and I will not comment on the Crossrail response on every point. I would like to say for the record that by not commenting on the Crossrail response does not mean I accept it. What I will try to do is answer two very basic questions. The first is to say, as clearly as I can, how this chosen route affects us, that is the charity on behalf of whom I appear here as their agent, and what we want to happen. To answer those two basic questions I would like to try to confine my remarks to three main headings.

10734. The first is 19 Princelet Street itself, the historic site there and how it is likely to be impacted by these proposed works. Secondly, I would like to look at the Environmental Statement and add just a little to the compelling previous evidence that there are significant deficiencies in the Environmental

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Impact Assessment. Thirdly, I would like to make one or two points about the race impact assessment and the larger equalities impact assessment of which it forms a part. That is what I plan to cover and at the end of that I will hope to pull those strands together to summarise how all of those elements taken together impact upon 19 Princelet Street and the area in which it is situated. I will then conclude with some specific points on what we would like to happen.

10735. You can see on the map location where 19 Princelet Street is.⁴ If we are looking to the City side, the west side of Brick Lane, you will see the yellow block which is number 19 Princelet Street. We only got these maps on Friday, so you will forgive me if I am a little uncertain of where my own building is in relation to all of these nice colours. I think I have that right. I should say also, because I know you have heard from many Petitioners in Spitalfields who live in the area, that I do not live in the area. Mr Galloway made some interesting comparisons between East London and Kensington in Chelsea yesterday, so I better make the confession that I do indeed live in Kensington in Chelsea but in a far from leafy lane. Not all my trustees or my advisory board or my hundred and something volunteers live in Spitalfields, some of us do, some of us were born in Princelet Street itself, some of us live in other parts of London and some of us come from other parts of the world. It is an international, national and London-wide project.

10736. It is a Grade II* Listed building which puts it in a sort of top five to seven per cent of all Listed buildings in the country. It was built in 1719 and I thought we might very quickly run through the slides to show you what it looks like. I have got eight pictures. I am very sorry I did not bring a model. Can we have picture one.⁵ That is the first image, I am sorry about the quality, that is clearly to do with the system. If I can say, we did get them in in very good time and we did make absolutely sure by e-mail correspondence that everything was up and running and working properly, so it is a pity and I am sorry you are not able to see things as we have provided them.

10737. If you look at the frontage of number 19 Princelet Street there are a couple of things. Firstly, it is attached to the buildings next to it. This is not an unimportant point and I will come back to it later. It is different from the eastward, that is looking at the picture, my right-hand-side, your right-hand side, it is not the same in height, width or construction. You see that the upper floors of the house have a typical Georgian frontage and the lower form looks very different and completely unlike any other building in the Spitalfields area. One of the reasons that 19 Princelet Street is Listed Grade II* and has the

attention that it does is its special architectural and heritage interest because it is a mixed building. It has a hybrid history which is visible from its front.

10738. Of course that frontage is far more mundane than what is concealed behind. Can we have jpeg 2?⁶ Those are the upper attics where you see the weavers' attics which will be the only weavers' attics open to public view anywhere in Southeast England when our work is complete. You can slightly see that there are very rich overlays of types of finishes and features. These are extraordinarily special and will need to be preserved. There are overlays of the economic and social history of this building and of this area. The next picture, please.⁷

10739. This is the rear part of the building. I am showing it to you for two reasons. I want you to see what happens at the very far part of the building, hidden behind that ordinary domestic house that you saw, and also some of the people who work there. The people who are in that picture are nine and ten, local residents, now in their teens, and you can see that this is a place where its function is that it plays a vital role in education locally in Tower Hamlets, in East London and London-wide, in fact further afield than that. It plays a vital role as a place with civic engagement, bringing people such as these young British and Asian children together with people from Jewish or Sikh or many, many other backgrounds. It is a place that in its physical self reflects the rich and diverse cultures of East London especially and of London and Britain.

10740. It is of particular importance to young people and indeed to people from what we for shorthand call the black and minority ethnic communities. Many of these people who you see there were aged nine and are now aged 16. They are part of the volunteer educators and experts who are taking this extraordinary heritage project forward. It is a unique cultural institution. It is driven by people who are from extraordinary diverse backgrounds. It was founded by refugees and is the only national cultural institution in this country to have been founded by refugees and to be driven by people from black and minority ethnic groups. It is driven by being socially inclusive.

10741. It is situated in an area which has a culture. It may not be highly cultural but it is a culture and it is a culture which deserves respect. It is a culture which has value for all of London and visitors to London. This is a building which within itself deserves to be valued as a significant cultural and educational asset for all communities. That fits exactly with the approach taken by the Mayor's London plan and by his advisers on these matters. It is not valued in that way in the Environmental Statement. We shall wait to see whether it is valued

⁴ Crossrail Ref: P93, Location of Petitioners in the Spitalfields Area (TOWHLB-GEN01-001).

⁵ Committee Ref: A120, Photograph of 19 Princelet Street—Exterior view (TOWHLB-15605-001).

⁶ Committee Ref: A120, Photograph of 19 Princelet Street—Interior view of upper attic (TOWHLB-15605-002).

⁷ Committee Ref: A120, Photograph of 19 Princelet Street—Interior view (TOWHLB-15605-003).

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in that way in any cost-benefit analyses which may or may not emerge. Obviously we reserve our position with regard to those cost-benefit analyses.

10742. Let us look at picture four and the architectural structure.⁸ You are not seeing a 1719 house built of brick and wood or somewhat flimsy construction but you are seeing an 1869 edition which occupies the entire would have been substantial rear garden of the original 1719 property. It is a box built out the back, but it is quite a complex sort of box. It has got a cast-iron structure. You can see on the ground floor the white lights hanging from below the balconies and you will see that those balconies are held up by Victorian cast iron poles. Picture five, please.⁹ Underneath this, this is garden level, street level, and that is a coloured glass lay-light on the very top storey of that box, that cast iron framework built back over the garden. When you look up—like this rather beautiful ceiling—you will see the even more beautiful pastel colour glass lay-light which is extremely fragile and extremely vulnerable. Indeed, it was certainly missed out completely from the listed building assessment that was made. It is quite a complex construction itself.

10743. Now we can go down and have a look in the basement.¹⁰ This was excavated below the garden, so it is an 1869/1870 Victorian building. We have a whole extra layer which was not part of the original 1719 construction, so all of the soil which would have held up the garden has been dug out. You see the brick walls to the right of the picture, on the other side of those brick walls, that is soil holding up the gardens of the other Georgian terraced houses on either side. You have got soil on either sides of those brick walls. You can see behind the gentleman in the grey jumper—and he is absolutely wrapped in attentive teenagers—some cast iron grey columns stretching back into the distance. It is a different kind of column holding up the columns above on the ground floor, that in their term hold up these wooden balconies. Those of you who are familiar with music halls or Methodist chapels will understand that this is a galleried space with an iron framework. The gentleman in the grey jumper—it may interest you to know—is Andrew Feinstein now living in Britain having taken refuge here himself some years ago as an anti-apartheid campaigner who was an ANC MP in South Africa—is talking to this group of children, some of whom have come especially from Cape Town, others of whom are young Londoners, about Muslim, Jewish and wider faith and cultural relations. It was quite a special moment.

⁸ Committee Ref: A120, Photograph of 19 Princelet Street—Interior view of architectural structure (TOWHLB-15605-004).

⁹ Committee Ref: A120, Photograph of 19 Princelet Street—Victorian glass roof (TOWHLB-15605-005).

¹⁰ Committee Ref: A120, Photograph of 19 Princelet Street—Victorian Basement (TOWHLB-15605-006).

10744. One of the tunnels that is proposed on the currently preferred route will cut under the far end of this basement. When you look into the distance, there will be a tunnel running underneath the far end of this basement and the other tunnel, as I understand the diagrams supplied to us, will cut under the main house. We have tunnels coming under different parts of the property and in somewhat different ways, one cuts under a park and cuts absolutely underneath.

10745. Finally, the penultimate picture, number seven, takes us back outside onto the street because this is a building located in an area, and you have seen a little bit why on a random open day people come and queue up for hours to come in.¹¹ I should say, it is actually closed at the moment because we need to undertake some repairs and raise capital funds so that building can both be repaired and opened permanently on a sustainable basis to everybody. In that sense, it is largely closed, though it is about to open for an entire 8 days for refugee week and it opens for other things.

10746. The important point about this is we deliver a tremendous amount of education and civic engagement even as a closed site. There are days when we have had more visitors than the nationally funded 400 staff Museum of London. You can see why, for example, BBC's national programme *Newsnight* said it was a framed monument to our cultural diversity. The *New York Times* said it was a visible symbol of London and Britain. The diversity of people who come here—I hope I do not need to say anymore—are people of all cultures, nationalities, shapes and colours, you see me even letting in the green man by looking at the picture, from all over the world as well as local people.

10747. It is a unique fusion of economic regeneration, culture, diversity, education and of course heritage. It is the only example of its kind, not just the only example in London or in Britain, of an international historic site of conscience which deals with issues of heritage and diversity and the inclusion in all of Europe. Finally, if we can look at picture eight which is a cross-section looking at the side of the building, so to the left-hand side, that is the street frontage which we saw earlier that gives onto the street with the attic shown at the very, very top and the complicated cast iron box construction coming out of the back.¹²

10748. You see we have two quite different constructions. We have got five stories at the front of brick and timber, essentially a thin brick facia. We have great big heavy chimney stacks stuck on top if it. Stone flags, partly a stone staircase, unlike many other buildings which have only wood, and partly a wooden staircase, but the back is cast iron and

¹¹ Committee Ref: A120, Photograph of 19 Princelet Street—Exterior view (TOWHLB-15605-007).

¹² Committee Ref: A120, Cross-section of 19 Princelet Street (TOWHLB-15605-008).

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timber with brick outer walls and two stories of columns inside. Trickiest of all, we have a cast iron structure connected to a brick structure.

10749. Let me move on, if I may, to the Crossrail listed building assessment. I did not know this document existed until very recently. I do not think I had a way of knowing. I certainly was not asked by Crossrail to check it or to comment on it, but I did see it on 30 May this year, when I was delighted to welcome a team of people from Crossrail. Their expert advisers came with Mr Wheeler, whose evidence you have already heard, to visit us. That was great. I saw they had this document and I said "That looks like an interesting document. Please, may I have one?" I did indeed ask on the spot for a copy, nothing seemed to be available. Mr Mantey said he would very kindly send me one and to date has not managed to do so. I know he is under a great deal of pressure, I appreciate that. I know there was a lot of pressure put on Mr Mantey and others by the architect advising the Spitalfields Society. There has been a lot of pressure put on people from this hearing, perhaps that is why they were able to turn up on 30 May. I have not had a copy of the document, but I have managed to get hold of one. I just make the point that compared with many people affected by Crossrail, I am not an expert in these matters or in this kind of hearing, but I am reasonably used to finding my way around official documents, I really am. I tried very hard and I spent a lot of time on the Crossrail website trying to get hold of this. If everybody has a copy of it, we have it. I could not find it anywhere, I searched on the listed building assessment and various other things, and could not get it. I know you have heard from people a lot about how hard it has been to get hold of documents and studies, and I am sorry to make the same point. It is fundamental and it does seem to me these reports simply are not readily available. You have to know they exist in order to ask for them, but in my case when I did ask for one, I still did not get one. I do not know if you were able to find it on the website. In case you had the same difficulties I encountered, I did bring some with me for the Committee if that would be helpful to you.

10750. **Mr Mould:** Can I help on this. The listed building assessments have been carried out for individual listed buildings of which you have heard in the past. You know about the process relating to that. They are not included on the Crossrail website, so that explains why the Petitioner has not been able to find it on the website. I will explain in a few moments, when I come to make my response, the position in so far as information about those documents is concerned.

10751. **Chairman:** Mr Mould, if the assessment had been done on the Bill, why was it not sent to the Petitioner?

10752. **Mr Mould:** It was not our practice, it is now, but it was not our practice to send the assessments to the owners of the building. It was our practice to

draw attention to the fact that under our procedure to commission, which is outlined in Information Paper D12, a publicly available document referred to on many occasions in proceedings before this Committee, it and to have prepared assessments on listed buildings both by our specialist ground settlement consultant, Professor Robert Mair, and his colleagues and by Baxter Associates who are, as you know, our consultants on listed building matters.¹³ The fact those assessments have been prepared under what we call "the first iteration of stage 3" of our settlement process is set out clearly in paragraph 7(2) of the ground settlement Information Paper, a publicly available document. That document was provided to the Petitioners with the written Petition response document which was sent to them I think a month before their appearance before the Committee. In the text of our Petition response document, we refer specifically to the fact we have applied that process in relation to 19 Princelet Street. Whereas, as you know, I am very willing to acknowledge where we have fallen down in relation to providing information to people and, indeed, I acknowledged that yesterday in relation to Mile End. I will not do it, with respect, in circumstances where I do not accept there has been any failure and where the complaint is that no information has been provided. It is clear, in my respectful submission, that we have made clear not only generally but to individual Petitioners who are the owners of listed buildings what our process has been and we carried out these assessments. If they had wanted to see the assessment which was mentioned in those documents, they would have been able to ask for it. The position has changed because, as we made clear on Tuesday this week, I think repeating what we said last week, we have now given assurance we will provide these individual assessments to proprietors on request and, indeed, that will not pass with this Petitioner because she has seen it, but we have improved the situation in that way.

10753. **Chairman:** Let me pause. I understand all the things that you say. It is extraordinary that there is a situation where listed building assessments are made and they are not given those assessments. It is bananas quite frankly. I am pleased we have now got past that situation and in future and in the present if anybody wishes these, they can access them and get them. I think that is all credit to how things have moved on, but I do not think any of us here want to stay with that position. I think we have arrived at where we have arrived at and there is a general acceptance on all sides that it would have been better if it had been done a little bit earlier.

10754. **Mr Mould:** I hear what you say, sir.

10755. **Ms Symes:** I do absolutely accept that in the response document from Crossrail there were references to made to the Information Papers and technical papers. Perhaps one of the difficulties that

¹³ Crossrail Information Paper D12 Ground Settlement, <http://billdocuments.crossrail.co.uk>

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I have encountered, and others may well have encountered, is the different use of language to apply to the same thing. When somebody talks about a listed building assessment, it may not be immediately obvious to everybody, or perhaps to anybody but the most expert, that a listed building assessment is the same thing as a technical document on the grounds settlement. I think that certainly counts for some of my difficulty. I thought I was looking for a listed building assessment once I discovered such a thing existed. I just make the point—I am delighted that other people are not going to have these problems—there was not a copy brought by any of these assembled experts who had been considering this for some time and were coming to meet me by arrangement and under pressure for this hearing did not. I did ask for one, I did not get one. I wrote very courteously—I am afraid I do not have a bundle, but I do have copies for everybody of these letters and I am more than happy to put them in or give them to the clerk—to Mr Mantey on Tuesday morning of this week by email and did say it was urgent to remind him in response to his response on the building, which took eight days to get to us. Then being somewhat agonised about this because, as Mr Mould says, I have got a copy but I did not get it through any of the sources I got it—

10756. **Chairman:** I think you made that point.

10757. **Ms Symes:** Crossrail spent eight days re-assessing the listed building but did not yet provide the original one. That is the background. Let us look at the substance. It might be helpful just for the moment if we had jpeg 8 up. I have these copies because I want to refer to the diagrams in the listed buildings assessment, if I may. I did include this in a list of documents that I supplied, but I have brought copies for everybody if they would like to look at the diagrams that they may have already seen in another context. We are talking about the settlement analysis summary which is on page 395. I know you will have seen this in copies of other building assessments. On page 395, you see the starting diagram which looks at a building.

10758. **Chairman:** Can you pause. Just for the record, the document we have got is A 120.

10759. **Ms Symes:** You have got a building like a box and then we did tunnels underneath it. The settlement is more or less instant over the next day or two as the tunnels are dug up. A box like the building and it is the intention it will drop and you will see this in the following page, 396, and the building in the mid-trough will sink.¹⁴ The key points I want to make is this settlement analysis is not adequate for this building and it is misleading. It is misleading as regards to the environmental impact in particular on the built heritage, in my view. I will go on to spell this out later. It is misleading as to economic impact. Two points. Why is the settlement

analysis, in my view, misleading and then why does this change? Why does the impact itself underlie the economic environmental assessment? I have heard the record of Tuesday, so I am going to be very brief and what was put on the record *re* settlement. I really am trying my hardest not to repeat what Mr Wheeler said to you. We are not dealing with an individual building. We are dealing with series of joined-up buildings, as we showed you on slide one, a terrace, and you need to look at how they all act together. We have not one but two tunnels and if the settlement happens, how it impacts on any particular building or terrace of buildings depends on how those tunnels and the order in which they are dug. This is particularly important when we look at 19 Princelet Street because we do not a nice rectangular box in this diagram, if we were able without inconveniencing you to go back to picture 8 of my images.¹⁵ We have a long thin building with different strains acting on different parts of the building. Imagine replacing the box by this picture, a big, high, tall heavy box in the front and a light, smaller box but with a different structure stuck on the back of it. In the rear, we have a very brittle cast iron structure, which has low tolerance and does not act like bricks. As the tunnels go under these two different elements, the two different elements of the building will react differently. They will move differently and, as for the tunnels, I do not know the answer to this question, if the tunnels are going under however slightly at two different times, then this is going exacerbate the strain that is already imposed by the impact on two different parts of the structure. To put it mildly, they will exacerbate strains and, of course, 19 Princelet Street is not in mid-trough, as these diagrams show, but it is on the part of 19 Princelet Street in fact on the hogging or the shoulder so that will move differently to the other part of the building which is in the trough. They are different weights, they are very different. We have got a back that is much lighter than the front and it is of a different structure. I know you have heard this before, but just to make the point, of course all the buildings assessed by this method are treating this site as greenfield site and it is not a greenfield site. We have a site that is full of all sorts of odd old buildings and even all sorts of old tunnels in odd places under these buildings so this may be extreme, but it is a bit like testing a sun protection cream at night. I can assure you to my heart's content it will stop you going red, but if you tested it at night it may be meaningless or perhaps dangerous to rely on that assurance. So what are the implications of this listed building assessment? First, my point is it was inadequately assessed in the first place. It was only after months and months of pressure that really almost at the last possible moment, 30 May this year, there was an inspection of the building and then there were eight days of reassessment. That raises for me at least two issues. How that incorrect assessment then feeds into the environmental impact assessment which we and you need to consider, and also, given what happened on just this one building,

¹⁴ Committee Ref: A120, Crossrail Line 1, Listed Building Assessments Document Settlement Analysis Summary (SCN-20060615-001).

¹⁵ Committee Ref: A120, Cross-section of 19 Princelet Street (TOWHLB-15605-008).

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what perhaps the implications may be for the many others, 30 or so, historic buildings on this alignment. That moves me on, if I may, to the second heading that I started with and that is the Environmental Statement itself. Now the environmental assessment does say no building scores a 3. Now it is a wonder, it does. On the reassessment, which we saw last thing on Friday night, it does. How does this change the overall environmental assessment? I am certainly not competent to tell you that on the time I have had available to me. I have not even had the time available to me to get my own advisers, experts and my structural engineers to look at the Crossrail response, short as that may have been. We got this on Friday night. I did not have then available to me to show them the original assessment which they were commenting on; we needed the two documents together. Now, let us remember, this is not an unknown building. It has not just been discovered. It is been around for a long time. The changes were made in 1869, it is on a listed buildings register and it is on the buildings at risk register. It has an international reputation. If you go and switch on your computer at home, you will find hundreds and hundreds of mentions of it. You will go straight to the 19 Princelet Street website and if you did not know it, it could not be easier if you were looking for it. It is www.19princeletstreet.org.uk. You look on the website and straightaway you will find this cross-section diagram on our website, freely and easily available to you. I suppose I might add that I think the awareness of 19 Princelet Street through the media and word of mouth London-wide is perhaps higher than local awareness of the proposed tunneling and station strategy for our area. I have to say that the experience we have had would undermine, I am sorry to say that, the assessments of all the historic buildings on this route affected by this route and it undermines not only the historic buildings assessment but the environmental impact. I think that is clearly demonstrated. I know we had hand-waving statements there would be no more than hairline cracks, but, frankly, hairline cracks are serious in these fragile, historic buildings. That statement about the hairline cracks was made in blissful unawareness of the cast iron structure, which you see so clearly demonstrated on this diagram, which I downloaded from our website where it has been for many years.

10760. **Chairman:** We have all got the point it is a very fine building indeed and the assessment is, in your opinion, wrong. What do you want us to do?

10761. **Ms Symes:** I will come on at the end, if I may, about what I want you to do, but I have some other points about the environmental impact assessment that I would like to make. It is not only that the assessment is wrong, it is that this has implications for the assessment of other buildings, it has implications for the environmental impact assessment upon which judgments of this route or other routes need to be made. It is not just a self-contained issue. It carries forward to all the analysis of this route and other routes because when the

environmental impact conclusions are drawn, they are being drawn on fundamentally flawed information.

10762. **Chairman:** I understand the point you are making. We know this, we have had the evidence already on this. What I want to move you to is your case and your building.

10763. **Ms Symes:** That is exactly what I would like to do. Having made that point that this is a general issue as well as an individual one, I would like to then say something about how we have seen here this one case affects the information that we have all had provided to us about the economic impact in this area of this proposed route. The implications of this problem would be far less on the Woodseer 2 route, as I know you have heard. This economic impact analysis which has had to be done on this very large project has to take into account the evidence that is provided to you on the economic impact analysis and provide evidence on the direct cost and the indirect costs and benefits. That is what the impact analysis is about and I know you understand that. It looks not only costs to the Promoter but it looks very rightly and properly at the costs and benefits to the local area and the London economy. That is what all the calculations about the jobs and regeneration and so forth are about. What we have identified in here, in my opinion, is a set of extra costs that have not been foreseen or included in those assessments. Apart from us, these are costs that are likely to fall on many individual buildings. Let me be very clear: I am not making the point you might be expecting me to make about compensation. That is not what I am saying, I am not addressing that heading. I completely understand that is not a matter for this Committee. What I am making is a point about the economic costs and benefits that an important element in informing your deliberations and this issue of public policy. As a former Treasury official myself, I would simply suggest to you that a rounded economic assessment will always look carefully at the economic costs and benefits to the many individuals who are aggregated up to form an area or a city. That is exactly what the Promoters' expert consultants have done. I am not questioning that basic methodology, not for one instant. That is the exact basic methodology that the Promoters' expert consultants have done. They have looked at businesses and looked very properly and rightly at black and minority ethnic businesses as a special case, at the visitor economy very carefully for very good reasons. I am not commenting here on how well that has been done; I would like to because I think there are some doubtful assumptions knocking around, but I am restraining myself from doing that. The point I am making is within their methodology what they seem to have redacted or some really large forecast that will fall upon householders in the black and ethnic minority community and in all communities in this area. These are people who have to spend many preventative measures or repairs or both and though these will cost more privately, they are costs that need to be taken into account in any

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proper assessment. That is the case whether it is a balti house, a bagel shop, a Bengali business advice centre or 19 Princelet Street. Some of those costs are important to us because they make it more difficult to raise funds for the works we need to do and they make it more difficult to raise funds to spend on things like surveys and monitoring and so forth. This is true when you look at all costs to householders who are affected by this sort of issues, whether they are Bengali families, Punjabi families, Palestinian-Jewish, white-English, white-French, that is just to name the handful of people who live on Princelet Street. There is a much bigger, negative impact on the current route of alignment than is included in the assessments. I am not going to quote a lot of specific evidence which I could quote from the technical note of June 2006 which I read in the Crossrail exhibits and the London Borough of Tower Hamlets exhibits from their evidence. I think the counsel for the Spitalfields Society, when he was looking very carefully at those paragraphs, made a number of extremely strong points on Tuesday. He picked up a number of bullet points and said they appeared to him or to the Spitalfields Society to be objective or fair comparisons; I could not agree more. I think he demonstrated when these comparisons, the impact assessments, the economic environmental impact assessments, of the two routes are made and compared, they should be made on an objective basis and compared on an objective and fair basis. I agree with him very strongly. There are other criticisms I could make about the accuracy of these comparison between Woodseer 2 and Hanbury that counsel did not make, but I know we are short of time and the points he made are compelling in any event. They are more. What struck me there was what that Mr Berryman, under examination by counsel for the Society, said very clearly, and I agree with him, that there are different kinds of listed buildings. Christ Church has more sensitivity and a more rigid structure. As the implication of what he says there, and I note Mr Elvin made the point more strongly and very explicitly this morning, was it was important to avoid Christ Church. Mr Elvin said, if I have him right, that there was a real concern to avoid Christ Church, as a Grade I building, because it has, presumably based on what Mr Berryman said, sensitivity and a more rigid structure. That is equally and clearly true in our view in of 19 Princelet Street. Mr Berryman went on to say not all listed buildings are the same. He is absolutely right, not all listed buildings are the same. That is what I have been seeking to demonstrate. The assessment of settlement assumes that they are all the same. That is completely inconsistent with Mr Berryman's own work. It is not just one special case, Grade I Listed Christ Church, another special case, Grade II Listed Brick Lane Mosque, another special case Grade II* Listed 19 Princelet Street. I am sure they did not split the difference between a Grade II and a Grade I, "We will not go on then, so we will go on to a Grade II*", I am sure that did not happen. They are not just individual structures, they are all different and all the other historic buildings on and affected by this route are different, every other house on this terrace is

constructed differently and will react differently and then they are joined up together and those reactions will be different. The implications of that for the environment and the heritage and costs for the economic impact are not adequately reflected. Mr Berryman also said in his evidence on Tuesday, the listed building is clearly relevant and he said, I do paraphrase him, there being a lot of time spent with English Heritage on talking about this process. I have been trying to get to the bottom of this process, doing consultation with English Heritage, which is what Mr Mantey referred to in a covering letter to me on Friday night.

10764. I have been really pressing on it and trying Mr Mantey's patience and he has been very good and very kind, and yesterday evening just before I had to leave and fly over here to hear your deliberations last night, Mr Mantey very kindly located for me Ms Myatt in Crossrail. I asked specifically because Mr Mantey said to me that there is a process developed in consultation with English Heritage, and I absolutely appreciate what counsel will say later, that this is set out very clearly in the Information Paper at paragraph 7.5 of IP D12 on ground settlement.¹⁶ I have got that now, I have looked at it and I said to Ms Myatt, "I am not quite sure and I just want to be quite clear I have understood it. What exactly is this process?"

10765. **Chairman:** Ms Symes, I want to give you an opportunity to refresh yourself because we are going to pause for 15 minutes for refreshments and that might give you a moment to reflect. We will be back at 11.45.

After a short break

10766. **Chairman:** Ms Symes?

10767. **Ms Symes:** I was just mentioning Mr Berryman's evidence on Tuesday which I was able to hear on the webcast, sitting in Spitalfields. I will not bang on about the process developed in consultation with English Heritage, it is too long, but I was very kindly told about paragraph 7.5 and that that was the place in which this consultation with English Heritage was recorded and there was not any other document which explained how this assessment process had been developed in consultation with them; this is it. I would just say, looking at 7.5 of the Information Paper D12 on ground settlement, that it does seem to me to say no more than that Crossrail, having worked out the process which they planned to use, told English Heritage of the process that they planned to use and then they applied it. Paragraph 7.5 does not seem to me then to say any more than that, that "English Heritage will also be consulted in relation to buildings where they would normally be notified or consulted on planning applications or Listed building consent applications". Now, that is what 7.5 says, and I have tried my best to understand what that means, whether they will only be consulted

¹⁶ Crossrail Information Paper D12 Ground Settlement—Listed Buildings, <http://billdocuments.crossrail.co.uk>

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where they would have been consulted anyway, so there is not any extra consultation process or whether it means that the Listed building assessments which have actually been done and completed will be sent to English Heritage so that they can have a look at them, and I have not been able to establish which. I have asked the direct question. As I understand it, English Heritage are not being shown Listed building assessments and asked for their opinion on it, but they have only commented on the process as a whole and, therefore, English Heritage themselves have no idea the extent to which the process is being applied properly, fairly, thoroughly or accurately in particular cases.

10768. **Chairman:** Perhaps Mr Mould will deal with that particular question when he responds.

10769. **Ms Symes:** I think there are a number of other points, but I just want to say that I agree with Spitalfields Society's counsel making clear that there are a number of other places where a proper assessment simply had not been done, for example, on the need of moving heavy goods vehicles and the implication for other site users. I agree with counsel for the Society that that reflects a lack of thoroughness in the report.

10770. I would just pick up one other inconsistency in that technical note which compared two of the several available alignments. Looking at the disadvantages of Woodseer 2, there seemed to me to be no reference at all to impact on Listed buildings or any community centres or cultural sites, but I had thought I had heard Mr Berryman say in evidence on Tuesday that that particular alignment, and I know there are a few alignments, but I just mention Woodseer 2 as an example, that that route would go under some Listed buildings, so that has really left me confused because I could not find that in the technical note. I think that counsel for the Spitalfields Society did seem to me at least to demonstrate that there are a really key number of ways in which just on those two options alone there was no real difference.

10771. There are other serious deficiencies in the environmental impact assessment which was required under the European Directive and these have been brought out already by others. I thought Roy Adams also made some very powerful points. He used the word "retrofitting" and he criticised very severely the fact that the choice of alignment appeared not to have been, and I think he is right that it clearly has not been, properly informed by any options appraisal.

10772. I will not grind through all of those deficiencies, but just in summary on noise, I do not think that claims about noise are supported. Not only counsel for the Spitalfields Society, but I did read the transcript of, for example, Laura McCracken some weeks ago which seemed to me to make the same point, that the Promoter has not provided the key data which would allow people to

really work out what the impact would be. When they talk about 40 decibels, I certainly do not really understand whether that is a kind of average across different types of layers of buildings. How would that differ between the attic of a building like 19 Princelet Street and the basement of 19 Princelet Street? I only learned this morning, and I am delighted to learn it, that there is a lower standard of a maximum, not a desirable standard of 25 decibels, but a maximum of 25 decibels for concert halls. I think this is something I would have liked to have been in a position to know because clearly in the basement of 19 Princelet Street, it is a quiet place, a spiritual place, a place for spiritual reflection, and indeed a place where recordings happen, which are very different in nature and quality from the kinds of recordings that Mr Serota was talking about this morning, but this is the site of a building which is regularly used by the BBC, by cultural programmes for interviews and recordings with leading artists, writers and academics from the black and minority ethnic communities in this country. It is a core site and, just as somebody might go to the Tate Modern to do something on modern art, this is a core site where you might have leading professors and writers from black and ethnic minorities to be interviewed for programmes, so I would have liked to have known about the 25 decibel maximum and I am not in a position to be able to comment on what the implications are for us because I did not know about it before. I would have liked to be able to and I think that an opportunity should be made for us to know precisely what the predicted decibels would be in this very spiritual and reflective place used for recordings, so I want to reserve our position on that.

10773. Finally, I am left feeling that I have only understood the standards which Crossrail aim to achieve. I understand that they aim to achieve them, but I cannot really see real predicted outcomes, nor precisely what mitigation measures would be deployed in particular cases to achieve the desirable standard, so that there is an aim to achieve a desirable standard I absolutely accept, but how that is to be achieved and how we will be in a position to test whether it will be achieved rather than leaving it too late to deal with it if it were not achieved is something I do not know the answer to and I would like to know the answer to it and I think we should know the answer to it.

10774. Then on the cultural heritage, which is an important part of the environmental impact assessment, our contention is that the twin tunnels under 19 Princelet Street put the building and the operation of a major cultural attraction, a visitor attraction and cultural attraction, at risk. I am not accepting that the building is not jeopardised, but even if the building were not jeopardised, the stabilising measures that the Promoter has at the last moment proposed would make it impossible for us to operate during that period. It would not be possible and we would be closed. We could not operate, we could not open, we could not function, and that matters and it matters not only just to us,

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to our area, but this is a very, very sensitive time in this city and this country for community relations. Whatever our individual views are on refugees or immigration or multicultural and diverse societies, it does seem to us, wherever you stand on those issues, that we do all need to appreciate what there has been in this country and that is why these issues of understanding the history and presence of immigration and refugees and diverse societies are a core element of citizenship education for all our children today, so this plan is putting a vital educational and community resource at risk.

10775. Then I say that the economic case is weaker than claimed and not only is it weaker than claimed for the reasons I have already explained, but it does not look at the long-term impacts. Now, I am not here to argue against the principle of Crossrail, I am not doing that, but that does not mean to say that I am satisfied with the overall merits of Crossrail as a solution to the identified need for a cross-London line. I am not saying that, but if Crossrail is going to happen, then it is absolutely essential that the assessments of impact and comparisons with options are fair, transparent, impartial and thorough. That careful weighing up of costs and benefits, that complicated trade-off between the economic, the environmental and the engineering criteria, those are precisely the job for you, as policy-makers, and the weighing up of the costs and benefits and trade-offs is not the business of the technical experts. The technical experts provide you with good evidence on which to make those complicated and difficult judgments. My argument throughout is that very important elements in the evidence which has been put in front of you are, and I put it as kindly as I can, seriously inadequate.

10776. That, I think, applies also to the claimed regeneration benefits and I think too that those claimed regeneration benefits are significantly overstated. Mr Galloway made those points with very great passion yesterday and I agree with him. I have a couple of points to add to what he said and I will not repeat what he said. Firstly, the opening up of better-paid jobs in Canary Wharf for young people from the very disadvantaged black and minority ethnic communities of east London, it really is not about transport links, but it is really fundamentally, on the one hand, about the skills and education of those young people and, on the other hand, it is about the attitudes and understanding of potential employers, not about easier and slightly quicker transport. In practice, it seems to me that any benefits are likely to be counterbalanced, if not actually outweighed, by bringing more white collar workers in and out of the area from outside and that has knock-on consequences and these are acknowledged, and I accept that they are acknowledged in the report—

10777. **Chairman:** Ms Symes, if I can just stop you for a second, I do not know whether this is straight from your Petition, but what we would like to do is to get to the nub of what you want us to do, if we can

get to that. Mr Galloway made those contributions last night and I talked about repetition at the beginning of the hearing and we really do not need to listen to that. Perhaps I can just say at the outset before you return to your contribution that there is nobody on this Committee who does not value the contribution which the migrant and refugee community makes in this country, most of all me. I am very, very supportive of the contribution that is made, has been made, is being made and will be made in the future and that is a common position with all the members of this Committee of whatever political persuasion, so be assured of that, and perhaps you could get to the nub.

10778. **Ms Symes:** I am very grateful for what you say and I am very close to drawing the conclusions that I would like you to listen to, but I do want to explain properly the arguments on which I am basing my request to you. I do think the two points I have just made are actually distinct from the points which Mr Galloway made yesterday and I did not intend to repeat him and I hope I did not.

10779. **Chairman:** Let me say what I said to Mr Galloway last night. This Committee is charged by Parliament to see this Bill and its report through which will then go back to Parliament for it to decide whether or not the Bill proceeds. Parliament has already decided on the floor between the pros for Crossrail and the cons against Crossrail. The Bill will be a good Bill because the House has found itself that Crossrail is good and we cannot stop Crossrail; it is not within our powers to do so.

10780. **Ms Symes:** I am sorry if I was not as clear as I should have been and I really do apologise to you. I tried to be very clear that I am not arguing against the principle of Crossrail. I am not. What I am giving you some supporting arguments on is my point that, in making the hard decisions, the trade-offs between economic, environmental and engineering criteria, these are not about the principle of Crossrail, but about the hard choices to be made about a particular alignment east of Liverpool Street Station, and the choices of that kind are the choices that you are in a position to influence and those choices, those trade-offs, that weighing up of the costs and benefits not just of the principle, I am not talking about that, but of whether you go on the current preferred alignment, whether you choose the southern route or Woodseer 2, it means there are trade-offs involved there. There are costs and benefits of different options and that is accepted by the Promoter and it is accepted by the Promoter in his case.

10781. **Chairman:** Then, if I could ask the question, if it is not to be the present alignment, what is your suggested alignment? Mr Galloway yesterday said the river alignment which has been discounted.

10782. **Ms Symes:** I am not making a suggestion of an alignment because I think it is not possible to make a carefully considered, properly justified

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suggestion on the basis of the evidence that has been put before you to date. That is my point, so I will move on from that.

10783. **Mr Binley:** Mr Chairman, might I, through you, say that I am becoming not less confused, quite frankly, but slightly more confused and I do not think that that helps your case and I genuinely want to help your case. We have found over some considerable time now that where we know what we can do to alleviate or help with a problem, on sizeable numbers of occasions that has been put to the Promoter and the Promoter has tried very hard to come up with a response to that which is positive and helpful. Therefore, what I want to do is ensure that you have that opportunity and it would be helpful to us, I think, if you said that you recognise the value of (a) the work, (b) the building and the difficulties particularly of the place you work in, and all of that background we recognise because we are involved in that sort of argument every day of our working lives as politicians, so we have great sympathy with you. What we would like to do is to help you continue to do that work by your telling us what you would like the Promoter to do. If you can genuinely come to that, I, for one, would be very grateful.

10784. **Ms Symes:** I would like to do that. I want to make some serious points about the quality of the information. I will say quite clearly, and I am very grateful for what you have said, that I do not think that the alignment which is currently proposed is the best alignment. I think there are very serious consequences which have not been properly considered. What I was not doing, very carefully not doing, was saying that I am in a position to say that my preferred alignment is this, this or this. The reason I am not in a position to tell you my preferred alignment, and my preferred alignment is very certainly not the currently preferred option as I think that is a very bad, improperly and not carefully assessed option and it is not the option—

10785. **Chairman:** We are grateful because we have now got to a point where, in line with some earlier Petitioners this week, the case is being put about a re-evaluation. Their case is that the re-evaluation will have to be made to various routes which have been discounted together with the present route. We accept that and you have made that point along with others, that re-evaluation perhaps should be made in the light of evidence which has been given. Now, you have made that point, as I say, and other Petitioners have already made those points, including in part of the presentation yesterday of another Petitioner which has been referred to, so now can we move on.

10786. **Ms Symes:** Yes, I am about five to ten minutes at the most away from finishing completely. I think these thorough evaluations and re-evaluations to which you refer need to be very clearly appraised, they will need to be based on assessments of the environmental and the economic impacts as well as the operational and engineering, and they

need also, and this is my final point before I conclude, to be sensibly informed by the equality impact assessment which is a Department for Transport statutory requirement. Now, the race impact assessment and the equality impact assessment are still under way. I accept, and I welcome, that these should be ongoing processes, but what I criticise on those assessments is that it looks as if the two assessments really have to date been conducted in an inadequate manner and, therefore, when re-evaluations of options are made, careful appraisal, careful assessment and cost:benefit analyses are made of a range of options in the future, then these need also to be informed by, not determined by, properly conducted equality impact and race impact assessments which I do not think they have been to date, and those assessments need also to have laid down for them principles of monitoring and evaluation of the assessments themselves, and I think that is very important.

10787. I think it is very important in continuing work on those race impact and equality assessments, because race impact is only one element of an equality impact statement and they include other things like gender and disability, and, as the work continues and I think some urgent work needs to be done to inform decisions about changes of options, the Promoter consults not just more widely than the local community as I know that point has been made, but with organisations other than the CRE which has been mentioned a lot. There are organisations in the area with expertise. On the proposed route itself, the Runnymede Trust, the oldest institute for race relations in this country, I would like to see them really actively involved in the further deliberations under those headings.

10788. Looking at what has happened, and I very much welcome that there has been a reassessment of the Pedley Street waste removal option, it has demonstrated to me at least that the work of this Committee and the consultations which have happened have really had an impact. It demonstrates that supposedly immovable obstacles have been overcome even after considerable resistance and, therefore, it seems to me that if the Committee in its work is well informed, as it deserves to be, by experts and is resolute, then other supposedly intractable obstacles could also go.

10789. So that is what I want. I want you to be well informed, as you deserve to be, and as we, the taxpayers, deserve to be. I want you to be resolute and firm. I want a fundamental back-to-basics reconsideration of the route east from Liverpool Street Station. There are much better alignments and you have already seen some evidence on two of them. You have seen a couple of them, not just Woodseer 2, but there is the southern alignment as well. There are better alignments.

10790. This is not an argument about compensation, I am not making a point about compensation, but we want the most basic of agreements from the

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Promoter and that is for the Promoter to pay for Listed buildings, such as our own, to instruct their own experts, surveyors and engineers to complete condition surveys to inform these Listed building assessments and environmental impact assessments to make the comparisons.

10791. We want the Promoter to agree to very basic arbitration agreements so that, were there to be disagreements between ourselves and other buildings affected, were there to be disagreements about conditions or about the necessary preventative and protective works, I would like to see the same approach taken that is taken on the ordinary domestic party wall arrangements, that the Promoter will agree to pay for those experts and will agree to arbitration in the case of disagreements, and I also want the Promoter to cover the costs of the necessary interventions and protective works in advance of the tunnelling.

10792. All of that feeds into what I feel is the most important thing of all and that is the good public policy-making, that you should have before you really significantly revised assessments that compare the options against very clear criteria, operational, engineering, environmental and economic, and that you are right to insist upon properly conducted, fundamentally revised and thorough assessment. That is what your work deserves and that is what all our communities deserve.

10793. **Chairman:** Thank you very much. Can I just say one thing to you before I call Mr Mould. Ultimately the arbitrators are here and following from the floor of the House and any subsequent debate which occurs and amendments which are laid, there is already in existence a mechanism for negotiation. If that fails, we are always open to asking, as a Committee, for correspondence with the Petitioners for their ongoing views about the situation. I do not want you to come back to elaborate, but we will do that after Mr Mould has made his contribution. I am just saying that there is a mechanism there where this Committee remains always open to any contact, but ultimately when we make our decision, it will be from the evidence which we have got from hearings like this, but also the written work which has been put forward in either the Petitions themselves or in correspondence which has been kept up between the parties, but be assured that we will take all of these things into account. Mr Mould?

10794. **Mr Mould:** Thank you, sir. I am also mindful of the Committee's request that we should avoid unnecessary repetition and many of the general points which have been made by the Petitioner have been addressed in evidence and in what we have said so far in relation to Petitioners in the Spitalfields area, and Mr Elvin will be presenting a closing submission to you later on today, all being well, in which he will draw together the threads of our response to those points, so I am not going to dwell on those now. I am going to come in a moment to say

something about the specific concerns in relation to 19 Princelet Street which is the Listed building that the Petitioner owns and occupies and in relation to which her particular concerns are directed.

10795. Perhaps I might firstly say this: that she mentioned the need for the ongoing consultative processes that are the equality impact assessment and the racial impact assessment to be properly informed by targeted consultation, that is to say, targeted at those organisations who are best placed from their experience and their interests to inform that process. There is nothing between us on that at all and I can tell you by way of example that she mentioned one organisation, that of the Runnymede Trust. The Runnymede Trust has been part of that process and will continue to be so, so we are targeting precisely the organisation that she suggests.

10796. The other point is this: that the consultation process on those matters is ongoing, as she says, and part of the consultation process involves us welcoming views from people who read these documents and want to respond on whether the consultation itself ought to be targeted in a different way, whether other organisations who have not been targeted thus far should be included within it. That is as much part of the consultation process as commenting on the material that is put out for consultation. If this Petitioner has views about that, then we would welcome her response on consultation in relation to matters of that kind. That is all I want to say about that. That is one of the things it is there for. That is all I want to say in general and I will turn now to the specifics and a few, very short points.

10797. This building, as you have heard, is a Grade II* Listed building. Its architectural and historic value to the nation is indisputable on that basis. You have also heard about the cultural value that is placed upon it and the uses to which it is put and you have heard that explained in great detail by the Petitioner. There is no issue about those matters whatsoever. The building is one which merits appropriate and most careful consideration in the context of the proposed construction of the Crossrail railway which passes beneath it to ensure that the building is safeguarded and protected, that appropriate measures are taken to assess it, to monitor it and to save it from harm during the construction of the railway. That is precisely what the Crossrail ground settlement process as it applies specifically to Listed buildings is designed to achieve. Now, one can argue about the fine details of that process and as to whether it needs to be adjusted on the basis of experience to take account of certain factors or not, but let there be no doubt that, insofar as that fundamental objective is concerned, there is absolutely nothing between the Petitioner and the Promoter.

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10798. **Chairman:** Therefore, Mr Mould, let me ask you a question. We had an earlier hearing about Stepney Church and I was just wondering whether you could make an offer similar to the one that was made there where one of the Petitioner's requests was that when an engineering impact assessment was done, it was agreed in terms of Stepney Church that that would be carried out by Crossrail because of the importance of that particular building. I wonder if you could give the same in relation to this.

10799. **Mr Mould:** Yes, one of the ironies of that case was that the impression was given perhaps that we were offering something more than we had previously undertaken to do. The irony of that is that we were simply saying that we would apply our policy to that building. We will apply our policy to this building.

10800. **Chairman:** Well, that is absolutely marvellous. Then we can say that the engineering impact survey similar to the one for Stepney Green can be done here?

10801. **Mr Mould:** Can I just explain very briefly the detail. As you have heard, this building was the subject of individual assessment as an important Listed building in accordance with our approach to it. That process identified it as being at a certain level of risk. Now, the Petitioners, entirely understandably, it is their building, they are concerned about it, they say, "We would like you to have a look at the building because we think there are certain features that we need to take particular account of and we would like you to review the assessment which you have made here at Spitalfields", and we did so. You have heard that recently we went on a site visit to the building and we did identify certain features and we took the view that the building merited a rather higher level of risk categorisation than had been attributed to it. Now, that is not the process not working; that is the process working. That is precisely what the process is designed to achieve. It is designed to enable through the process of including the Promoter's expert advisers, English Heritage, who, I can assure the Committee, have received the individual assessments for all the Listed buildings we have assessed along the route—

10802. **Chairman:** Did that include an audio assessment of whether in the basement area of this building it would be below 25 decibels?

10803. **Mr Mould:** Well, that is the noise aspect and I will come to that in a moment. English Heritage, as you know, are concerned with their statutory function which is to do with the protection of the nation's built heritage, of which this building forms an important part, so they have been consulted not only on the process itself, which they have not just been asked to look at, but they have positively approved as being acceptable, but they have been sent each individual assessment report for each individual Listed building which is affected which

falls within the 10mm contour which Professor Mair told you about earlier in the process. They have been sent that. We have not had, unless I am corrected, any expressions of concern from English Heritage that the assessment report that they have seen in relation to 19 Princelet Street is—

10804. **Chairman:** But the point I was trying to get to was that as it was sent to English Heritage rather than to this Petitioner, then it is unlikely that we would get it. What I am saying is that now we have sorted out that impasse, could we not now get the report directly and then perhaps we would see some of the concerns?

10805. **Mr Mould:** When you say "get the report", you mean the Committee would like to see the report?

10806. **Chairman:** Yes.

10807. **Mr Mould:** I am sure we could make the report available for the Committee, yes. The Petitioner has it, or the Petitioner has not had it, but we have made clear that the Petitioner can have it.

10808. **Chairman:** All I am trying to say is that if there are concerns after the proceedings to go back, you would agree, as in the case of Stepney Church, to have another look at it?

10809. **Mr Mould:** Yes, of course. Can I make this clear: if you remember, we talked about the deed and every proprietor of a Listed building is entitled to call for a deed and that deed includes a number of mechanisms for consultation, for the Petitioner in appropriate circumstances to engage the services of their own independent engineer to carry out an assessment and for Crossrail to pay for the costs of that exercise, so we involve the proprietor through that mechanism, we involve English Heritage, as I have explained to you, and we also involve the Borough Council, Tower Hamlets. Tower Hamlets have their own advisers in relation to historic building matters. They have seen all of these reports and they have had the opportunity to comment and to criticise. Sir, I hope what I am doing is to reiterate that this is an inclusive process.

10810. **Chairman:** Yes, okay. Now that we have got past that, we have got the agreement that they will get the report and—

10811. **Mr Mould:** If I am repeating what I said before, I apologise and I hope I will not have to repeat it again, but that is the position. The only other point I was going to make is that we are at a stage in the process, we have not completed the process, and you know that point, but this is a process of consultation. We seek to get to the level at which we are satisfied, along with these consultees, that the appropriate arrangements for assessment, monitoring and protective works have been

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identified for the needs of the building in question. I think I have probably overstayed my welcome on this, unless there is anything else I can help you with.

10812. **Chairman:** No, thank you. You have the last word, Ms Symes.

10813. **Ms Symes:** Well, I did want to come back on that because I do not think it does not show the process working, but it shows the process staggering and stumbling. It was under a great deal of pressure not from this Petitioner, but from other people that finally persuaded the Crossrail team to come and look at the building. I have brought with me a copy of the revised response, and I thought Crossrail would have provided that to you before, but I have copies for you. I do not think it is satisfactory. I do think that we must not lose sight of what has really gone on here which is that a great deal of information which was freely and publicly available over several years was not used in doing the original assessment and I think that does demonstrate, apart from the impacts on us, real flaws because sending a great pile of Listed building assessments out to busy, busy, busy English Heritage people, simply saying, "We're sending them to you", does not put any obligation or duty on English Heritage to respond by commenting on whether these have been thoroughly, properly or adequately done.

10814. **Chairman:** I understand that, Ms Symes. You have made your point and we have made it also in support of you.

10815. **Ms Symes:** I did want just to clarify two extra points. Therefore, English Heritage now have the revised assessment as well? I have got one with me for you if you want it. English Heritage have the revised assessment?

10816. **Mr Mould:** Not as yet, no, but we will make it available.

10817. **Ms Symes:** There is just a small point on this deed. In a sense what you are saying is that we can, at the Promoter's cost, instruct our own independent engineers and such other experts as we need to do to make our independent assessment of the consequences for this building of what is proposed and that there is some agreement, as I have understood what you have said about arbitrators if there is a disagreement between experts, that that arbitration is to come back to this Committee?

10818. **Chairman:** Ms Symes, what I have just enabled, I think, a little bit earlier on is a similar situation to what we had with Stepney Church, which is that the two organisations, your organisation and Crossrail, go away and consult and you will have a new opportunity to look at the significant importance of your building. What you requested earlier on, which was an engineering impact assessment, and what Mr Mould was saying is that that was already built within the structure of the arbitration—

10819. **Mr Mould:** The deed.

10820. **Chairman:**—but what he was giving a guarantee of is that yes, that could be done.

10821. **Mr Mould:** The deed procedure will apply in this case. I am not going to burden the Committee with the whys and wherefores, but it includes appropriate provision for the arrangements that you have just mentioned to me and which we mentioned in relation to St Dunstan's Church.

10822. While I am on my feet, forgive me for testing the Committee's patience yet further, but you asked me about noise in the basement and I said I was going to deal with that, but in fact, in my desire to sit down as soon as possible, I did not mention it.

10823. **Chairman:** Before you do, we have revisited this particular issue about lack of consultation time and time again. We have returned to it today about extra impact assessments, latest impact assessments, renewed impact assessments and all the rest of it. I really do think from listening today in this session, you should take away the general consensus from the Committee that we really do need not to come back and revisit this time and time and time again. We have had a policy that we should, with the Petitioners, make contact. Ms Symes, perhaps you would allow Mr Mould to come back just to give us a sentence on that and then we will proceed to deal with the matter which I asked him about which is the noise impact assessment.

10824. **Mr Mould:** Certainly. What I think we will do is we will have an audit of those Petitioners who are coming in the next few weeks and any that raise similar concerns in relation to the impact of the proposals in terms of settlement on Listed buildings, we will contact them in the way that you have indicated.

10825. **Chairman:** I think that is great, but I think you should do it for anybody. If they have got a Petition and the assessments have been done, you should just send them because it is my belief that if we do not do that we are going to get people turning up anyway and revisiting the whole of this issue and I do not think we should do. We should get the reports, if they are there, sent to them.

10826. **Mr Mould:** I can confirm again that is what we will do. All I wanted to say about noise was just to remind you that we have heard from Mr Thornely-Taylor on the issue which you mentioned earlier and the simple proposition is this as he has explained to you in evidence before, the design criteria that we have adopted for groundborne noise is one that we will build to and building to that criteria, his evidence is that will avoid, on the basis of experience, disturbing noise and vibration impacts on the occupiers of the buildings over the railway line, that is the position.

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10827. **Chairman:** What we did do in one or two of the cases was to send somebody down to do an assessment in the basement area of this particular property, that might be advantageous. Do you think that could be arranged?

10828. **Mr Mould:** You would like us to go and have a look at this basement?

10829. **Chairman:** Yes.

10830. **Mr Mould:** If Mr Berryman says yes, that is fine. He is the man from Del Monte.

10831. **Ms Symes:** With respect to Mr Berryman I want to be a little more careful if I may because going out to have a look at the basement does not quite reassure me about the care—

10832. **Chairman:** Let me reassure you. When I said he should come out and have a look at the basement, that is my language. I can assure you that Mr Taylor who handles these matters is a bit more thorough than that and be assured we will get that report to the Committee and we will consider that.

10833. **Ms Symes:** I would like to go a little further if I may not because I am not completely clear in my own mind precisely what an Engineering Impact Survey involves but I do know that there is a very complex range of very different specialists required for this building because I have been in consultation with them for some years. It is a very complex combination of people who are experts in construction, in structural engineers and then the noise. I do think it is absolutely essential that we have independent advice from the best possible people. As counsel said, this is extremely important building and it deserves the best possible experts giving it independent reports on all these aspects including the likely noise levels but not restricted to that and I do need to see that happen. The final point I would like to make and I am looking at Mr Mantey's response letter now is that words like "appropriate" do not reassure me, they certainly do not reassure me on the basis of what I have seen. For the Promoter to be left to decide alone what is "appropriate" does not seem to me to be satisfactory, certainly not on the basis of all the evidence that I have seen and read.

10834. **Chairman:** That is a factor which you have stated throughout and repeated. We have taken that into account. What I can say is that when this Engineering Impact Assessment is done, if you still at the end of that feel dissatisfied then you have every right to come back to this Committee, to write to this Committee and say you are unsatisfied.

10835. **Ms Symes:** It was clear from Ms Serota's evidence to you and there was, for example, an agreement reached on the best possible site for the sound engineer to be involved in making an assessment for both parties. That seems to me to be a very reasonable thing for us also to look to the

promoter to do and that might well apply. Rather than doing a process of let us get the Engineering Impact Survey done and then say we need something else and perhaps we can have another little add on and it does not look as if that really could fund this. That seems to drag it out and make things painful. Could we not on the basis of the experts that we have currently been using, with English Heritage's agreement and approval, to advise us on all aspects of our conservation that the promoter should pay the costs of putting together for us and for you a full and detailed careful report. I do think such reports are also needed for many other buildings to compare this alignment with the number of other alignments which do not represent the same issues.

10836. **Chairman:** Mr Mould, do you want to respond to that?

10837. **Mr Mould:** Sir, we have said what we will do in response to your questions. I have indicated our willingness to do what you have asked us to do and I am not prepared to go any further than that. That is adequate. Mr Thornely-Taylor is the Ronaldinho of the noise assessment world and he will look at this very carefully.

10838. **Chairman:** Thank you. Ms Symes, can I say that we have heard your request and we will consider it. Is that the conclusion of your contributions?

10839. **Ms Symes:** It is indeed.

10840. **Chairman:** Thank you very much for your attendance today. We will now call the Spitalfields Community Association, Jil Cove is the next petitioner.

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Mrs Jil Cove appeared as Agent.

10841. **Chairman:** Good afternoon Mrs Cove. Can I thank you because when we went to your area we met you and you very kindly stressed to us the importance of us traversing the route and that was most advantageous and I am very grateful to you because sometimes you miss things particularly when you go out to new areas and your argument that we should walk a small distance has been very useful to Committee Members because you drew light for us on all the arguments in your area so we are very grateful. I thought I would make that point again. Mr Mould, are you dealing with this?

10842. **Mr Mould:** I am, yes.

10843. **Chairman:** I wonder if you would like to give us an outline.

10844. **Mr Mould:** Yes, the Community Association was formed in April 1998 and its remit was to be involved in and participate in public decision making processes that affect the quality of life and

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working environments of people in the Spitalfields area. I understand it currently has a membership of some 185 members. The concerns raised in the Association's petition, I hope I am not doing them dis-service if I say, essentially reflect the broad range of concerns that you have expressed over the course of recent days in relation to Crossrail's proposals for the Spitalfields and Hanbury Street area.

10845. **Mrs Cove:** I have brought some photographs of the lorry route because I know the majority of the members of the Committee were not able to join us on our walk about. I would like to set the scene a little bit, as you can see my name is Jil Cove and I am secretary of the Spitalfields Community Association which arose out of a 15 year campaign relating to Spitalfields market. Our Membership is across the diverse community that we do have in Spitalfields and we are very pleased to be able to say that but because I am representing the petition on behalf of such a diverse community I am not going to be dealing with very specific issues but much more generalised issues in relation to a whole range of things. I will try not to repeat what you have already heard but I do not know what you have already heard because I have not been here so forgive me if I do cover some of the ground that you have already had discussed with you here over the past few days.

10846. I want to deal with this Petition in eight separate sections. They are dealing with Tower Hamlet's council, the Crossrail consultation, lorry routes and photographs, planning matters, pollution, the Health Impact Assessment and the conclusion, then I have a number of questions which I have set out, and will leave with the Committee, and which I will be asking Crossrail on behalf of the Promoter to address.

10847. Can I start off by saying that I am not here to have a long complaint about the Tower Hamlet's council, but I have to say that many of us are bemused by the council's approach to Crossrail's plans for Spitalfields and Whitechapel. They have never explained to us what the benefits of the Whitechapel Station will be in the way of being of benefit to local people, or why moving the intervention shaft from Hanbury Street to the Woodseer Street site would again be of any benefit to the local people. We have been told consistently—the only thing that we have been told about Whitechapel—is that it is to regenerate the area. We recognise the need for regeneration, and particularly in the market area because it does need some help, however, our experience in Spitalfields of regeneration—I am talking generally here because Whitechapel is part of Spitalfields as such—is that it very rarely benefits local people. It is mostly of benefit to our very rich neighbours in the City of London and a lot of people feel very frustrated and very angry about the amount of money which is being put into Spitalfields on the basis of regeneration.

10848. If the Whitechapel area is to be regenerated we would suggest that it is much better that it is done with the consent and involvement of local people and using some of the millions of pounds that Tower Hamlets has in its coffers from planning gain money which over the years they have accrued, which we do not believe has been spent to benefit of local people. We would rather they did the regeneration of Whitechapel in that means rather than other devious means by trying to get Crossrail to regenerate the area themselves.

10849. The council's suggestion of a re-site from Hanbury to Woodseer Street for the shaft presents people in Spitalfields with exactly the same problems as would be if it stays at the Hanbury Street site. Those problems are related to traffic, noise, dust pollution and the impact on health, et cetera. As I said, I am not here to have a moan about the council but it does need to be said that we sometimes feel that we have been trying to argue this case with one hand tied behind our backs because the council have not been specifically helpful to us.

10850. Firstly, for about 12 months they forgot to pass on the contact details of the local interested groups to Crossrail. It was only when they were reminded that they suddenly remembered that they had forgotten to do that.

10851. Secondly, they have chosen never to arrange any public meetings to talk to local people about the impact that Crossrail could possibly have on our community. They say it is not their job to do that because it is a question of Crossrail doing that, and it is not their project and why should they get agro from the local community.

10852. **Chairman:** Mrs Cove, before you go any further, I think every single person in this room has had some kind of problem with their local authorities. It is not in the remit of this Committee to deal with complaints about local authorities. If they really are not doing their job there is only one recourse which is locally. I know that might sound frustrating, but every single Member of Parliament who is on this Committee has to cope with that every single day of their working lives. It is a problem. You have made your point but it is not something we can deal with.

10853. **Mrs Cove:** I do understand that, Chairman, but I have got two more points with regard to the local authority before I move on to Crossrail.

10854. **Chairman:** That is not to say that all local authorities are like that but there are some who for their constituents they are not compliant.

10855. **Mrs Cove:** Let me say then that the council supported wholeheartedly Crossrail's plans to tunnel from the Hanbury Street site until such noise was made by the local community that they eventually commissioned a report which made Crossrail change its mind. We are very pleased that

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you say that idea of the whole questioning of tunnelling from Spitalfields seems to have gone on the agenda. We are very pleased with that reaction that we eventually got from the Tower Hamlets community, but we do not feel that they have represented our views in any way, shape or form but on a personal level I am not unduly surprised.

10856. Moving on from that, I do appreciate that the Spitalfields Community Association has not perhaps been as actively in contact with Crossrail as other community associations or other local organisations and groups have been. No doubt—I have heard this morning—that you will have heard many complaints about Crossrail’s means of consultation. Certainly we, in the Spitalfields Community Association, do not believe that we have been properly consulted. What has happened is we have been told what is going to happen and that this is the best possible option that Crossrail can come up with. They have never taken any account of the issues which have been raised with them. There has been some misinformation given by Crossrail on the basis that until quite recently the Hanbury Street site was only ever described in their publications as a ventilation and that was even when it was going to be a tunnelling shaft and an intervention. Now at least it is recognised that it is an intervention shaft and a ventilation shaft.

10857. I have to say that although we do have a nominated Petition negotiator, unlike Susie Symes before me who praised the negotiator, I am very, very disappointed because I have had no pro-active action or contact with him apart from the receiving the response to our Petition which I got on 9 May. That was seven months after we launched our Petition. That response provided some really fascinating technical information, for instance, like how the concrete spraying in the tunnels is going to be done and which road traffic Acts are going to be implemented or amended to allow for the lorry routes as such. What they failed to include was useful information which would be a map of the lorry routes and a description of the lorry routes. I have been in contact recently about another document, the Health Impact Assessment, and I will be coming back to that. Eventually I got a copy of that on 23 of May, but unfortunately it did not have the supporting documents with it. I got piles and piles of stuff from the internet which was un-requested information and eventually yesterday at just past one o’clock I got the supporting document from Crossrail. Unfortunately I have not been able to make an assessment of the relevance of that document because of the time it arrived.

10858. It seems to me that the information that Crossrail have provided us with changes as you go along. I was here on 23 May when Patti Singleton presented her Petition on behalf of the Hampton Court residents. I heard Crossrail’s response to her was that lorry movement in Durwood Street would be halted between eight o’clock in the morning and nine o’clock and three o’clock in the afternoon until

four o’clock to allow the safe passage of children to and from school. I see from the information provided by Tower Hamlets that Crossrail are now offering only to stop the lorry movements between 8.30 and 9.00 and 3.30 and 4.00. I do think there is some issue here about them changing their minds.

10859. Secondly, in the Crossrail response to me they told us that the lorry movements in Spitalfields would be 27 a day, but in the information received from Tower Hamlet’s exhibits I see that has been reduced to a maximum of 16 a day. We welcome that reduction but what I am saying to you is that as the information constantly shifts and changes we do not know what action to believe.

10860. **Chairman:** Can I say, I appreciate the difficulties that are been experienced because in relation to the school and the road closure that came up again yesterday. It is the same time that was outlined at the beginning and remains that, which is 8.00 until 9.00, but there is consultation which is ongoing with the school itself about timescales that are beneficial to the school. I do not think there has been any change in that at all. In relation to the lorry movements, I think it is 15 a day rather than 16. Again, that was dealt with yesterday. I think the changes in that were arrived at because of the change in the circumstance of the amount of waste which was going to be moved from that site. We did discuss this when we went on a walk around that journey when we were there and I remember having a discussion, and the feeling was that the timescale for lorries on that route could be anything between five and six years.

10861. I checked that out and have subsequently raised a number of queries to that and it is a maximum just over two years and it is 15 lorries a day. It may drop in the course of this down to as low as one wagon a day, but I am sure Mr Mould will refer to this when he responds to your queries. I accept the frustration at not being kept fully informed is a thing that has been ongoing throughout the whole of the Select Committee hearing. It is a matter we are concerned about.

10862. **Mrs Cove:** Chairman, thank you for that, but the very latest information which I have got which is a graph that I got yesterday with the supporting documents shows the process will go on over four years.

10863. **Chairman:** Mr Mould will deal with that, I am sure, in his response to some your queries. Can we move on?

10864. **Mrs Cove:** Just before I finish with Crossrail, can I just say that when I was leaving the Committee room here on 23 May, I heard the chief executive officer say to one of the barristers “We will make it up as we go along”. Obviously I do not know what he was referring to at that particular point, but from

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our perspective that is exactly what it feels is happening with Spitalfields and the Crossrail contact.

10865. **Chairman:** That is hearsay. You made your point. I know the chief executive officer and I do not think he is a man that makes it up as he goes along. He has got more concern than that. He may have been referring to something else. We cannot accept that. Your statement is on the record but we cannot accept it.

10866. **Mrs Cove:** I was saying that is how it feels to us, that they are making it up as they go along. Can I turn to the alignment routes, and, as I say, I know some of you have been on the route path but because the majority were not able to join us—

10867. **Sir Peter Soulsby:** Can I just interject to say although some of us were not able to go and make the entire tour, some of us have been back in our own time and had a look at the area.

10868. **Chairman:** It is not just the single member here who was on part of the tour, there were also other members who have told me that they have been back to the area and walked the area.

10869. **Mrs Cove:** Chairman, I did not know that when I was preparing my presentation and I do think I need to be allowed to present my preparation to you so that I can feel confident when I go back to my members I can say that the Committee did hear all the issues that we wanted to raise. I said at the very beginning I do not want to repeat myself but I do appreciate I do not know what you have already heard, what you have done, where you have been or what you have seen.

10870. **Sir Peter Soulsby:** In case of any misunderstanding, I was not trying to do anything other than be helpful, just to explain to the Petitioner that we had shown an interest in the area and we have seen the area and walked the area and tried to prepare ourselves for the hearing and what the Petitioner has to say to us.

10871. **Chairman:** The reason some members have gone on their own is I regaled some of the members who were not able to be on the site visit that particular day and subsequent to that they have been back and told me they have been to the area themselves. This is why we refer to that.

10872. **Mrs Cove:** Thank you. If I can perhaps then turn to the photographs, just a preamble to that by saying the streets in Spitalfields, as you will have already seen them, follow ancient patterns and by and large are very narrow with narrow pavements, they are heavily congested and very difficult for pedestrians. Unfortunately, you might not be able to see the photographs, because they were taken at six o'clock on Sunday because it was the only time my friend could come out with a digital camera. Already we know heavy lorries find it extremely difficult to

manoeuvre around through the parking arrangements and the tight corners. You can have 20 minutes or so of entertainment by watching these lorries trying to manoeuvre and particularly the stretch limos we get around the area trying to negotiate on these very tight junctions. These photos I want to show you are proposed routes that the demolition lorries will use to get into the construction site and out again fully loaded. Can I have the first one, please.¹⁷ This is the junction of Greatorex Street and Whitechapel Road and I think that even those of you that did come on the walkabout might not have seen this junction and will probably notice how very tight it is.

10873. Can I have the next one, please.¹⁸ This is the Greatorex Street looking north and again it shows very clearly how narrow this street is. Fortunately, it is one way from the way the car was going in the last photograph, going north.

10874. The next one, please.¹⁹ This is the junction of Greatorex Street and Hanbury Street. It is probably the widest part of the route and the lorries will turn left here to go into the site.

10875. The next one, please.²⁰ This is the junction of Hanbury Street and Spital Street looking north and the construction site is virtually from where the photograph was taken. It shows a three-way junction of Hanbury Street coming in from both the left and the right and Spital Street going north from that particular junction. This is the junction of Spital Street and Buxton Street where again you can see the tightness of the corner where the lorries will have to turn right.²¹

10876. Can I have the next one, please.²² This and the following photographs are of the playgrounds which are not associated with the two schools on the north side of Buxton Street and it shows the narrowness of the pavement and how close to the road the playgrounds are. Can I just say there is a through road; Buxton Street was closed in part, as the Committee members did see, after a campaign by local residents following the deaths of two children on that road. We find it quite an irony to propose to open it up again especially for the very heavy, large, loaded lorries that are going to be using it.

¹⁷ Committee Ref: A121, Photograph of the junction of Greatorex Street and Whitechapel Road (TOWHLB-28505-001).

¹⁸ Committee Ref: A121, Photograph of Greatorex Street (TOWHLB-28505-002).

¹⁹ Committee Ref: A121, Photograph of the junction of Greatorex Street and Hanbury Street (TOWHLB-28505-003).

²⁰ Committee Ref: A121, Photograph of the junction of Hanbury Street and Spital Street (TOWHLB-28505-004).

²¹ Committee Ref: A121, Photograph of the junction of Spital Street and Buxton Street (TOWHLB-28505-005).

²² Committee Ref: A121, Photographs of playgrounds off Buxton Street (TOWHLB-28505-006 and -007).

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10877. This is the deserted playground of an infant school on the south side of Buxton Street but the members that were with us on the walkabout at lunchtime saw how full and busy this playground is.²³

10878. This is a picture of another part of Buxton Street going eastwards which again the lorries will be using and the car very amply demonstrates the narrowness of the street at this particular junction.²⁴ This photograph and the next one shows show the entrances of the Thomas Buxton School which is for juniors and shows how close again to the road the entrance is and it is very busy with people bringing their children to and from school because there is a lot of pedestrianisation in the particular area.²⁵ The last photo is the junction of Buxton Street and Vallance Road.²⁶ Again you can see the tightness of that particular junction and this is where the lorries will have to turn right to go down to the bottom of the Vallance Road, passing another primary school, the Osmani School, before they join back up again with the Whitechapel Road. We are assured by Crossrail the lorries are going to be sheeted to prevent excessive dust and pollution but our experience is sometimes lorry drivers are often on bonuses and therefore do not bother with things like sheetings. We need some guarantee about that. Chairman, I have got a list of questions which are for you and Crossrail.

10879. **Chairman:** Just before you proceed, how long do you think you will be before you get to those questions?

10880. **Mrs Cove:** I would think at least another half an hour.

10881. **Chairman:** Then what I am proceeding to do is to rise the Committee now and come back at 2.30. I think that is the most sensible.

After a short adjournment

10882. **Chairman:** Mr Elvin?

10883. **Mr Elvin:** Sir, I wonder if Mrs Cove would forgive me just for two minutes. This is nothing to do with her Petition. Sir, there is something which I thought I ought to correct and I have been waiting for the transcript for last night just to check what was actually said, and I received that about five minutes ago or I would have raised it earlier. Sir, there was a discussion last night, and I appreciate everyone was getting rather tired after a very long day in committee yesterday, and Mr Berryman, I think, suggested at one point that there was a benefits:costs analysis for Whitechapel. There is not and indeed I checked and of course what I told the

Committee during the Woolwich issue, and indeed it is accurate, is that there were no BCAs done for individual stations and that they would take a great deal of time. What we can do, however, is to deal with Mr Hopkins' request of last night directly which is to provide passenger forecasts and to compare those with the total number of passengers using Whitechapel Station, what percentage Crossrail passengers will be. I think we are hoping to have that information this afternoon which of course we will also supply to Mr Galloway, but I wanted to correct that misapprehension and forgive me for not doing it earlier, but I thought I had better check the transcript.

10884. **Chairman:** I was quite surprised when he said it and that is why I referred to it.

10885. **Kelvin Hopkins:** My purpose in raising it was because Mr Galloway clearly had made a big point about it and it seemed to be something which needed to be examined and to be shown one way or the other.

10886. **Mr Elvin:** Indeed.

10887. **Kelvin Hopkins:** The other point of course is whether or not Crossrail could be perfectly viable without Whitechapel, not just that Whitechapel itself is used as a station.

10888. **Mr Elvin:** Mr Mould is going to call Mr Anderson to explain the benefits of the station, as we indicated. Can I also just remind the Committee, and it did not occur to me last night and it ought to have done and I am afraid I put it down to a couple of very long days in committee, that Whitechapel of course is part of the principle of the Bill. It is a station which is within the deposited plans and was specifically the subject of debate at second reading. I will be saying this in my closing submissions, but I would just remind the Committee that it is not an issue which really is open to debate.

10889. **Chairman:** As such, whether or not there will be a station, I agree with that. There is no difficulty with that concept, but, as it was a major plank of the Petitioner's argument, we allowed it and that was why I put the question back about whether or not the Petitioner thought that the proposals for 2009 would be sufficient to meet the needs at Whitechapel. That was the plank of his argument which he confirmed.

10890. **Mr Elvin:** Yes, although in a sense it is nothing to the point because the principle of Whitechapel Station is part of the principle of the Bill. Nonetheless, we will give you the information and of course that information will be made available to Mr Galloway as well.

10891. **Sir Peter Soulsby:** When we were discussing the Woolwich Station, we understood then why the costs:benefits analysis was appropriate for that particular station, because it was in addition to the

²³ Committee Ref: A121, Photograph of the infant school playground (TOWHLB-28505-008).

²⁴ Committee Ref: A121, Photograph of Buxton Street (TOWHLB-28505-009).

²⁵ Committee Ref: A121, Photograph of entrances to the Thomas Buxton School (TOWHLB-28505-010 and -011).

²⁶ Committee Ref: A121, Photograph of the junction of Buxton Street and Vallance Road (TOWHLB-28505-012).

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rest of the scheme, and I am sure we understood that the Whitechapel Station is an integral part of the proposal which has been accepted by the House on its second reading.

10892. **Chairman:** The reason why we put it was because the Petitioner actually said that this was one of the main points.

10893. **Mr Elvin:** It did strike me that, once I checked that that was what had been said, I ought to correct it as soon as possible.

10894. **Sir Peter Soulsby:** Chairman, Mr Elvin has confirmed our recollection and our understanding. Thank you.

10895. **Chairman:** Mrs Cove?

10896. **Mrs Cove:** I will just actually come back to what Mr Elvin has said in a minute when talking about planning matters, but I would like to come back to the issue about the noise of the lorries and the lorry routes. I would reiterate what I said just before lunch, which was that we are told that the lorries will be actually sheeted to prevent dust from being spread as the lorries move the spoil out of the area, but we know very often that lorry drivers are actually on bonuses and, therefore, are not always very keen on bothering to take the time to sheet up their lorries, and we certainly have had experience of that when the demolition of Spitalfields Market was going on with the amount of dust and dirt around Commercial Street.

10897. Crossrail also tell us that the lorry wheels will be washed and the site will be hosed down, so again one of the questions I have to ask is for some sort of explanation because supposing we have another drought order, so I would like to have some explanation from Crossrail on how they intend to make sure that the site is clean and that the lorries are kept clean.

10898. Also in relation to other issues regarding health, the Health Impact Assessment recognises that there is an increased risk of accidents from extra vehicular movements, but what they do not do in any of the documents that I have seen so far is provide any information on how that risk can possibly be substantially reduced in an area like Spitalfields with very narrow and congested streets and high pedestrian use. We can confidently say that the increase in lorry movements will increase the level of pollution, but I will come back to that later when I deal with the pollution issues.

10899. If I can move on to planning matters, I am very concerned to hear what Mr Elvin has just said, that there is no cost:benefit analysis of the Whitechapel Station site. I do appreciate from what you have said that it is integral to the Bill, but, nevertheless, they are pushing Whitechapel, as is the Council, on a very, very clear regenerative basis and there should surely be then some cost:benefit

analysis to local people, not to the city, not to Crossrail, but to local people on what we may get out of the regeneration from Whitechapel Station, and I would be very pleased not only if you get a copy of whatever it is that needs to be sent to Mr Galloway, but to have a copy also sent to me of the explanation for that.

10900. We are extremely concerned about Crossrail's proposals for oversite developments, which are known as OSDs, which will occur at the end of the construction, and the reason for this concern is heightened by comments in their response to the Community Association, saying, "A planning application and accompanying Environmental Statement for the proposed OSD is submitted as soon as reasonably practical and in any event no later than two years after commencement of construction of the Crossrail works on the site unless the local planning authority agree to deferral or that an application is not required". Now, as a Tower Hamlets resident, I am fully aware of the virtually unqualified support that Tower Hamlets have given to the Crossrail project, so I am very, very concerned on behalf of our members that deals will be done between Crossrail and the Council and that any planning applications for these oversite developments will not be required, so again I do need some assurances from the Promoter that this will not happen.

10901. The response goes on to say that, "Reasonable endeavours will be used to obtain planning consents by the dates that the works for the new stations or railways on the site are completed". It also says that, "Reasonable endeavours will be used to ensure that the development is commenced in accordance with planning consents granted while the works for the new stations or railways on the site are completed". Personally, I am very confused by these points being made by Crossrail because, to my knowledge, they have certainly told me, they will not be the developers of these oversite development areas, yet here they are setting out how they intend to use reasonable endeavours and be reasonably practical about obtaining planning consent, so again I wonder what is really going on here with regard to Crossrail's future plans. There are no attempts to define "reasonable" or "practical" or "reasonable endeavours" and I do not know whether that means one or two attempts or quite what it means, so again I would want some clarity from Crossrail about these particular phrases.

10902. I would like to move on to the question of air pollution and that follows on to the health issues. You will have already heard from Dr Safir about the seriously high level of patients in his practice suffering from potentially fatal chest ailments of all kinds and the high number of children with asthma and eczema that we have in Spitalfields. We believe that much of that is the result of already very high levels of pollution in the Spitalfields area. Now, I am no expert on pollution, but I have been advised by a former GP, who is obviously not Dr Safir who is still

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practising, that Tower Hamlets has one of the worst air pollution rates in inner London. The Committee on the Medical Effects of Air Pollution say, "The effects of air pollution in the UK show that deaths occur earlier and that hospital admissions for respiratory diseases are probably both caused and advanced by exposure to air pollution". The same committee goes on also to say, "The result of the preliminary work on the long-term exposure to air pollution is certainly consistent with current levels of air pollution having a significant effect on life expectancy". Now, this is a very sobering message for me as a local resident, for the members of the Community Association and certainly for Dr Safir as well as we will be amongst the worst neighbourhoods to be affected by serious pollution from the proposed lorry movements in the narrow, congested and well-used streets of both Hanbury Street and Whitechapel.

10903. Crossrail's Environmental Statement suggests that pollution will be limited to a very small area around the construction site, but the Health Impact Assessment provides no evidence for this unsubstantiated claim. The Health Impact Assessment then makes a very bland and completely unsupported statement by saying that ambient air pollution concentrations will increase along the lorry routes, but claim that this will be less than 10 per cent and, therefore, any direct impact on health is likely to be so small as to be beyond meaningful quantification. I just do not know how they can actually stand or sit there and write that sort of information without providing any supporting evidence. They give no acknowledgement to the well-known and published fact that certain particles from traffic exhaust, PM10s, will inevitably be a major component of the pollution around the Hanbury Street site and these PM10s are extremely able to travel very long distances and can easily travel indoors. We are very concerned that the increased level of pollution will have a serious and detrimental effect on the lives of Spitalfields residents both in the long term and the short term. We are even more concerned about what seems to us to be an arrogant and dismissive manner in which Crossrail deals with the question of pollution in both the Environmental Statement and the Health Impact Assessment.

10904. I will now move on to other issues relating to the impact on health. I have brought with me a copy for you of the Crossrail Health Impact Assessment.²⁷ I have only got one copy because we are not in a position to make 12 copies for you. I have also brought with me a copy of the King's Cross Health Impact Assessment on the one issue relating to the redevelopment of King's Cross which is very detailed, very lengthy and very learned. Now, that goes to very many numbers of pages and again I have only made one copy, but the Crossrail Health Impact Assessment which covers the entire route is 40 pages long and it is a document which I believe is

bland, insipid and totally meaningless in the context of the impact that the Crossrail proposals will actually have on the residents of Spitalfields. I have brought a copy of the King's Cross Health Impact Assessment for Crossrail because I assume they have a copy of their own Health Impact Assessment.

10905. I got that document on 23 May and I looked at it not very long ago and noticed that in fact it had been sent to me without the supporting documents, so late last week and again on Monday I made a request to get the supporting documents which arrived with me just after one o'clock yesterday and, as I said earlier on, there is no way that I can assess that and see whether it is relevant to my presentation here today, but, dealing with the Health Impact Assessment, it eventually recognises that Tower Hamlets will be one of the worst affected boroughs by the Crossrail construction from air pollution, from noise, from dust, from stress, accidents, et cetera, but nowhere does this document offer any specific solutions for mitigating these effects or proposing any possible future benefits that might help us as local residents to offset the disruption or the anxiety and the health impact caused to local residents and business by Crossrail construction.

10906. This document talks blithely of regeneration and, as already stated, our experience of regeneration in Spitalfields is that it does not provide benefits for local people. If it did, we would not have the high unemployment problems that we have, we would not have the drug problems that we have and we would not have the housing problems that we have if we had benefited from the alleged regeneration of Spitalfields. When the Health Impact Assessment does mention the supposed benefits which will accrue to everyone from the Crossrail project, again no specific benefits are identified for Tower Hamlets to assist in mitigating the disruption. All it talks about is that the benefits will be for regeneration, for commuters, for the Isle of Dogs, for the relief of congestion on the Underground, for tourists and for others, and nothing for Tower Hamlets residents. The Health Impact Assessment is, to say the very least, a bland and superficial document. It does not include any recommendations made in the workshop that preceded the production of this document and also it fails to give any assurances that any future full and detailed Health Impact Assessments will be undertaken for specific sites. It is recognised that vulnerable and chronically sick people will experience greater negative impacts from the noise, dust, dirt, pollution, anxiety, stress, et cetera, than will healthy people and yet this Health Impact Assessment chooses not to address this matter in any detail. It, therefore, ignores the long-term consequences that the Crossrail construction site will have on people very close to the Hanbury Street site. We also wonder why no community impact assessment has been produced to look at welfare issues other than those directly related to health.

²⁷ Crossrail Health Impact Assessment, January 2006, www.crossrail.co.uk

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10907. There is no background information or evidence provided to show the existing levels of ambient noise close to the Hanbury Street site and the Whitechapel site, yet their impact assessment asserts with a great deal of confidence that there will be no significant increase in noise levels, despite plans to work from 7am to 10pm sometimes and at other times to work for 24 hours a day and again they make these assertions without any supporting evidence. One section of the HIA, to be honest, actually does acknowledge that ambient noise levels will likely be higher than the guidance produced by the World Health Organisation, but again it does not provide any evidence. It claims that people already affected by high noise levels have already got in place coping mechanisms, but they do not provide any evidence for it. It is a crazy document.

10908. The HIA offers no substantive support or any mitigating plans to reduce the cumulative effect of raised noise levels, apart from offering a very limited number of residents living very close to the site the possibility of double or secondary glazing. However, it then qualifies that by saying that those residents will need to keep their windows closed and I guess that means whatever the weather. Can you imagine keeping your windows closed over the past few days? We do not have houses around which have air-conditioning.

10909. I understand that at some point during the committee hearings some concerns have been raised about the possibility of increasing noise levels at Bishops Square. Now, that is at the back of Spitalfields Market and it is a new office block and development, very well away from Hanbury Street. I actually fail to understand why that development should be considered to be more important for the concern about raised noise levels than apparently the residents in Spitalfields appear to be. We have also been told that the impact on local residents from the construction site in Hanbury Street will be the same as the Bishops Square development and that had a significant impact, as those people who live very close to that will tell you.

10910. At King's Cross, serious and comprehensive studies were done to show the short- and long-term effects that were seriously raised by noise levels over a prolonged period of time and the sort of effect that it has on residents' welfare and ability to cope with heightened stress and anxiety. I think that we have been failed again by Crossrail's lack of interest and frankly I think they are irresponsible and negligent by not producing similar studies for the Spitalfields residents.

10911. The Health Impact Assessment says that the construction sites are attractive as children's play areas and that inevitably leads to an increase in accidents. That is probably a very good truism, but it then fails to recognise the long-term cost to the NHS of dealing with such accidents or provide any recognition of the future cost to the Health Service and social services dealing with the results, and it

singularly fails to consider the possible effects on those children who may suffer long-term disabilities or any other problems from such an accident. Crossrail must surely be aware that Spitalfields has an extremely high level of children and young people who are bound to be attracted to major construction sites and the adventure that they may hold for them because we are lacking in play areas in Spitalfields, but this document again fails to provide any details on how such accidents might be reduced or, better still, actually prevented totally.

10912. We have also been told that some residents may need to be rehoused and some businesses may need to be relocated for a temporary time, but we also understand that, as yet, those people have not been identified and it certainly does not take a lot of imagination to know how uncertainty over your future housing can cause serious anxiety and stress. Throughout the Health Impact Assessment, no attempt is made to provide any comfort or assurances to those Spitalfields residents in such an invidious position. It makes no attempt to quantify how long "temporary" might be and it makes no attempt to identify which people it may be talking about for possible rehousing or businesses for relocation.

10913. A serious omission in Crossrail's plans as set out in this document is a complete failure to provide any consideration for establishing site-specific health impact steering groups, which again seems to be usual practice for very large construction projects, such as King's Cross. Such groups should comprise local residents, businesses, the Primary Care Trust, local GPs, local authority planners and should have a designated project manager to report to the steering group. The steering group should meet regularly to monitor the impact of the construction on health and wellbeing and the group members must be provided with relevant training and that must be funded by Crossrail. We believe that we have been seriously failed by this insipid Health Impact Assessment and believe that Crossrail has a significant amount of work to do to address the grave issues I have raised here which are vitally important to us in Spitalfields and Whitechapel.

10914. Members of the Spitalfields Community Association believe that this Crossrail proposal is seriously flawed. We say that because we have consistently been told that plans to tunnel through Spitalfields are not for negotiation, yet now, after a lot of activity by local people and a report by a tunnelling expert, they have changed their minds, that they do not need to tunnel from Spitalfields. Only yesterday another u-turn was announced by the Minister for Transport, Derek Twigg, when he announced that the plans for the Romford depot are very likely to be scrapped in favour of reusing a depot at Old Oak Common in west London. It seems to us that if Crossrail can undertake two major u-turns, then we would like them to consider in a minute a third u-turn.

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10915. What that is is that we are of the view that, now that Hanbury Street is no longer designated as a tunnelling site, we can see absolutely no justification for Crossrail undertaking any construction sites in Spitalfields and the way that they can actually move totally away from Spitalfields would be to move the route of the tunnel to a more southerly position which would still go from Liverpool Street to Whitechapel if needed, but could also bypass Whitechapel if another major change was in their plans. I am not talking about what I understand was proposed to you last night by our MP, that the southerly route meant going under the Thames. It does not mean going under the Thames because the southerly route we are talking about means literally moving the tunnel to go under Whitechapel Road and it could easily go along there and there are lots of places there for ventilation shafts in the new developments all the way along there.

10916. We are of the opinion that the Crossrail project is unlikely ever to come into existence as we believe it is far too costly for investors to consider as a good option, particularly as other cheaper proposals for new public transport systems are within the public domain and no doubt you, as Committee members, will have heard about those from other people.

10917. We also believe, as I have said before, that consultation with Crossrail has been inadequate and meaningless. The supposed benefits to residents of Tower Hamlets in general and Spitalfields and Whitechapel in particular are negligible. The documents provided are insipid, disingenuous, obtuse and sometimes absolutely wrong in containing out-of-date information. This is a seriously flawed public transport proposal and we would urge the Committee to consider recommending a major amendment to the hybrid Bill at this third reading stage to mitigate the high degree of harm that we know will accrue to the residents of Spitalfields if this proposal is allowed to go ahead as it is proposed to you.

10918. The amendment we would like, I have not worded up an exact amendment, but we would like the amendment to impose on the hybrid Bill that the third route, the southern route, under Whitechapel Road would have a much better cost benefit to everybody concerned and would not cause so much disruption to the people of Spitalfields.

10919. I will end my presentation there, except for a number of questions I actually have got. Again I have a copy for you, the Committee, I have a copy for Crossrail, but I would like to read them out on to the record so that we make sure we get proper answers to them. I hope that in the answers you get that you, Chairman, will get a copy of the replies to these questions so that you can be clear in your own mind what Crossrail are proposing. I will go through

them and I have used "Crossrail" all the time instead of "the Promoter", but I hope you will understand that I am talking directly to them.

10920. **Chairman:** I would hope that some of the questions would be answered now.

10921. **Mrs Cove:** It would be nice if they were, yes.

10922. **Chairman:** Certainly we are aware of all the correspondence and, as you will appreciate, there is a lot of correspondence of course and we will have to deal with these matters at some time in the future and make decisions.

10923. **Mrs Cove:** Well, it would be nice if we did get some answers now. The first question is that we would like clarity on the precise times that the lorry movements will be halted to allow safe passage of the children to and from school, and I have raised that as an issue, that there is a difference between half an hour on each side.

10924. We would like Crossrail to clarify, and confirm, that the Tower Hamlets preferred construction site in Spitalfields which they state is Woodseer Street rather than Hanley Street, we would like clarity and confirmation that that possible change of location has been completely ruled out.

10925. We would like to know who is so very concerned about the noise levels at Bishops Square and why.

10926. We want to know if Crossrail will give us a guarantee that, during construction of Spitalfields and Whitechapel, lorry drivers will not be working on a bonus scheme so that we ensure that the sheeting of the lorries is always in place and that speeding will not be acceptable.

10927. We also want Crossrail to give us an undertaking that any lorry driver who does not sheet their lorry properly or is seen speeding will be perhaps subject to disciplinary proceedings.

10928. We would like Crossrail to provide information on how construction vehicles on sites will be cleaned if a drought order is in effect? Can Crossrail clarify who will own the over site development area at the end of the construction? If Crossrail is the owner of these OSD areas will they then become the developers? If not, will these OSD areas be sold on to the highest bidder? We would like Crossrail to try to define the phrases "reasonably practical" and "reasonable endeavours". We would like also the guarantee that if Crossrail is the developer of these OSD sites then planning consent will always be sought and not done behind the scenes with the council.

10929. Can we receive a guarantee from Crossrail that the designs for the ventilation shafts will always be subject to a proper public participation exercise

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and not just “This is one choice, this is another choice”? We would like to know when Crossrail intend to produce a detailed highway safety plan. We would like to be guaranteed that site safety will be of an extremely high standard and will be in place 24 hours a day to reduce any risk of accidents. When does Crossrail plan to begin identifying local homes and businesses to be either rehoused to relocated?

10930. When will they begin negotiations with those people directly affected? Can Crossrail then, in relation to that point, define what they mean by temporary in the context of rehousing or relocation? Do they need days, weeks, months or years? Will Crossrail be producing site specific Health Impact Assessments for Hanbury Street and Whitechapel? If so, when? When will Crossrail be producing more detailed information on the impacts that the inevitable increase from noise and dust pollution will have on residents and businesses in both the Whitechapel and Hanbury Street sites?

10931. I think this next question goes back to something that Susie Symes raised this morning about the race and quality assessments, but I have lumped it together and called it a community impact assessment. I want to know if Crossrail intends to produce a community impact assessment for specific sites, and if so, when will that be done? Will Crossrail be intending to establish a health impact steering group for both the Whitechapel and Hanbury Street sites along the lines as those set up by the King’s Cross redevelopment sites? If so, will this steering group include local residents and businesses, Tower Hamlet’s primary care trust, local GPs and planning offices? If the answer to that is no, then I would like for them to give very good reasons for that decision, but if the answer is yes, then we would like Crossrail to agree to employ a project manager to report to that health impact steering group and to provide local guidance and training for members of that group?

10932. Finally, we would like Crossrail to provide an assessment and comparison, including full costing comparisons, as to why the southern route along Whitechapel Road and between Liverpool Street and Whitechapel is not considered to be realistic as an alternative option to the presently safeguarded route? Chairman, that is my presentation.

10933. **Chairman:** Thank you very much. Mr Mould? May I say that with many of these points that you raised the questions have been raised before by others in the last couple of days. Mr Mould, I suspect you are going to re-amplify lots of the answers that have already been given.

10934. **Mr Mould:** I am bound to say, I wonder how useful it is for me to try and answer all of these questions now? Mr Elvin is going to cover some of them.

10935. **Chairman:** I did mean briefly.

10936. **Mr Mould:** There are a lot of them.

10937. **Chairman:** The reason I say that is yet again we are at the same quarter, much of the clarification of some of these issues could have been done prior to coming to the Committee.

10938. **Mrs Cove:** Sorry, Chairman, can I interrupt. When I have only got the document which I have relied on for a lot of those questions on 23 of May and did not get the opportunity of looking at it till last week, there was no point in entering into any correspondence with Crossrail about these particular points.

10939. **Chairman:** I understand that, it is a point that you raised in the presentation.

10940. **Mr Mould:** What I was going to suggest was this, I will try and deal with the points which seem to be of greatest interest to the Committee. We have had similar requests for information from other Petitioners in the Spitalfields area which have come through in recent weeks and we have sought to answer those in writing. It seems to me that it would be sensible if we were to seek to respond to other questions in this, but we can place the response before the Committee when that has been done and then, as I say, the more generic points that are dealt with by other Petitioners within the Spitalfields area, which Mr Elvin is going to deal with in closing. If it is convenient to deal with it in that way I will proceed on that basis.

10941. **Chairman:** That sounds very, very sensible. Are there any points that you want to deal with?

10942. **Mr Mould:** First of all, in relation to the Health Impact Assessment, can I make two points. I do reiterate the point we have made already on a number of occasions that the assessment that we have carried out thus far in relation to health, just as in relation to equality and race impact, are ongoing iterative processes. The stage they have reached reflects the fact that this is a scheme which is subject to further detailed design, and as this Committee is well aware, the point has been made. We have reached a certain stage in the process and further work is to be done. I can confirm that the Health Impact Assessment process is one which is to continue. A particular point which maybe of value to the Committee is that the Department of Health has a particular interest in the continuation of that process of assessment and in particular in the importance of targeting more detailed Health Impact Assessments at sites which are considered to be of particular controversy and difficulty. I would expect that would include the Hanbury Street

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location, so that is something which will be developed as the process itself develops in the future.

10943. That will be, as it has been in the past, a consultative process, so it will involve stakeholders who have a particular interest in making representations, helping us with understanding the impact of Crossrail in relation to matters of health.

10944. It is important to set that document in the way in which that process has progressed thus far in that overall broader context. We do not see it as a job done, but work in process. That is all I want to say about that.

10945. In relation to lorries, I will not repeat the evidence which you have heard already in relation to lorry movements and so on. The Committee has visited the site of the preferred lorry route, that is the route that is preferred at the present stage, not simply by Crossrail but is, as we understand, the preferred route of the Local Highway Authority and Tower Hamlets London Borough Council.

10946. We have carried out analyses of the junctions along that route and are satisfied on the basis of that information that there are no difficulties with the Crossrail vehicles which will be accessing and leaving the Hanbury Street site, progressing safely along the route in question. It is, as you know, designated within the local highway network hierarchy as a local distributing road, so it has that function.

10947. In terms of the control on lorry loads and suppressing dust and so forth, the code of construction practice will provide appropriate and detailed controls for the management of lorries and of loads during the construction process. The Committee will not be surprised to hear that we do not expect to be operating a sort of bonus scheme that the Petitioner mentioned in her presentation. I am afraid the limits of my knowledge are such that I cannot give the Committee an authoritative view as to the impact of a drought in relation to the availability of water to suppress dust, but if the Committee would like further information on that I will get it. I anticipate that is a matter which will be dealt with appropriately within the context of the code of construction practice.

10948. In relation to airborne pollution from Crossrail vehicles, the levels of the traffic generation that are predicted in relation to this part of the scheme are not such as to give rise to any significant air quality impact, that is the clear message that we have from the detailed assessments that we have had carried out by our environmental consultants. That is set out in the environmental impact assessment and the technical documents which support that.

10949. So far as over-station development is concerned, Mr Elvin, in opening, explained to you the purpose of the undertaking which the Secretary of State has given to this Committee in relation to

that. First of all, the Promoter is interested in building a railway, he is not interested in carrying out property development in relation to land which is needed temporarily for the purpose of building that railway or in relation to the building of oversite structures in relation to overground operational development.

10950. It is expected that the Crossrail land disposal policy will operate and that the market will secure appropriate development following the completion of the railway on sites such as that through the ordinary planning process, hence that is the context in which the undertaking is given.

10951. What the undertaking is designed to do is to ensure over an acceptable and appropriate timescale to satisfy the requirements of local planning authorities that the Secretary of State, if he will, gives comfort that that process will take place. Mr Elvin explained that to you in opening, I do not need to say anything more about that now. We are not seeking to get into the business of property development by underhand means.

10952. I have dealt with lorry movements. You understand the position about the hours of lorry movement simply to meet the needs of schools, so I do not need to go over that again. The position on Bishops Square has been explained, it is not to do with noise levels, the concerns about Bishops Square were in relation to deep piles and the engineering aspects in relation to constructing the tunnels beneath that development.

10953. **Chairman:** Before you move on, in relation to the lorry movements, the Committee would appreciate if you could write to the Petitioner outlining what has been outlined to this Committee about the prediction in that respect.

10954. **Mr Mould:** We shall do that. I have dealt with the question of oversite development. I am afraid unless you force me to I am not going to attempt a definition of “reasonably practicable” and “reasonable endeavours” at this stage, but if it is something which the Committee would like further assistance on beyond which it has had already, we will provide that.

10955. **Chairman:** I see no reason why you cannot write to the Petitioner and give her your views, whatever they may be.

10956. **Mr Mould:** Thank you. We certainly expect that site safety and highway safety will form part of the discussions that we have with the appropriate local authorities, and that is something which is an important and integral feature of the code of construction practice. Of course in relation to emergency and safety procedures it also involves discussions and approval by the appropriate

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emergency authorities. That is provided for under the code of construction practice.

10957. In relation to the noise and vibration mitigation policy which embraces re-housing provision, I cannot at this stage give any further dates upon which that will come into operation, but details are set out in information paper C9 which is available on the website and indeed was provided with the written Petition response document to this Petitioner.²⁸ If not, we can make a copy of that document available to her very quickly indeed.

10958. In relation to community impact, I think we have entered into an agreed arrangement with Tower Hamlets' London Borough Council for the appointment of a community cohesion advisor to assist the project in its objective of improving communities' relations and engaging with the hard to reach. That is something which was mentioned with approval and endorsement by Tower Hamlets in presenting their case. I appreciate that the language used in some of these things has an air of jargon about it but the substance of what we are proposing is clear.

10959. It is fair to say that we are not proposing to provide a fully costed comparative assessment as to why the southern route between Liverpool Street and Whitechapel is not considered to be a realistic alternative option to the presently safeguarded route.

10960. We have carried out the work which we consider to be necessary and we have apprised the Committee of the work and the conclusions we have drawn from it in relation to that issues. That is something which I think Mr Elvin will be summarising when he comes to give his submission later.

10961. **Chairman:** One of the other questions which were asked, which I hope you will deal with in your reply, was the question of cleaning vehicles, around the wheels in particular.

10962. **Mr Mould:** That is something which is dealt with under the code of construction practice. It is an absolutely typical and normal feature of major construction schemes of this kind, and it is something which is subject to control, not only under the code of construction practice but also forms part of the statutory arrangements which local planning authorities operate as a regulatory authority under Schedule 7 of the Act in relation to suppression of dust and so forth.

10963. **Chairman:** One of the queries that was put by the Petitioner was on strong disciplinary procedures on all drivers who did not handle their vehicles correctly, I hope that you would not agree such a measure myself because I think matters like that are

better dealt with by the local authority concerned to promote it and indeed the trade unions who are undoubtedly on the site with those operators.

10964. **Mr Mould:** Mr Elvin wants to answer that.

10965. **Mr Elvin:** Someone listening in on the internet in Crossrail has sent in an answer, so if you will forgive me for reading it off. This is something which has been approved. As I am instructed, the relevant person in Crossrail has sent the information which says that in terms of wheel-washing, (a) it does not require fresh water and can be dealt with by the recycled methods and (b) the methods which will be needed during drought orders will be perfectly possible for more Crossrail work sites, and the experience of lorry restrictions with CTRL are kept under a very strict rein and that works in that context. We would expect similar impositions as part of the regime with Crossrail. I am sorry to give the information in a rather unorthodox way but I think it answers the question.

10966. **Chairman:** Just a piece of information for your benefit is that such pieces of technology are banned during the times of any sittings, but I do not think we will go that far.

10967. **Mr Elvin:** I thought you might prefer the answer.

10968. **Chairman:** Can I also ask when you gave your reply in relation to health assessment and in relation to stakeholders, by that you clarified local authorities and so on, can I ask that we do attempt to treat the Petitioners, as in all cases, as stakeholders in the whole of this consultation exercise.

10969. **Mr Mould:** The short answer is, yes, because when we carry out consultation on these assessment exercises it is public consultation, so it is open to Petitioners and indeed members of the public to participate in that process. What we try to do is target in particular those who are best placed to reply.

10970. One thing which was flagged up before lunch was that we would wish the Committee to hear briefly from Mr Anderson to explain, from our point of view, the advantages which result from the station at Whitechapel. It was raised by this Petitioner and it is a point which was raised earlier and yesterday by others, but if it is convenient, I think it would be helpful for Mr Anderson to explain that now.

10971. **Chairman:** Would you prefer it now or at a later point?

10972. **Mr Mould:** Ultimately I am in your hands. I think it would be helpful if the Committee were to hear it before we complete the sitting on Spitalfields because it relates to that particular issue.

²⁸ Crossrail Information Paper C9 Land Acquisition Policy, <http://billdocuments.crossrail.co.uk>

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10973. **Chairman:** Then we will do it now, but briefly.

Mr Anderson Sworn

Examined by **Mr Mould**

10974. **Mr Mould:** Mr Anderson, can you first of all classify for us the principal benefits of Whitechapel station?

(Mr Anderson) I think they were summarised during the evidence of the London Borough of Tower Hamlets. I think three categories of benefits were identified. Firstly, the interchange benefit.

10975. **Chairman:** Is that the primary reason?

(Mr Anderson) It is. In terms of people from the Tower Hamlets area interchange to Crossrail is important. I think we can see on the screen now the map we have seen previously, and one can see the extent of the connections which Crossrail has with other lines in the area.²⁹ There is obviously a strategic function here as well in that there could be people travelling some distance to access Crossrail, particularly on the extended East London line which we can see extends further south down towards Croydon.

10976. **Mr Mould:** In terms of the broader regeneration strategy for those areas of greater London, what do you say about that?

(Mr Anderson) Clearly the East London line is extending through the Hackney area, which is obviously targeted in that respect, and the area between Aldgate and Whitechapel is identified—the so-called city fringe—as an opportunity area and an area where there is an opportunity for growth with an appropriate balance with the protection of the local environment.

10977. The map stops at Surrey Quays, unless we can see a larger map, the ELLEX extension does proceed further south, does it not?

(Mr Anderson) You can see the connection is now down to Croydon. The proposal is to extend beyond that and that scheme is now underway.

10978. That is the interchange, what about other matters?

(Mr Anderson) Accessibility was mentioned and this operates in two ways. There is accessibility to services in the Whitechapel area itself, and in the Environmental Statement it gave some examples of that, presumably accessibility to the Royal London Hospital and how journeys to that particular site will become quicker and easier with Crossrail. There is also accessibility to the people living in the area who can access other areas and travel from Whitechapel, which may include accessibility to new jobs and other opportunities.

10979. I think we have mentioned already the improved accessibility to Whitechapel Station under the Crossrail proposals for people with restricted

mobility. We do not need to do more than remind the Committee of that in relation to the proposal for the new station with the entrance under Fulbourne Street. Can you help us a little bit with new homes and jobs, please?

(Mr Anderson) The Mayor's framework sets out the anticipated growth and the regeneration analysis we undertook and the Environmental Assessment tried to attribute part of that growth to Crossrail. The figures which are given in the technical report on socio-economic impacts suggest that 10 per cent of the new homes in the Whitechapel area could be attributed to Crossrail and that would be about 70 residential units. About 25 per cent of jobs could be attributed to Crossrail and that would be about 3,500.

10980. In terms of take-up of jobs by the unemployed and economically inactive residents in relation to the regeneration areas, I think it is fair to say that the majority of those jobs that will be taken up in connection with Crossrail will be focused upon other parts of the town, is that right, particularly the Isle of Dogs?

(Mr Anderson) That is correct. It is much more difficult to give the exact location of a take-up of that type, but there will be a significant take-up within the Borough of Tower Hamlets and a large proportion which will be in the Isle of Dogs area, but there will be some in the Whitechapel area too.

10981. Yes. Thank you very much. Finally, in terms of direct employment opportunities, Mr Elvin reminded the Committee yesterday evening about the arrangements for local labour, and I am not sure we need to repeat what was said about that. Thank you very much indeed.

10982. **Chairman:** Mrs Cove, have you got any questions?

10983. **Mrs Cove:** Yes, I am totally astonished by what has just been said here because of the issues which have been raised here about the benefits to local people from the Whitechapel site.

10984. First of all, I would like to say very clearly that we do welcome the accessibility issue for people with disabilities, being able to get in and out of the Whitechapel Crossrail site, because they certainly cannot at the moment in the Old Whitechapel Station, likewise at Aldgate and likewise probably the majority of the London underground stations. People with mobility problems cannot get in and out, so we do welcome that. However, I cannot believe you said that the Crossrail site at Whitechapel will increase accessibility to the London Hospital. Have you ever visited the London Hospital because people can come from all over Tower Hamlets and from outside also very easily to the London Hospital. The London Hospital is always in chaos, the amount of people who go through the doors, the amount of people in the walk-in centre, the people in the accident and emergency centre and the people in the out-patients

²⁹ Transport for London: Putting Transport on the Map (GRCHLB-3604-012).

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department. If you increase that anymore the hospital itself will not be able to cope with it, particularly while they are undergoing massive rebuilding themselves.

10985. I think that is a serious thing because that hospital is very much at the centre of a lot of activity to and fro, therefore we do not need more access to the London Hospital otherwise local residents will never be able to get treated there because everybody else will be coming there.

10986. **Chairman:** Mrs Cove, this matter was dealt with earlier and indeed you are correct that the hospital is about to undergo its new building programme. The impression I was given is it is going to increase its activities and although there will be less bed space on the site itself more patients will be dealt with there. There is going to be—we already have it on record—increased usage of the hospital, albeit the new hospital site. It is in terms of the relationship with that new hospital site and how that works with Whitechapel Station which is being discussed further.

10987. The fact of usage, both in terms of manpower on the site when it is concluded and people going through, I do not think is disputed. It will probably occur before Crossrail will be built, I would have thought.

10988. **Mrs Cove:** Thank you for explaining that, but, again, I have not been here so I do not know what else you have already heard. I am sorry if I am repeating things that you have already heard.

10989. **Chairman:** Also it is not for you to make your closing remarks, but we have a witness and if you would like to ask him specific questions then we can deal with that, remove the witness and then move on to closing statements.

10990. **Mrs Cove:** Because I did not know that we were going to have a witness I do not have any specific questions, but I have some comments to make in response to what he has said. Again, it may be something that you have already heard but I do not know if you have heard it, so you will have to hear it again from me. I do not have any specific questions.

10991. **Mr Mould:** Unless the Committee have any questions?

10992. **Kelvin Hopkins:** Just one question. I may have missed this from the earlier session, but Mrs Cove and Mr Galloway both talked about the southern alignment to the southern part of the road as an alternative. I presume that is one of many alternatives that has been considered in the past. Would that alternative have had a link to a station, the existing Whitechapel Station, or would it just have been a route straight through without a link between to the Eastern London Line and Whitechapel?

(Mr Anderson) I have to say I have not any experience of that particular alignment.

10993. **Mr Elvin:** If it helps, Mr Hopkins, I am going to deal with that in my closing submissions and I can give you the transcript references. The short answer is the southern alignments were looked at. They were simply different routes to get from Liverpool Street to Whitechapel.

10994. **Mrs Cove:** Chairman, if I could, through you, answer that question as well. Mr Galloway talked about the southern route as being under the river. I am talking about the southern route as being under Whitechapel Road which is vastly different.

10995. **Chairman:** I was going to clear that point up. Mr Galloway's route was entirely different from one that interests this Committee.

10996. **Mrs Cove:** We know the river route was not our topic.

10997. **Chairman:** It was discounted at an earlier stage and we dealt with this early on. In relation to the southern alignment of Whitechapel Road, do you have any information for us on that?

(Mr Anderson) That is what I was referring to. The river route was covered in the Environmental Statement, similar to the local southern lines at Whitechapel.

10998. **Mrs Cove:** Chairman, I have been given by my supporter at the back here a copy of the proposed southern route line and it shows where it would go and how it would miss this course completely. It would also miss Christ Church, it would miss the Georgian houses, 19 Princelet Street, everywhere that has been of major concern to us in Spitalfield.

The witness withdrew

10999. **Chairman:** Can I confirm it is a Crossrail document?

11000. **Mr Elvin:** It was put in evidence two days ago. It has not got the document number and I will see if I can give you the detail. Yes, that is it.³⁰

11001. **Mr Mould:** This was dealt with in some detail on Tuesday and we will give you the reference, as Mr Elvin says. I have no further questions for Mr Anderson. I am not going to say anything by way of winding up on this Petition. Mr Elvin is going to cover one or two points in general closing. It is for the Petitioner to sum up.

11002. **Mrs Cove:** Before I move on, if Mr Elvin is intending to wind up on Spitalfields this afternoon, there are other Petitioners that are going to be heard next Tuesday from Spitalfields, and we need some clarity on that.

³⁰ Committee Ref: A113, Hanbury Street Shaft, Alignment Options—Option D (TOWHLB-32805-032).

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11003. **Chairman:** Mr Elvin is going to deal with matters that we were dealing with this week and it is your opportunity to finish your summary, your Petition.

11004. **Mrs Cove:** Can I perhaps, first of all, deal with what Mr Anderson has said in specific terms of jobs. In Spitalfields we are immediately adjacent to the City of London and if the City of London, like the Isle of Dogs, changed its policy towards employing local people, we would not have it unemployment that we have. People from Spitalfields only have to walk across Commercial Street to get to the city. They will not have to go to Crossrail, Whitechapel, and then get on another line to the Isle of Dogs. It is a change of ethos of employment practices from within the city and the Isle of Dogs that will reduce this issue of unemployment in the area. The claim that Crossrail is going to feed into 25 per cent of improvement of jobs in Tower Hamlets, I am afraid, does not provide me with any reason to support the whole Whitechapel site. The question of labour: it is useful because it does provide people with local jobs, but, then at the end of the construction, they are left without any jobs because they are not taken on to jobs over a period of time. We know about that in Spitalfields from all the construction regeneration jobs that we have had local people get employed; they get a job as a labourer for a few months, maybe a couple of years, maybe they develop some skills and work habits, or whatever, but at the end of it they are left back on the unemployment register. None of the stuff Mr Anderson has said here today encourages me along the lines of the Whitechapel site at all.

11005. Going back to the issues Mr Mould raised, what I would like to have clarified is that I will get a written answer to all of these questions rather than just what he has said here today because I do not read the transcripts on a daily basis, in fact not at all. I would like a written document coming back on those particular questions.

11006. **Chairman:** What I asked Mr Mould for and he has agreed to give is he has taken away your questions and will answer them. Copies will come to the Committee and, of course, I will ensure you will also get the minutes of today so we can compare what you have said with what you have received.

11007. **Mrs Cove:** Thank you. I would also like him to include the relative supporting documents he talked about—C9 or something, which I have not got in my response—those documents along with that would be very helpful.

11008. Can I go back to the questions on more specific issues. With the Health Impact Assessment—I have given it to the stenographer, the Crossrail one—there is absolutely no evidence in that this is a work in progress. This is the document, as presented: it does not say there is going to be more work done, or they are going to do a Health Impact Assessment or include consultation because we have

not been consulted about the production of that document. When I spoke to Dr Safir about it, in fact I gave him a copy of that, he had not seen it. When I asked him if he knew that a Health Impact Assessment had even been done, he did not know what I was talking about. He is a GP in one of the busiest practices in the middle of Spitalfields. I am somewhat reassured by the fact there will be proper consultation, but I hope the proper consultation does include local community groups who live in the area and it does include the local practice where the GPs know what the health issues are.

11009. **Chairman:** That is why, Mrs Cove, I asked about the status of stakeholders and I think we got that by guarantee from Mr Mould.

11010. **Mr Mould:** I think I will remind you because I do not think some of the members were here yesterday afternoon, but the Doctor was here yesterday and we will embrace him in further consultation on this.

11011. **Chairman:** I was quite specific when I said “stakeholders’ Petitions and other bodies”.

11012. **Mrs Cove:** Where the Health Impact Assessment falls down is there was no evidence it is a work in progress and is going to be continued. We welcome that and are very pleased and we would like to be part of the consultation process.

11013. **Chairman:** The question of consultation is a question we have been dealing with for quite a few hearings and we are as concerned as you are in what you have expressed and this is why we have extracted a guarantee from the Promoters that this is the issue.

11014. **Mrs Cove:** Thank you very much. Just going back to the issue about the lorries and the fact that the chosen or the expected route is particularly one of the roads that is a local distribution road. I do not know what road they are talking about, but for the distribution road if they are talking about Buxton Street, as you, Chairman, have seen, it has been closed off. It can hardly be designated as a local distribution road. We find it ironic that they are going to open it up to let heavy lorries to go through. It was also said the discussion with the council on the particular route has been dealt with as an assessment. We have no evidence that an assessment of the lorry route has been done and yet the route is enshrined in all the information and documentation that you have got.

11015. With regards to the Code of Construction, I am really interested to hear they are going to possibly use recycled water and the question of whether a draft order applies to a construction site is an interesting one. If I cannot use a hose pipe, why can they wash down wheels? I do not know. I was concerned about what you said, Chairman, about leaving it up to the trade unions and construction companies about making sure that there is action taken on lorries that do not sheet up properly. On

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the basis that if Crossrail are employing construction companies to do the work on site, which I assume they will be doing, they could make that a pre-requirement and not necessarily leave it up to conditions of construction and things like that. It could be a pre-requirement.

11016. **Chairman:** I raised it as a personal view and I suspect many of colleagues here would agree with it. It would not be proper, in my opinion, for us to demand from the Promoter that written into the contracts might be a thing like disciplinary proceedings against a worker on a contract they had signed. That is the reason I balked at that. I thought a better route towards that is to ensure, in reflecting what your request was, they would perhaps take the view that they should have in hand proper approaches to contractual obligations by people who work on a site rather than simply say that there would be disciplinary procedures brought against an individual. That, I believe, would be outside normal industrial practices. I think the trade union would be very reluctant to go down that path. It is also agreeing something in advance of the stakeholders, in this case which would be the local authority, the planners, the Promoters and everybody else involved to draw up a set of guidelines that would be imposed on the workforce at the end of it. I am saying let us hold for a moment and just have proper approaches to that.

11017. **Mrs Cove:** I take your point. Coming back on that particular point, but I do not, as you probably gather, have a lot of confidence in the council to enforce particular things and that is why I wanted to raise it as a particular issue. I will leave it there. I notice the comment on airborne pollution has again been reiterated that there will be no significant impact on the health of people close to the site. The Health Impact Assessment provides no evidence. It just makes this blank statement and we do not believe blank statements can come like that without supporting evidence. I was reassured here Crossrail are going to get into market development, but I am very concerned about them talking about market developments because we know the price of land in Spitalfields is astronomic. It is so expensive that if local housing associations, small business associations and any sort of organisation like that wants to provide social housing or social work spaces, they cannot afford the land in our area to be developed, so I am very concerned it will be subject to market plans.

11018. **Chairman:** I can well understand that. Can I point you to it is in the ability of the local planning authority in Tower Hamlets to extract in any blank proposals they give things like needed housing projects, or whatever, 106 agreements and so forth. They have a local planning authority and at the moment you do not have the greatest deal of faith, I would commiserate you, but it is not a matter to be dealing with or for the authority deal with at this Committee.

11019. **Mrs Cove:** Chairman, I understand why you are getting a bit frustrated with what I am saying. What I am saying is once the development in Hanbury Street, for instance, has been finished, that over site development site will be so expensive that nobody locally will be able to afford it, whatever the Tower Hamlets Council say they want to do with that site, except market forces or we will get more office development and more luxury homes in the area. That is not what we need in Spitalfields. That is the point I am trying to make here.

11020. **Chairman:** The term you said, “when”; it may be “if” and that is for this Committee to decide.

11021. **Mrs Cove:** I am pleased to hear you say “if” rather than “when”. I am interested to hear that there is going to be a community cohesion adviser and I would be really pleased to have that person identified to us as soon as possible so we can make some contact with them. I am dismayed to hear that Crossrail have completely disagreed with the possibility even of doing the fully-costed analysis of benefits of looking at the third route, the southern route. I would like them to give me a very clear answer on why they have decided not to do that. I would just, finally, say my very last point to you, Chairman, is the amendment we are seeking from you, as a Committee, is an amendment to the Bill to include in that Bill the question of the third route, the southern route. That is what I am asking you to do here today. I know what Crossrail said about it, but you have the power at the Third Reading stage to make some proposals to Parliament and that is what we would like you to think about doing. Thank you.

11022. **Chairman:** Thank you very much. That concludes that Petitioner. We now move on to Spitalfields Housing Association and Mr Graham Seed.

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Mr Graeme Seed appeared as Agent.

11023. **Chairman:** Mr Seed, before you start, Mr Mould?

11024. **Mr Mould:** What I can say is these Petitioners are a community-based housing association working almost exclusively, I am told, in the London Borough of Tower Hamlets. They have freehold mixed residential development properties and commercial use properties throughout the Borough including premises within the immediate vicinity of the proposed Crossrail works at Hanbury Street. The issues they raise in their Petition are certainly those that have been ventilated in enormous detail before the Committee and upon which you have heard our response in some detail as well.

11025. **Mr Seed:** Good afternoon. I would like to introduce Ala Udin as Chair of the Housing Association and he has been living in the area for

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over 40 years. I thought the Committee would benefit from the experience and views of Ala from the viewpoint of a local resident which might offer a different slant on the discussion. As my learned friend said, Spitalfields Housing Association is a community-based association and it works almost exclusively in Tower Hamlets. Spitalfields Housing Association was set up 27 years ago by members of the local Bengali community in response to poor housing and overcrowding in the Spitalfields area. As I am sure you are aware the Bengali community constitutes a significant majority of the local community as well as a large proportion of the total population of the London Borough of Tower Hamlets. Spitalfields Housing Association is still growing with more than 150 new homes currently in development. We are particularly proud of our strong community links from involving tenants on the board of management to the way we provide tenant-focused services. Spitalfields Housing Association then is very much at the heart of the local community and our key objectives and services aims are based on working with communities and providing real solutions to local problems. We have a long track record of delivering quality services based on listening to tenants and responding in a positive, pro-active way, adopting a can-do approach to problem solving. We involve tenants in the decision-making process in order to promote democratisation based on active tenant consultation and involvement. As has been mentioned, we own freehold mixed residential development and commercial use properties throughout the London Borough of Tower Hamlets, including premises within the immediate facility of the proposed works. We have, in fact, particular concerns in relation to these works adjacent to Brick Lane and in the general facility of the proposed works. In particular, we would like to stress the well-being of the tenants, their health and safety, the right to quiet enjoyment of their tenancy and how they will be affected by the proposals. I think it would be useful to hear from Ala, with your permission, for the view of the Chair of the Association in this matter. Would it be possible to call Alan as a witness?

11026. **Chairman:** We can do, but it probably would be proper if he was brought as a witness and then, if necessary, cross-examined by the Promoters.

11027. **Mr Seed:** Yes.

11028. **Chairman:** Could I just add, because we have stenographers here who work very hard for us and they are already agreed to go a little bit over time for us, they are many in this room who use public transport of one type or another. I have to advise you that, because of events late this afternoon, it is highly likely there will be a lot of it on the street. If going on the roads, I think some of you may have to hang around for a couple of hours before you get home.

11029. **Mr Seed:** I think the comments of the witness will be fairly focused and briefly to the point. I would aim to finish up the presentation in no more than 20 minutes at the most.

11030. **Chairman:** I notice in your notes, you have largely been following the scope of the notes and if my calculations are correct, it would be five.

11031. **Mr Seed:** I am trying to develop a précis. I am sure the important thing is to hear what Ala has to say.

11032. **Chairman:** That is a good idea that we proceed in your new way.

Mr Ala Uddin, Sworn

Examined by **Mr Seed**

11033. **Mr Seed:** Once again to re-emphasise it, it is our perspective that the consultation process has specifically excluded and disregarded the needs of the Petitioners. In particular, I think there is a specific issue around the local Muslim community. Your Petition has considered that the information presented was specifically insufficient for members of the Bengali community to make any reasonable judgment. We believe the current information available still leaves room for potential misjudgement until the scheme has been subject to more rigorous consultation process. Members of the local Bengali community in particular would not be able to reasonably judge the merits or otherwise of the scheme. The Petitioner's process, therefore, we would maintain is defective on the basis it is both prematurely and basically not acceptable because of the inadequate consultation procedures. As has already been mentioned, and as I said I will summarise the issues which clearly the Committee have already heard in relation to potential blight and routing, some of the issues around social economic effects might well be a further consideration. We recognise the principal aim of Crossrail is to improve accessibility and to create sustained jobs in the financial business service area as well as the local immediate areas. We recognise there will be potential benefits for the local community and local population. Your Petitioner is, on behalf of the Muslim Bengali community in Brick Lane, objecting really to the fact they are being forced to pay the cost of these improvements by enduring potentially a number years of severe misery whilst watching the destruction, potentially, of their own economy and loss, potentially, of businesses, homes and jobs. Your Petitioner objects to the effects particularly in the work in the vicinity of Hanbury Street and particularly the effect on work spaces, properties and homes and the degenerative effect these works will, potentially, will have on the local community in general. We consider that this can destroy the millions of pounds already invested in the area in an attempt to help improve the living standards for one of the most deprived ethnic minority communities in the country, and the proposal may well put that issue

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at risk. Issues have already been discussed today in terms of the tunneling strategy, the construction strategy, and these I made reference to in my notes. I will not repeat those issues here now. In terms of traffic and transport, once again we will join with our previous Petitioner in considering both the volume and scale of the traffic proposed is unsatisfactory for a densely populated area, where particularly with relatively narrow roads and streets with difficult tight corners and busy pavements specifically used by school children, mosque worshippers, shoppers and members of the local community who visit their friends and family. I know this is something that Ala will want to refer to later in his statements. We have already talked about air quality noise and vibration and the issue around working hours, spoil and contaminated waste, landscape and the built environment. We have already talked today about the issues around building settlement. We have also flagged up the issues around the need for recognition of adequate compensation and the providing of social housing for the local community. I think we would like to place on the record the need to fully recognise the Association for loss of amenity and facilities for the local community. To draw a summary on all of the above issues, we would say that provision should be made in respect, potentially, for cost element of a daily rate paid to the Association in respect of our potential costs brought on behalf of our tenants. I can assure that Crossrail will take that on board. We submit that the Bill in its present form fails adequately to safeguard and protect the interests of our tenants and it is the considered opinion of Spitalfields this Bill should not be allowed to pass into law without making more rigorous consultation of the local Bengali-speaking population, both such consultation to be made in English and Bengali. As a local community association, we would be pleased to work with Crossrail in this venture and we would like to call, with your permission, sir, Ala Uddin of the Spitalfields Housing Association to talk about some of the potential positive ways we could work and assist Crossrail in securing community value as a result of the project.

(Mr Uddin) Thank you, Chairman. I will not repeat everything that has been said here, but there are a few things that have to be repeated.

11034. **Chairman:** Let me remind you, I am not one for pushing proceedings fast but we have stenographers and we will help them a little bit. Take your time, it is all right. We are here for however long the stenographers are willing to stay. I am not sure how much longer that will be.

(Mr Uddin) Thank you. We worked on Crossrail and I remember a few years ago when we had a meeting at the centre it was full of local people, but they will not accept that should be at our expense. This is where I want to remind you that in 1978 the then Home Secretary Merlyn Rees established an office there on Brick Lane. I, as a Bengali young man, grew up in the area. I have lived in the area for

over 40 years and we lived in squat. After 1978, once we became slightly secure and comfortable in terms of our security and so on, people felt at home.

11035. When the local authority asked what our needs and our aspirations we came forward and as a result of that we established this housing association, it was the housing corporation. Subsequently, they came together to help us. We have heard from different speakers and presenters about the building, the architecture, the environmental health and other issues. What you have not heard yet and I am glad you visited the area along with your colleagues, it is in the City and people who live there now feel this is their home. This is something I want to stress. Since 1978, the government have injected funding into the area and improved the area and put money into social housing, in infrastructure, in health and other areas. We are a community, this is our town, this is our area, this is our livelihood. My colleague has said previously these are other issues here to take into consideration, how you deal with those issues, the health, the environment, they have an impact in the community who are just trying to survive. For us it is about survival.

11036. We have built up our homes and livelihood there and there are people who will say to me that they are prepared to change themselves if that does not come a reality. They will go there and say, we have lived here for 50 years. I was born here and grew up here for the last 30 years, a number of age groups that will come forward will articulate this Bill and there are people who are prepared to change themselves in the event of the Government digging there. Crossrail is good for London, good for our nation, this will bring money, it will generate a good economy, it will create jobs. Why is it in our area? I think you tried to tell one of my colleagues that the local authority did not reflect the views and the problems of the local community. We feel the same here and they should have listened to us very carefully. We live in an age of technology that this must happen but not in the way how you plan, not you but the promoter, how they propose the project.

11037. The government has invested millions of pounds. It is a very run down, derelict area. People from all walks of life live there, from all races and religion, you name it. This is the feeling, why is it us, why Spitalfields? We have over 750 members but in attendance we have about 250 households and there are another 150 in the pipeline and I also think we will be receiving a lot more social housing from council structures and these are all happening in Spitalfields and in Bethnal Green. If we have what you proposed here, if we have decisions that come to reality, people will suffer in very different ways, health-wise, economically, children will not be able

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to participate in their education. There are all kinds of social and health problems.

11038. So I am here to deflect the views from the problems and to represent the aspirations of our community and there is one community here and people feel very strongly. Why have they chosen this particular location, why not elsewhere? This is where local businesses have absolutely failed to reflect our views and our aspirations here. If we have visited the area I am sure we would have picked up how people are living there and how they feel about the area. Without repeating what I already have been saying there will be a catastrophic effect on our community. This community has already undergone many struggles, many difficult times. I think I would say as I said earlier that people are prepared to change themselves. Thank you very much for listening to us.

11039. **Chairman:** Are you finished?

11040. **Mr Seed:** I would like to summarise that we believe that Spitalfields Housing Association is uniquely placed to enter into a partnership with Crossrail in terms of helping with the consultation process. We have a very good dialogue with our tenants and we can perhaps assist in that consultation process.

11041. **Mr Mould:** I have no questions for Mr Uddin. All I wanted to say was that so far as the concerns that have been expressed, we have sought to explain to the Committee and to justify the proposals that we have in the area of Spitalfields and also to explain how we will seek to minimise as far as we reasonably can to control the impact of those proposals. Mr Elvin as you know is going to say more about that in summing up our case when he comes to do so. I should say that the offer that was just made by Mr Uddin, to assist the promoter in continuing consultation in the local area, is an offer that we receive very favourably indeed and we will look to work with the Association.

11042. **Chairman:** You will re-establish a regular mechanism as soon as possible?

11043. **Mr Mould:** I am sure we will and it is clearly made in a positive spirit and we receive it in that way. The other thing that perhaps would be helpful is to mention this in the light of the point that was made in summing up before the witness took the stand. The concern is you understand what range of compensation provision would be available to the Association of Landowners in relation to the scheme. As you know we presented to the Committee, I think it was last week, day 38, a paper, A111 which is the note on compensation, the illustrations of compensation. It seems to me it would be very helpful if we were to provide a copy of that to the housing association so they can look at that and it may give them some guidance on what we think the range of provision might be unless there is anything else.

11044. **Chairman:** Could I ask a couple of questions. We have had evidence given to us about the lack of consultation and to be fair to the promoters they have accepted that it was not the best of all consultation exercises carried out and we have been given assurances that in the future this will improve dramatically but one of the things that worried me by some of the evidence that has already been given, parts of the Bangladeshi community have different languages, there is not just one language that the Bangladeshi community speak. There are parts of the community which different accents and so on. Evidence was given that they felt totally out of the circle as far as this country, they knew nothing at all about Crossrail or had any information. Is it your view that that is a problem?

(**Mr Uddin**) That is a concern there and I think people who are interested went along and attended meetings and discussed the matter. There is this fear now that it does not matter what we do and how we do, this is not acceptable to us. Generally speaking of course Crossrail is a good thing for London, for our community, for our nation but I think people question why this has to be Spitalfields, why not elsewhere? It looks at the question of why did the government inject so much money because we could not have done what has been done over the years and in our view it is a waste of resources.

11045. **Chairman:** Your answer in brief is that the Bangladeshi community were aware and are aware of Crossrail but they do not understand the level of investment and what is going to happen. The second question is in relation to that. When we visited the area and since, indeed today, there have been different views on timescales on buildings and construction projects and there are still six or seven years. Clearly the Committee is being advised very differently than that. Yes, the whole project will take a number of years but it will not be every where, it will not concentrate totally on the whole of this area it will be in parts of London at certain times. Do you still think or does the Bangladeshi community largely think that it is going to be a total construction site for the whole of the period of time if the works commence?

(**Mr Uddin**) I think the community do understand that invariably part of the construction work will take place in Spitalfields but also there will be other activities elsewhere in London. I think people are generally talking about this digging, this boring and how this will affect the community, in terms of health, environment, education and the economic impact. There are a few thousand people every day visiting the area, we will lose all this. All the time the ramifications of this are on peoples' minds. I think people do understand. This is going to happen but I think this digging is something that is alarming people that that this will destroy their livelihood, destroy their life and they think not just their lives but their children's lives. For children who attend school, the argument is will there be disruption to their studies and will they be able to concentrate. These are issues to take into account.

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11046. **Chairman:** It is the disruption generally.
(Mr Uddin) Yes.

11047. **Chairman:** You mentioned two or three times and we had evidence about it, the health facts, obviously your community is feeling very strongly that this will have a serious health effect on members of the community.

(Mr Uddin) Yes, if you look there are particular illnesses associated with particles, I am sure you have heard of TB and asthma and other issues and particles from construction work, not just this part of the project but also other projects that we have mentioned in our presentation, one of which is something happening behind Aldgate East, it is a huge project and another project. I think if these are taking place simultaneously that will be too great and as a result we could have many other illnesses, particularly asthma, TB and dust related illnesses. It is part of medical science so I am sure someone else must have documented these issues and these problems I think they have this fear too. It is this fear you have to take into account that people feel, "Gosh, I have been living here for so many years, we have invested money, the Government has invested money here". So many people have these concerns about illness.

11048. **Kelvin Hopkins:** Briefly about the language problems. I represent a large number of Bangladeshis myself and they are all from Sylhet and they speak Sylheti. The point that was made last night was that the literature has been produced in standard Bengali and we wondered whether that was a difficulty for you or was it not a problem.

(Mr Uddin) The people who were not brought up in this country or have lived here since their 20s and 30s, of course they do not need a translation.

11049. **Kelvin Hopkins:** They speak English.

(Mr Uddin) Of course. Bengali is okay but when you arrange consultation meetings it would be really useful to have someone who can speak the different languages. But if you are writing literature, it should be in Bengali because I think writing in English will not make any sense to people. So, I think in retrospect I would welcome the help. Literature should be in standard Bengali but I think at the meetings it would be helpful to have someone there to speak in different languages.

11050. **Mr Mould:** Can I make one point just for the benefit of members who were not here yesterday, Mr Elvin made a detailed presentation on the consultative process that we did carry out and amongst points that were made was that material was produced not only in standard Bengali but also in Sylheti. There was also a Sylheti leaflet available at the centre, that is all on the transcript so you will be able to see that.

11051. **Chairman:** It is Mr Mould, but the reason I originally asked the question is because irrespective of how clever we all are of producing leaflets—and that goes for us, we do it for a living—sometimes

things do not go to the right places and therefore consultation does not work and we are all of a mind that it could have been done better generally in all aspects of consultation in this exercise and as I say you have given us the guarantee to improve it in the future. Why we are asking was we wanted a first hand view on whether or not that occurred in the community.

11052. **Mr Mould:** I understand the Committee's position. Mr Elvin is obviously going to say a little more about this in closing. I was anxious simply that particular point of fact was on the transcript.

11053. **Mr Binley:** Just to say in answer to Mr Mould, I would like to see you are testing this work because getting the right language through to the right person and ensuring the message gets across is different to printing a leaflet.

11054. **Mr Mould:** Mr Binley, that point is by no means lost on us and Mr Elvin—

11055. **Mr Binley:** I see some glee on Mr Elvin's face so I assume he has got an answer for us.

11056. **Mr Mould:** When it is convenient for the Committee, he will be presenting some information in relation to that.

11057. **Mr Seed:** Just to reinforce that view, we have a local knowledge of the target audience and it is our experience that a multi-mechanism is adopted for communication, including open days, leaflets and drop-in centres. The consultation processes are not just done by one technique.

11058. **Chairman:** Thank you. Have you concluded?

11059. **Mr Seed:** Yes. I would like to thank the Committee for its time and basically we look forward to responding to Crossrail's invitation to be part of that process.

11060. **Chairman:** Sir, just before you leave, thank you very much, it is very refreshing to have a witness that is from the community.

(Mr Uddin) Thank you.

The witness withdrew

11061. **Chairman:** We will move on to our next petitioner who is Patricia Jones. There was another one but they came in after you so I am dealing with you first. Mr Mould, are you dealing with this?

11062. **Mr Mould:** Yes I am. Forgive me, I seem to have momentarily lost my piece of paper but what I can tell you is that—

11063. **Mr Binley:** It is getting late.

11064. **Mr Mould:** I always feel that from the moment I get up. Ms Jones is the owner of number 21 Wilkes Street in the London Borough of Tower

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Hamlets, that is approximately located above the proposed Crossrail Eastbound running tunnel about 200 metres to the proposed Hanbury Street shaft at which point the track level below the ground would be about 36 metres below ground level. I think it is fair to say she also shares the concerns which have been explained to the Committee but the Petitioners in relation to this aspect of the works.

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Ms Jones appeared in person.

11065. **Ms Jones:** My name is Patricia Jones and I live in Spitalfields. I have had the promoter's response to my petition and I do not consider that any of my concerns have been properly addressed and I therefore reserve my position on all of these points. I do not have any slides and I do not have any papers and I will take about five minutes of your time. You have already heard from many people from Tower Hamlets last week and during the course of this week and you will hear from many more, I think it goes on for Spitalfields next Tuesday. We are a very disparate bunch of people in Spitalfields but it is a unique area. The common theme from everyone is that the shaft in Hanbury Street and the current route alignment is a very bad idea, not just for the community but for the promoter as well. Even Tower Hamlets have been saying for two years that the shaft in Hanbury Street is a bad idea.

11066. You will know from the case last Wednesday it was only one of two issues which they were still outstanding at their petition stage. The Committee will already perceive that Hanbury Street site is tiny, it is an extraordinarily difficult site on which to carry out what is still a large mining operation. Tower Hamlets said to me after their case last week and I met them on Friday, that if the promoter were to offload lorries in that street and you will remember that report which was were produced in the pack had very detailed different options for the Hanbury Street layout and almost all of them at all times had the lorries offloading in the street or they would not be able to get on. Tower Hamlets told me if that were the case, the roads would have to be closed or the deliveries would have to come in at night. That would be complete chaos.

11067. There are a couple of points that I want to take up that council and the promoter have made today. The histogram of the lorry movements that was in that evidence showed four years of lorry movements. They will be different at different times, I accept that but it was two year peaks but four years overall and that does not include the after over site development. There will be much more than two years, four years overall and then there will be other peaks for the over site development. It was also said today that there would be 15 lorries per day, 15 lorries per day means 30 movements because the lorries come in and they go out. That is 30 journeys a day at peak times. If you take that over a usual

working day which Mr Berryman has said the works will take place during, I make that more than three every hour and that is more than one every 20 minutes. There is no site storage on that, that is almost impossible.

11068. What I am saying is that I do not believe that the Hanbury Street shaft has been properly been assessed by the promoter, it is also getting much more expensive. All the evidence so far shows that the promoter has not looked at the Hanbury Street shaft properly, it has not looked at the alternatives properly or objectively and it has not looked at that southern route properly that we looked at earlier on. I understand that counsel and the promoter have said that there are not going to look at that again. I want to explain in 30 seconds why it has to be looked at again. It was dismissed in 2004. You will have seen a letter up on the screen during Spitalfields Society's case that Crossrail said they were doing no more work on the southern route. The main objection to the southern route, and I accept they were others but in my opinion the engineer's opinion is the one that counts, that is irrelevant now because Pedley Street is no longer needed.

11069. The main plank of the objection to the southern route is gone and my view is that it needs to be and must be reassessed. It seems to me that the Committee has to ensure, and I know from what I have listened to today I know that you will, you need to ensure that the assessment upon which you make your decision has been carried out and by that I mean it as to be carried out on the correct criteria. You must ensure that it has been carried out professionally, competently and in an un-bias way and that the Committee has properly considered the assessment. The evidence that has already been presented leads you to the clear conclusion that you are being asked to consider an apparently inaccurate and bias assessment that ignores vital comparators and it has not been prepared on the correct criteria. It is bit like asking the English football team to play cricket. The assessment of the route for Hanbury Street and all the southern routes must be assessed on the correct criteria and be seen to be properly assessed for two reasons. The promoters and its funders need to be sure that it has the most viable scope and it must protect the local community as best it can.

11070. There is also another point and I think in all of these discussions we are missing the main point. Tower Hamlets says that the promoters are missing a trick. The biggest trick of them all is why is there that station at Whitechapel. The gentleman explained to the promoter, and I appreciate that you asked him to do it very quickly, in five minutes he gave three headline reasons. You could apply those headline reasons to absolutely anything. I think what you need to do is look at all the evidence behind that, where are the hard facts that prove that it is more viable with Whitechapel. Very briefly I want to explain to you why I think the community thinks there is a station at Whitechapel. When the Bill came

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through, it was first presented in 1991, Tower Hamlets stopped it because of the devastation it would cause. This time the promoter also wanted to take out everything through Tower Hamlets so it needed to offer something to the council and that was Whitechapel station. If you do not have a station at Whitechapel who is happy? The community is ecstatic, the council takes its position because it is an elected body from the community. The champion of Whitechapel was de-selected, or however you would like to express it, in the last May elections because of his position on Crossrail, it was the main plan for the campaign. The promoter will be happy because it avoids all these problems of none consultation, no race impacts done at the right time and the problem which a lot of people have been expressing of these very sensitive buildings goes away. Most importantly, funding will be easier, the cost of Whitechapel station runs into hundreds of millions and you will have seen from the promoters evidence from a number of the discussions on the line, if you take out Whitechapel and go straight down to Canary Wharf, it takes five, six or seven minutes, it is a much more efficient project. The flaw in what the Committee is being asked to do is that you have a proposal for a shaft and route selected on criteria which no longer apply with no supplemental Environmental Statement on reports which are seemingly inaccurate, bias and misleading which ignored the crucial option at the southern alignment and which do not take into account the single biggest issue which is Whitechapel. In fact, it is more like a football team sent out to play cricket on a tennis court.

11071. I do not understand why the Promoter has got a complete blind spot to moving the route. The many, many man-years which Mr Berryman referred to in looking at alignments was not spent in looking at alignments, it was spent looking at the tunnelling strategy. Tower Hamlets and Arup will confirm that. To my knowledge, for two years Mr Berryman insisted that to change the tunnelling criteria and strategy it would cost between five hundred million and billions and would take an extra two years, yet, when they were put to proof by Arup, acting for Tower Hamlets, they found after the many man-years that was not the case. I am going to quote to you from Secretary of State's announcement: "Crossrail's assessment is that constructing a central Crossrail tunnel in this new way will not increase the project's programme or budget", quite, but only after Tower Hamlets and Arup have gone through it in detail with them. If they had done that with a tunnelling strategy is there not a very good chance that if they look properly at the tunnel alignment that will happen again.

11072. Please do not accept Mr Berryman's preliminary stab, that he called it, at the route, please ask them to do a proper job. My plea to the Committee as a sense of what is professional, decent and fair play but also what is the most efficient and commercially viable solution is to ask the Promoter

to carry out a further assessment of the alternatives, including a southern route and a proper assessment so that we can see it at Whitechapel Station.

11073. Please do it with an open mind objectively, professionally and openly. I would ask the Committee not to make any decision until that assessment has been done, consulted on and agreed.

11074. My view is that when you see that evidence you will say that there is a better shaft site and alignment. I will keep an open mind. I have not made my mind up and that is what I am asking the Committee to do

11075. **Chairman:** Thank you very much indeed. Can I comment on one or two things? First of all, for someone who is not very good at mathematics your 15 hours a day by 9 hours equals 3 plus lawyers is very good mathematics and it is not something which I have looked at in that particular way. Can I ask Mr Mould when he responds to this question of CPO on flats overlooking the Hanbury Street site, I do not know whether it is infinite but we might advise you, but the application of that would normally be entrusted to the town council.

11076. **Mr Mould:** Sir, this is an example of how things grow and acquire routes in people's mind even over a relatively short period of time. I think what the Petitioner was referring to there was the fact that yesterday this Committee heard the Petitions of three of the occupiers and owners of 61 Princelet Street which is a mixed block and lies to the south side of the Hanbury Street work site. Having heard the presentation of that Petition, the Committee straightaway invited me to comment on the Petitioner's proposals, but that the promoter should undertake to acquire those flats permanently as part of the scheme, thus to relieve those Petitioners of what the Committee clearly felt were the unacceptable impacts of the noise of operation of the work site. What I indicated was that the Promoter's position was that he did not feel that was an appropriate undertaking to give, he would operate his noise and vibration policy which, as you know, involves noise insulation, but particularly that there should be temporary re-housing offered in accordance with that policy. What I did say—because Mr Binley is keen that I should say this and I am bound to do so—was that I would certainly go away and take instructions from the Secretary of State and come back to the Committee once I had those instructions as to whether the Secretary of State was prepared to change his position on that.

11077. If that were the case, and if the Secretary of State was to change his position in line with the Committee's clear expression of view, it would be necessary to make arrangements for the acquisition of the properties in question.

11078. I think it is right to say that it might be necessary as a matter of principle to make provision for compulsory acquisition in relation to those

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properties. I think that is the context in which that point is made. We do not promote that at the moment, but Mr Binley is right, we are being asked to consider whether we should, yes.

11079. **Chairman:** The other thing is to re-emphasise that this Bill is a good Bill, we have not made our minds up on that, but we attempt to. Parliament has debated this and has decided that Crossrail is worth pursuing and has ordered us to come back with a report on how to do it. Within that statement there has been a debate on the floor of the House where certain things have been discussed, but certainly Whitechapel has been discussed and it is laid down in the course of the Bill that there should be a Whitechapel Station. I do not want you to go away with any thought that they are not building one, there is one and it has been reported on. We can tweak things, we can move the ends and put things on but we cannot get an eraser and that is the simple reality. As long as you do not think that is an option, whether it should be slightly different than what is being proposed, that is an option, but we will take on your position.

11080. **Mr Mould:** You are absolutely right and I accept that the House has accepted the principle of the Crossrail Bill, but like Mr Cove who came before me, I am asking you to carry out proper assessments and ask the Promoter to carry out proper assessment and do it in an unbiased way to get the most commercially viable solution and go with that one.

11081. **Chairman:** I think that is quite right.

11082. **Mr Mould:** Again, for the benefit of reminding the Committee on points which have been made, reference was made in the context of the Petitioner's support for consideration of the southern alignment, and also reference was made to correspondence in 2004. It is right to say that correspondence was placed before the Committee on Tuesday of this week and, for the record, at paragraph 9799, Mr Berryman commented on the context in which that correspondence had arisen and, in particular, explained why it was, in his judgment, that the options considered at that time for a southern alignment were on balance not acceptable. The Committee has heard evidence on that and Mr Elvin will be returning to that in his closing submissions.

11083. I do not want to say anything more about that now, you have heard evidence on that. In relation to oversight development, concern was expressed about the need for that to be properly assessed. If you recall, the Bill itself—I think it is clause 10, if I remember rightly—lays the statutory basis upon which oversight development will be the subject of further planning applications, and there will need to be environmental assessments of a development of that kind as a separate process to ensure that all proper assessment considerations are dealt with.

11084. Insofar as the lorry route is concerned, you have heard probably more than you need to hear on that, but can I remind you that this is a circular route, that is to say, the lorries are to pass northwards up Fredrick Street, past the work site and then around Spital Street, Buxton Street and down, so essentially it is a one-way system.

11085. **Chairman:** I do recall that Mr Berryman also showed a plan where there was the opportunity within the planning process of taking lorries off Hanbury Street behind a holding area and being loaded there and then taken out, is that still an option?

11086. **Mr Mould:** That is certainly right and it remains open. That said, I want to correct one point that was made. Certainly reference was made to something which was said by Tower Hamlets, it is not us. Certainly our shared understanding of Tower Hamlets' position as the local highway authority is that they do not object to the prospect of lorries being unloaded on the street. If that were to be the ultimate decision, it is one which we understand Tower Hamlets' highway authority will not object to.

11087. They have other concerns, of course, about these proposals but, as I understand, that is not the concern provided it is a limited number of deliveries each day. There it is. That is the position. I reported to the Committee on the understanding of their position. That is all I want to say in response to this Petition.

11088. **Chairman:** Ms Jones, do you want to add anything?

11089. **Ms Jones:** Yes, may I reply to that very briefly. If the occupiers of 61 Princelet Street are not to be compulsorily purchased, then that is not what they understand. I spoke to one of the Petitioners yesterday who was ecstatic who said, "We are going to be CPOed". That is my first point.

11090. The second point on the southern route Mr Berryman did explain why he thought the southern route would not work. I am sorry to repeat this point, but it is very important that everyone understands. There was a very long tunnel to up to Pedley Street when the spoil was to be removed from Pedley Street. That no longer applies. That fundamental objection has gone away. That is what that Arup critique on that report said. There were two other objections. One was depiling if it had to go under Cutlers Gardens. You will have seen from the evidence on Tuesday that there is no assessment of what the piling of Cutlers Gardens is and we had a letter from the engineers Whitbybird saying that and saying it should be further investigated. The plan you saw put up on the screen did not go under Cutlers Gardens anyway. It came around and it went up. You will see there are not pile buildings and there are no listed buildings on that southern route. All I am saying is, please, do not dismiss it. Have another

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look at it. Do some further iterations, if that is what they are called, it is a new word on me that I have learned during this. Please do some more and see if it will work. That is what we are asking. I think we have to ask for that because we have to make sure the supplemental ES contains all the correct assessments, so you know the decision is based on the correct criteria. The next point is about over site development and the further assessments that have to be made. The point was made that the histogram which was shown in evidence as showing what the lorry movements were for so that is what people understand by the Crossrail project. It is not correct to say that is four years and you can ignore the over site development. To have a rounded view, you have to know how long the over site development is run because it is an integral part of that project. The next point was made that it is a circular route with traffic movements. That is so not. That is still two traffic movements; they come in, stop, offload and go away. On the offstreet parking, the Spitalfields Society showed on Tuesday that we did not think that was possible. You cannot get a lorry in and out like that, so I think you need to have a look at all the proper traffic movement diagrams and remember that option was not Crossrail's preferred option. Their preferred options all showed the lorries offloading.

11091. The next point about Tower Hamlets saying they would not object to the lorries being offloaded. That is not the point. If the Bill is passed, then they have to accept that loading. What they are saying is to offload on the street, they would have to close the roads or require night-time deliveries. That is the point I was making. It would be chaos and very disruptive. Thank you.

11092. **Chairman:** Thank you very much indeed for that. Just re-amplify the fact that the CPO question has not been agreed. On approach, this Committee said we wanted the Promoters to go away and look at it because it was a request, so long as that is on the record. Thank you very much indeed.

11093. **Ms Jones:** Thank you.

11094. **Mr Elvin:** Can I anticipate you will not want to sit any later now?

11095. **Chairman:** I was going to ask Mr Harris. Would you stand, please?

11096. **Mr Harris:** Yes, I am here. I am happy to speak on Tuesday.

11097. **Chairman:** How long would it take?

11098. **Mr Harris:** It would take me 15 minutes today.

11099. **Mr Elvin:** Can I say this, I have been out and I mentioned this to your clerk slightly earlier that I was not planning to be here next week. I can come back on Tuesday. Mr Mould will be here anyway.

11100. **Chairman:** Tuesday afternoon. We have 15 minutes and then I lose the stenographers after that.

11101. **Mr Elvin:** I was hoping to introduce the NOP material that I promised yesterday which Mr Binley had requested from us. I will need just a couple of minutes to introduce that and present it to the Committee.

11102. **Chairman:** Mr Harris, are you okay for the Committee next Tuesday at 2.30?

11103. **Mr Harris:** Yes, sir.

11104. **Mr Elvin:** I have now rearranged my diary since I spoke to your clerk and what I propose to do is to close at the end of the Spitalfields objectors on Tuesday evening if that suits the Committee. You have got a site visit in the morning and more Spitalfields objectors in the afternoon.

11105. **Chairman:** Mr Harris, you will be 2.30 if that is okay for next Tuesday. Please accept my apology for bringing you unduly here today. We have run out of time basically.

11106. **Mr Harris:** That is quite all right.

11107. **Chairman:** Thank you very much. Mr Elvin, do you want to use any time?

11108. **Mr Elvin:** Mr Binley asked there would be market testing and we have NOP surveys which deal with the two consultation rounds. I will introduce them very briefly and point you to the key elements.

11109. **Mr Binley:** You will appreciate that that is the meat and drink, or was until I came to this place, of my business and I really would like time to look at these.

11110. **Mr Elvin:** I am not suggesting for a moment. I was anxious to put them so you can take them away and I will be here on Tuesday to deal with these.

11111. **Mr Binley:** Sadly, I am away in Lithuania next week.

11112. **Mr Elvin:** A different sort of meeting.

11113. **Chairman:** Having meat and drink, no doubt!

11114. **Mr Elvin:** Can I explain in five minutes what these are and will not detain you any longer. There is a March 2004 report which I think will be P93, if I am up to date, and a March 2005 report, which will be P94. I think that is right with the exhibit numbers. These surveys were carried out using standard market polling approaches. It gives you the sample size; it was over 1,000. Special attention was paid to areas where the proposals were more controversial and a boosted survey was provided for three places, one of which was the Whitechapel/Spitalfields area. Sorry, I am told it is P94 and P95. Cutting to the quick, the 2004 survey said that there was reasonable

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awareness but scope for improvement. 2005 said there was still scope for improvement but there had been considerable improvement over 2004. I have got some graphs that I think might just illustrate the position very briefly. This is summarising the effects of the awareness aspect of 2004 against 2005.³¹ In Whitechapel 32 per cent of those surveyed were aware of the Crossrail project. That, with the advice as to how to penetrate those better and make themselves better, in 2005 went up from 32 per cent to 49 per cent penetration of the population of the area.

11115. **Mr Binley:** That was specifically Whitechapel?

11116. **Mr Elvin:** Whitechapel is the penultimate column on the right.

11117. **Mr Binley:** I see.

11118. **Mr Elvin:** It is not written very clearly. It is clear on the screen in front of you. The last one is Romford.

11119. **Mr Binley:** I see.

11120. **Mr Elvin:** There is also an ethnicity split.³² It is quite clear that penetration of the Asian population was poor in 2004 with the improvements. Although it was not perfect, it had significantly improved over 2005, the second consultation round.

11121. It might be of help to the Committee just to look at this, there was higher than average of the following media, you will see from Whitechapel, articles in local newspapers, awareness of information centres and items on television.³³ Then the final point, I am sorry I am doing this rather quickly and I am sure we could produce copies of these if that would be helpful. I thought the Committee might like to see this as an indicator that one can get sometimes a distorted view of the views of an area by just hearing objectives, 71 per cent of those surveyed in the Whitechapel thought Crossrail was quite good value for money, that was 71 per cent in 2004, broadly the same, 64 per cent in 2005.³⁴ Indeed despite what some would say there is actually some significant support for Crossrail within this area.

11122. **Mr Binley:** These are the sorts of reports and the work that I would have expected to have been undertaken. I am perfectly happy if the work is good work. If Mr Elvin would allow us to look at this in slightly more depth I would be grateful but my first reaction is that the work has been done which I had doubted.

11123. **Chairman:** I am certainly pleased that the work has been done but it is still only part of the answer because although there is a significant awareness of Crossrail, come of the views that have been given, the thing I would suggest is whether people understood the mechanism to explain or object.

11124. **Mr Elvin:** There is more detail in the report. I have given you a bird's eye view at the moment. It is not answered in precisely those terms but I think there is one thing I might show you. People were asked whether they had enough information to date—excuse my highlighting—this is P95, page 24, zoom in please, “just under one in two of those aware of Crossrail felt that they received too little, remarkably lower than in 2004.³⁵ Most of the remainder claimed to have received the right amount of information” just under half or there about consider that they had sufficient information with regard to the project which you will see from the report compares quite well with the awareness of other major infrastructure projects, just depending in where the statistical relevance of this. You will see at the bottom and I have highlighted it, “there was little difference in perceptions by sub-group”, which includes the ethnic sub-groups. I have given you a very quick bird's eye view. If the Committee has any further questions, I am delighted to address them at a later stage.

11125. **Chairman:** If you could give us time to reflect on them.

11126. **Mr Elvin:** I thought it was better to give it to you before the end of the session today, I know Mr Binley was interested to see it.

11127. **Chairman:** Can I bring the Committee to order now because I think we have had enough today.

11128. **Mr Elvin:** It has certainly been a very long week. There are certain minor occurring at five o'clock. I have a very important marketing event in Chambers in five minutes.

11129. **Chairman:** Can I say first of all, for the record to thank the stenographers for giving us the extra time to conclude this session today. The next meeting of the Committee will be a site visit next Tuesday to Paddington and that will take place at 10.00am. If there are relevant petitioners concerned with that visit they are entitled to come along to such a visit. The next public meeting will be at 2.30 in this room on that day.

11130. **Mr Elvin:** It is 20 June in fact, Sir.

11131. **Chairman:** Thank you very much, have a safe journey crossed. Keep the fingers crossed.

³¹ Crossrail Ref: P94, Awareness of Crossrail Project (prompted)—By area (SCN-20060615-002).

³² Crossrail Ref: P94, Awareness of Crossrail Project (prompted)—By ethnic origin (SCN-20060615-003).

³³ Crossrail Ref: P94, Boost Areas (SCN-20060615-004).

³⁴ Crossrail Ref: P94, Perception of value for money—By region (SCN-20060615-005).

³⁵ Crossrail Ref: P94, Amount of information received (SCN-20060615-004)

Tuesday 20 June 2006

Before:

Ms Katy Clark

Kelvin Hopkins
Mrs Siân C James

Mr Ian Liddell-Grainger
Dr John Pugh

In the absence of the Chairman, Mr Liddell-Grainger took the Chair

Ordered: that Counsel and Parties be called in.

11132. **Mr Liddell-Grainger:** We have an enormous amount of cases to hear today. The Committee wants to hear every Petitioner's case but as a lot of you will know the Committee will not listen to the case being raised more than once, and I will stop you. We understand that many of the people here today have similar concerns, but we would ask you to listen carefully to the other cases and the points that are made and please do not repeat them. If you agree with the case made by a Petitioner, please just say the points that you support; that is quite acceptable, and you do not need to repeat the argument. Obviously I do encourage our learned friends to do the same. I remind everybody that witnesses brought forward by the Promoter may be cross-examined by the Petitioners should they want to after they have made their case.

11133. Can I call Mr Mould to set the scene?

11134. **Mr Mould:** One matter that is outstanding from last week is passenger flow figures which Mr Hopkins asked for in the context of Mr Galloway's presentation. We have those figures and we can circulate those if that would be convenient? They will be P96.¹ Rather than take time on those now may I suggest, if it is convenient to you, that we circulate these and if there any questions arise perhaps they can be dealt with?

11135. **Mr Liddell-Grainger:** That would be quite acceptable.

11136. **Mr Mould:** We are now going to hear the Petition of Spitalfields Historic Buildings Trust. They are a building preservation trust concerned with the preservation of the historic fabric of the parish of Spitalfields. They own the freehold of 19 Princelet Street and have propriety interest in 17 Princelet Street, and both properties are located above the proposed Crossrail east and westbound running tunnels. Also 42 Brushfield Street, located north of the building that support the tunnels and 11 Gun Street, which is also located to the north of the building next to the tunnels. All these properties are listed buildings located within the Spitalfields area. I cannot show that on a plan at the moment because I believe that there is a problem with the electronics. But if you have to had the large A3 plan that was put

in last week, just for the record those properties are all shaded in green against the legend "Petition Number 154".

The Petition of the Spitalfields Historic Buildings Trust.

Mr Gareth Harris appeared as Agent.

11137. **Mr Liddell-Grainger:** Thank you. Can I call Mr Harris? Sir, could I just say, before we start, thank you for your incredible patience last week. I am sorry but we overrun but we are extremely grateful to you; and also for being so understanding.

11138. **Mr Harris:** That is quite all right.

11139. **Mr Liddell-Grainger:** Mr Harris, would you like to proceed?

11140. **Mr Harris:** Mr Chairman, as you have from Mr Mould, I am here to speak on behalf of the Spitalfields Historic Buildings Trust. We were founded in 1977 to preserve the historic buildings in Spitalfields, and I am going to leave with the Committee two publications—we produced this on our tenth anniversary, *The Saving of Spitalfields*. It comes with a warning: should you have time to read this book you will never meddle with Spitalfields. I am also leaving you something we produced ten years on, which is our latest publication, which concerns Spitalfields and other places.

11141. On their first visit to Spitalfields many people are surprised to discover that minutes from the City boundary exists the densest core of early 18th century houses in London. The story of how those houses get there starts with the Great Fire of London in 1666. 13,000 households were lost to fire, thousands were made homeless and they camped on the Moorfields and Spitalfields that surrounded the northeast corner of the City through a bitterly cold winter. The King, Charles II, who gave money to the dispossessed, visited them there. The King had spent time in Holland where he had been interested in building—it is likely that the first sash building was brought to England by King Charles II. It was clear to him that the City had burnt down due to overcrowding and bad building design, and it is likely that on enquiring who owned the fields he was visiting he would discover that as his ancestor, Henry VIII, had seized the priory to whom the fields

¹ Crossrail Ref: P96, Crossrail Passenger Flow Forecast for Whitechapel.

The Petition of the Spitalfields Historic Buildings Trust

had belonged he—and it might interest you to know that Henry VIII re-roofed your Westminster Hall here with lead that he took from our priory roof, but I am not sure this is the Committee for that disagreement!

11142. King Charles had the City's surveyor, a certain Christopher Wren, value his holdings on those fields and gave consent for a market. So Spitalfields as one of the first planned London suburbs was born.

11143. The particular buildings that I am dealing with today are the 18th century houses at risk from settlement, should the proposed tunnelling take place under them. I will start with Princelet Street. The first eight houses on Princelet Street, west of Brick Lane, were sent in 1705–05 by Joseph Truman. His father had moved his brewery from the City of London following the fire in 1666. He built in on Brick Lane where there was a plentiful supply of fresh water from an artesian well which still exists today. The houses on Princelet Street that were built are the earliest domestic housing in Spitalfields; they retain much of their original layout and interiors, which is a remarkable survival due to a dramatic economic downturn within 40 years of their being built. Some, such as number 25 Princelet Street has its pair on Hanbury Street. By building this way builders kept their costs low and it is likely that houses built this way were built faster in 1704 than we can build them today. I do not know of the survival of such a pair of houses like this anywhere else in London. Much is known about the early occupants of these houses. John Baker, the owner of 25 Princelet Street, in 1745 offered to raise 75 of his weavers to support the King in resisting the young pretender, Bonnie Prince Charlie. Two lawyers from Lincoln's Inn, Charles Wood and Simon Mitchell, between 1716 and 1719 developed the rest of Princelet Street.

11144. But these are no ordinary houses. It is the settlement of them by people from many different backgrounds, representing every important Diaspora to have affected this country that makes them exceptional. To briefly condense the past 400 years, in 1685 the revocation of the Edict of Nantes saw thousands of protestants, known to as Huguenots, flee religious persecution in France. Approximately 50,000 settled in London, half of those in Spitalfields. Principally silk weavers and goldsmiths, they revolutionised the decorative arts in London. They were joined in the 1820s by Irish weavers facing starvation at home, and they in turn were joined in the 1880s by eastern European Jews fleeing the pogroms of Tsar Alexander the Second. Their arrival coincided with the invention of the Singer sewing machine, thus enabling Jewish tailors to offer the poor the chance to afford new clothes for the first time. Still significant land owners in Spitalfields, they have been joined by a significant Bangladeshi community settling in numbers after the civil war in Pakistan that created the state of Bangladesh. If you add to this mix the Maltese, the

Greeks, the Scots, the Welsh, the West Indians, the Somalians, the Zairian community who still worship in French in a local chapel. We have the most diverse community in London. We speak 75 different languages in the London Borough of Tower Hamlets, 42 of them in the tiny Spitalfields ward.

11145. Historically we have always got along. We were criticised by Parliament in the early 18th century because our French speaking parish servants spoke no English.

11146. **Mr Liddell-Grainger:** Mr Harris—

11147. **Mr Harris:** Yes, I am nearly finished with the history.

11148. **Mr Liddell-Grainger:** If you can because I cannot affect the 17th century.

11149. **Mr Harris:** I hope you will understand how this is important to these buildings. It is exactly the same in the 19th century when we spoke Yiddish and it has been a criticism that has been levelled at us ever since. We have been attacked by racists in the 1970s and even bombed by them in the 1990s but we have remained an undivided community and it is this story represented in these houses that I believe makes them of national significance.

11150. Sitting outside this Committee room last Thursday I overheard my eminent friends saying what objectors to the Bill needed to consider is how London will have changed in ten years' time and how it will need Crossrail. I would ask the Committee to consider how race relations will have changed in this country in ten years' time and how important it will be to have a focus for that then.

11151. America has its Museum of Immigration on Ellis Island; England has its on Princelet Street.

11152. In 1947 England's coalfields were nationalised and in the late 1940s and the 1950s the National Coal Board mined under a house known as Erddig in North Wales, a late 17th century stately home, at a time when post war sentiment did not value such buildings. Now one of the jewels of the National Trust and an important museum of social history, we look in amazement at the crude props and bracing that were inserted by the Coal Board to prevent its collapse. The house had fallen five feet on one side and three feet on the other, breaking its back and making the roof leads, instead of sloping to direct water away from the gutters, now funnel water towards the centre of the building, where it poured through the state rooms.

11153. To my astonishment a fax dropped on to my desk on Wednesday 14 June 2006, proposing exactly the same treatment at 19 Princelet Street, and I quote: "The technical advise (from Alan Baxter Associates) to the Promoter is that he should increase the building sensitivity rank for this sensitive building from 2 to 3, and undertake further

The Petition of the Spitalfields Historic Buildings Trust

assessment to determine whether and if so what protected measures would be required to ensure the proper protection of the building during the Crossrail works. We envisage that this would be by means of structural strengthening in the way of insertion of further propping and possibly some bracing and/or ties, if necessary.” As the representative of the freeholders of number 19 and Chairman of Tower Hamlets Conservation Area Advisory Group, I can assure you that such a strategy is not acceptable, either to the freeholders, to Tower Hamlets conservation officers or to English Heritage.

11154. What we are dealing with here are timber-framed buildings with brick elevations to front and rear. Were you to put in a planning application tomorrow to build any of the 18th century houses in Spitalfields it would be turned down? Structural engineers do not believe that they are sufficiently rigid. Many, such as 9 and 11 Princelet Street, have shared chimney stacks which have moved at very different rates to the rest of their buildings, creating a serpentine effect, upright at the base and at the top but S-shaped through the middle four floors, which is not visible from the street. Similarly Christchurch, a building we will be hearing about in a moment, now recognised as one of the finest baroque churches in Europe, has a spire that settles at a different rate to the rest of the church. Initial discussions with Crossrail led us to believe that there would be even settlement under these buildings. English Heritage was told of a possible two-millimetre settlement for Christchurch and so did not object. We now learn that settlement is anticipated at 26 millimetres with two lots of settlement at two different times.

11155. In 2002 the London Borough of Tower Hamlets conservation officers refused permission for cable companies to use JCB diggers to dig trenches in Princelet Street, arguing that many buildings would be damaged by the vibration so caused. We cannot insert bracing into all these houses; such an idea is monstrous. They are listed buildings, many of which are likely to be upgraded in a review currently under way by English Heritage.

11156. So it seems that we urgently need to weigh the benefits of this route against the probable damage to these important buildings.

11157. Crossrail are not the first to attempt to traverse Spitalfields. The last ill-advised railway incursion into Spitalfields was in 1842 by the Great Eastern Railway Company. I would like to quote from the Eastern Counties Railway Board minutes of 6 September 1942: “Estimated expense was greatly exceeded because of the unexpected varying and extraordinary increase of the depth in foundations of nearly all piers and abutments, consequent upon passing through crowded building property, intersected with sewers, old ditches and numerous cesspools.” Which leads me to the problem of underground water in Spitalfields, which I understand to be the most dangerous medium to

tunnelling. There are two important local sources of water. On 8 August 1279 the Dean and Chapter of St. Paul’s confirmed a grant from the Bishop of London to the Hospital—that is the priory of St. Mary Spital—of a fountain, i.e. a spring, called Snekokkeswelle, in his field called Lolesworth, with liberty to enclose it and bring the water underground almost to the south corner of the hospital. The site of Lolesworth, which was possibly an ancient standing stone, is in the kitchen of number 4 Princelet Street. A profusion of water courses appear to radiate away from this site. Some to the north feed into the second most important water system in Spitalfields, the wells supplying the Truman Brewery on Brick Lane, before continuing northwest where they meet up with the spring at St. John’s Holywell, now marked by Holywell Row. It would have been this water system which caused Stevens Totton of 6 Spital Square to complain in 1805 that, “Every person in Spital Square is greatly inconvenienced by the springs in the liberty, in so much that in his late father’s house there the water from these springs used to be three or four feet deep in the cellars, and the servants used to be obliged to punt themselves along in a washtub from the cellar stairs to the beer barrels to draw the beer daily.

11158. **Mr Liddell-Grainger:** Mr Harris, would you come to what you want, please?

11159. **Mr Harris:** In June 2000, 800-odd years after the first records of springs in Spitalfields, I was called to the basement of a house in Princelet Street by an incredulous builder to witness water flowing profusely through a basement wall. I wrote to Alan Baxter & Associates about this problem on 19 July 2004 and received no reply. On 18 October 2004 I voiced the same concerns in Portcullis House and was told that Crossrail considered the watercourses were close to the surface and of no concern to the tunnelling operation. Like the superficial investigations into the sensitivity of the buildings I have no confidence in this assumption. Like the Coal Board of the 1950s, desperate for a solution to the energy shortages, it seems that Crossrail have found a soft target in Spitalfields. But now that the Pedley Street shaft has been abandoned there is no reason to tunnel in Spitalfields at all and risk so much.

11160. It is to be hoped that the Committee can go back and look at the southern route again and assess its viability. It would be a chance to avoid risking damage to irreplaceable buildings of national significance.

11161. The Spitalfields Historic Buildings Trust urges you to adopt the southern route, avoiding the historic core of Spitalfields. Crossrail promises so much for London, it will benefit us all if it built in the right place.

11162. **Mr Liddell-Grainger:** Thank you very much. Mr Mould.

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11163. **Mr Mould:** Sir, the Committee has heard a good deal of evidence during the course of the proceedings in relation to Spitalfields and Hanbury Street, and a good deal of that evidence has been concerned with the need to take great care in relation to potential settlement impacts as they affect all buildings, but for obvious reasons listed buildings in particular. I do not propose to repeat that evidence. All I would draw to the Committee's attention is that we referred last week to our understanding of the importance of Christchurch, Spitalfields, the location of Christchurch in relation to the scheme and, as you will recall, it lies somewhat to the south of the running tunnels proposed under the Crossrail scheme.

11164. We referred to the fact that Christ Church has been the subject of careful consideration as part of our detailed assessment process in relation to settlement impacts and I simply, for the record, draw attention to volume two of the technical report to the Crossrail environmental impact assessment statement headed "assessment of separate impacts on the built heritage", which on page 125 summarises the position in relation to Christ Church.² Let me put it up on the screen. You can see there we are showing the proposed works, segmental line tunnels; the church lies outside the tender of the settlement lines. That is the position, as I understand it. No significant potential impact is predicted and, for that reason, no action by way of mitigation and you will see there the residual impact is described as "not significant". We have described to you the ongoing process of assessment in relation to listed buildings. The Committee need have no concerns as to the Promoters' desire to take whatever steps remain necessary in order to safeguard that iconic historic building. The only other point I would make is this: I think the Petitioner also mentioned 17 and 19 Princelet Street. The Committee knows we have made a considerable commitment specifically in relation to 19 Princelet Street and, as to the Petition of Ms Symes last week, the occupier of that building, 17 the neighbouring building also listed has also been subject to individual assessment. The report is available to the Petitioner and the process which we have outlined is under our Information Papers and documents available to the Petitioner also.

11165. As to the question of ground water, I just ask what our position is in relation to that, the position is in so far as ground water is concerned, the tunnels will be bored through the clay, as you have heard, and the water in the chalk will be below that, so it will not be affected by the tunneling works. Any deposits of shallow water will lie above the lie of the tunnels and, therefore, there is not expected to be any interface in relation to water of that level either. Sir, unless there are any other points that you would like my help on, that is all I propose to say.

11166. **Mr Liddell-Grainger:** Thank, you, Mr Mould. Mr Harris, thank you very much. Is there anything else you want to add?

11167. **Mr Harris:** May I respond to Mr Mould?

11168. **Mr Liddell-Grainger:** Of course.

11169. **Mr Harris:** Mr Mould has mentioned to do with settlement impacts the fact that Christ Church is to the south of the scheme. It is precisely those outlying on the edge of settlement buildings which are of risk in that they will have differential settlement as the levels of settlement spread out from the core. I am afraid I am very much disagreed with his advice to you that you need not have any concerns. On visiting 19 Princelet Street for the first time recently, Alan Baxter Associates have upgraded its sensitivity from two to three. They only visited three buildings on that day. Prior to that, their assessments had been on desk-based archaeological research and visiting Spitalfields with me. It surely should be of concern if one of only three buildings visited should have had its sensitivity upgraded. All these buildings on Princelet Street, Wilkes Street, Brushfield Street and Gun Street are all complex early 18th century buildings built 300 years ago to last possibly 60 or 80 years. It is a miracle that they still stand at all. They have been added to, I think you heard last Thursday from Ms Symes, how 19 Princelet Street is effectively two buildings, 18 and 19th century were built in totally different ways that will settle very differently. It has been my argument today and I hope you will understand that it is the importance of these buildings, the soul of these buildings not necessarily just the historic fabric that will be destroyed by filling them full of bracing.

11170. Similarly, I would urge the Committee to have the same concerns over ground water. There has, I do not believe, been any dig or research done to ascertain where this water is and from other advice I have, I understand that it is running into unknown sources of water, particularly when I took Crossrail's engineers around Spitalfields in 2004, their biggest area of concern was to know whether I knew of any water courses because they were what gave them the most cause of concern. I hope the piece I have given you of the National Coal Board who mined at random under historic buildings with assurances of everything would be fine and virtually destroyed buildings will give you a hint of concern today. Really what I am saying is that now we no longer need to dig here because of Pedley Street tunnel. Surely, given the importance of this district to future generations of people in this country, it is worth looking briefly at the southern route which I feel concern certain you will discover to make a lot of sense.

11171. **Mr Liddell-Grainger:** Thank you Mr Harris, you may stand down. Could I call the Reverend Rider.

² Crossrail Ref: P97, Impact Assessment, Crossrail Schedule Impact, Alan Baxter & Associates, Volume 2, p125 (SCN-20060620-001).

The Petition of Christ Church PCC

The Petition of Christ Church PCC

The Reverend Andy Rider appeared as Agent.

11172. **Mr Liddell-Grainger:** Mr Mould?

11173. **Mr Mould:** Just a very brief introduction in the usual way. The Petitioner I think is the Rector of Christ Church.

11174. **Reverend Rider:** Yes, indeed.

11175. **Mr Mould:** As you know, we described that building to you in the past in its value to the nation. Also I think the Petitioner has an interest through his office in number 22a Hanbury Street which is an unlisted building, but I think it is proposed to be listed and 35 Buxton Street which I think is the rectory.³ All of these are in the vicinity of the proposed Crossrail running tunnels and not lying beneath them and, indeed, in the vicinity of the Hanbury Street shaft site.

11176. **Reverend Rider:** Thank you, Chairman. Inevitably, I am going to touch on some arguments that have been heard before. I will try not to reiterate them, I will refer to them, I may even reinforce them but will try not to take too much of the Committee's time. There are four areas of concern I want to raise.

11177. First, I understand the current building spend of this project has risen from £15 to 18 billion, whilst at the same time we hear promises of a quicker build time than was first envisaged. I wonder what provisions there are for overspending and the effect of these time delays which both seem endemic to large-scale building projects in Britain. I need not mention those we are all aware of.

11178. Secondly, I want to echo the concerns of Judith Serota who spoke to you last week on behalf of the Spitalfields Festival. The proximity of the tunnels at Christ Church does indeed indicate that the northwest corner of this fine Grade I Listed building sits between one millimetre and five millimetres of settlement contours. We, as the PCC, are concerned about construction noise and vibration, settlement problems and subsequent running noises. These obviously could have adverse effects on the place of worship which is also used by the community for a number of events. The PCC would want all assurance possible of reasonable sound levels and restitution expenses if there were to be a sinkage or cracking for the building as a result of this project.

11179. Thirdly, local concern from residents from the conservation area have also led to an agreement, I understand, to do proper internal assessments of our Grade I Listed church and the settlement effects upon it, the map shows the settlement contours on the screen before you, coming under our front

portico which supports a huge spire, which if it were to move could have, of course, disastrous consequences.⁴ Our architect of some 30 years had already met with some of the Committee and shown them around.

11180. I would like Crossrail's assurance that only the fullest internal investigation will be carried out when looking at these issues. We have heard much evidence about the levels of the foundations in the area and the church is a key example of that. My concern is not just the public building, such as 19 Princelet Street, the church on 22a Hanbury Street which is our community church hall and sits above the central route of that project, but for many residents who have moved to the conservation area, and live in private houses with shallow and weak foundations. I understand you have been asked to investigate the Ten Bells and 19 Princelet Street and I will ask on behalf of my neighbours for a random internal testing of why six to eight of these very fragile, historic properties of 80 properties that constitute the conservation area. I do not think that is very much to ask given the size of the scheme that is being considered.

11181. Fourthly, and my initial reasons for petitioning were motivated by a pastoral concern for the neighbours of the Hanbury Street shaft site and Pedley Street tunnel which I now understand to have been taken out of the project plans as a result of local wisdom and concern. But I do also understand that these are yet to have additional provision amendment approval. I would like Select Committee assurance that these changes will be removed from the scheme or least the very best endeavours to be made to ensure they are. If tunnelling is not to be carried out from there, and I say "if" because, as I say, this approval as yet has to be given to government, the shaft, I understand, will be approximately half the original intended size and no Pedley Street tunnel will be constructed. However, this still requires some 30 lorry movements a day in the narrow residential streets of Spitalfields over a period of some four years. The site sits between a large housing estate and Brick Lane, the community's local shopping street, our own church stall, of which I am chair, sits on Brick Lane itself and has some 160 children many of whom walk, play and shop in the vicinity around the proposed shaft. The road dangers, the dust and the noise will have an adverse effect upon these families; in fact, many adverse effects upon these families and upon those who attend the other four primary schools in that part of our parish, namely Thomas Buxton School, St Anne's and Osmani. Furthermore, these narrow roads with their one-way system already get heavily congested on a daily basis. The addition of some 30 lorry movements a day often having to wait on nearby roads while others unload will only add to the congestion causing roads to become completely blocked and often at times dangerous. I understand the planned lorry route is to enter along Greatorex

³ Crossrail Ref: P97, Location Map of Christ Church PCC (TOWNHLB-22103-001).

⁴ Crossrail Ref: P97, Liverpool Street to Pudding Mill Lane, Sheet 2 of 8 (TOWNHLB-22104-001).

 The Petition of Christ Church PCC

Street and leave via Buxton Street which Crossrail, I understand, declared last week in response to Pat Jones' evidence, to be a local distributor route. Even so, Buxton Street, I believe, as seen when you visited recently is currently blocked off half way down. It is not a thoroughfare. This, I believe, was blocked off for safety reasons. I have been informed in the last couple of days—I have not been able to research fully—but this was partly in response to a fatal road traffic accident involving two young children some years ago. There are still today two schools right on Buxton Street that twice a day fill the street with children. I was there last week. One of them is a two-form entry; one of them is a one-form entry, so there are a lot of children coming out of school twice a week and entering. Parts of Buxton Street is still cobbled and also runs alongside our chief area of local open space where children regularly play. I cannot believe this shaft site, even in its reduced form, is better located at this spot or the lorries delivering and removing materials will not significantly harm this community.

11182. My last comment is it seems to me quite clear that serious and thorough consideration must be given to other routes. I am aware a more northerly route is being offered that would not involve the tunnels going under the fragile and Georgian conservation area and a Grade I Listed national treasure in Christ Church. I believe this route has been suggested by Tower Hamlets both in the past and in recent discussions. My own view, however, is that southerly route should be considered, making a much more direct and possibly cheaper link between Liverpool Street and Whitechapel Street. I believe there have been four options with four initial studies done on southerly routes previously by Crossrail. Indeed, I am led to believe the main objection in the past, as Mr Harris suggested, was the distance between that southerly route and the Pedley Street removal site. Now that Pedley Street site is not going to be part of the proposal, that previous objection falls away very fast. I would like to hear a commitment from Crossrail that they will consider again a southerly option of avoiding the distress, trauma and perhaps serious effects of a site in the middle a residential and narrow streeted community.

11183. Lastly, it has been reported not just here but wider that this Crossrail scheme has been perhaps one of the most troublesome by way of public concern. I urge you then to reconsider in the light of that concern and in the wellbeing of a large Bengali community, who may have been more silent than most by way of petitions but undoubtedly will be affected more than most, if this goes ahead, to reconsider the wisdom of this current proposal and that shaft site. Thank you.

11184. **Mr Liddell-Grainger:** Thank you very much, Reverend.

11185. **Mr Mould:** Sir, I have said something already about Christ Church-Spitalfields and settlement. I simply repeat the point that we have considered the potential impact upon Christ Church of the proposed Crossrail works. I do stress that the settlement assessment process that we have is focused specifically upon the risk of differential assessment, a point that the Petitioners perhaps will wish to be aware of. We will certainly share with the Petitioner, as the proprietor of Christ Church, the work we have done in relation to that building. In so far as noise and vibration is concerned, that is a matter upon which I think Mr Elvin gave certain commitments last week when Ms Serota was presenting her Petition and we will involve this Petitioner in the process of further site visit and investigation that was mentioned by Mr Elvin last week.

11186. In so far as other buildings within the Petitioner's ownership and concern they have been subject of assessment, as part of our assessment process, and again we have indicated that we will share information with the proprietors of buildings that have been subject to that process and in relation to this Petitioner.

11187. In so far as lorry routes are concerned, we have indicated that the London Borough of Tower Hamlets, as local highways authority, have indicated they prefer the proposed lorry route that we have presented to the Committee through this area. As part of their regulatory role in relation to lorry routing under the Bill, we will be continuing to consult with them and to ensure that we negotiate with them for sensible arrangements in relation to school opening and leaving times. The safety of children at those important times is paramount.

11188. **Mr Mould:** In so far as the southerly route is concerned, it is a matter that you would have heard a good deal about, largely from Mr Berryman in evidence. I will say no more about that. We will summarise our submissions in relation to that when Mr Elvin comes to make his case later on.

11189. **Mr Liddell-Grainger:** Have you anything else you would like to say?

11190. **Reverend Rider:** Thank you for the reassurances around the settlement of the church. Of course, that is not responding to my request for random testing on private properties which you have heard a lot about this afternoon. Also thank you for the consideration around school opening hours and a reminder that Tower Hamlets prefer this route. Of course, there are few routes possible if the Hanbury shaft is sunk at the place where it has been suggested. Again, I want to state for the record my concern about danger, health impact and risk with this shaft where it is and ask the Select Committee to impress upon Crossrail the need to look at this southerly route again.

The Petition of **Jemima Broadbridge**

11191. **Mr Liddell-Grainger:** Thank you very much for coming. Could I now call Jemima Broadbridge, please.

The Petition of Jemima Broadbridge.

Ms Jemima Broadbridge appeared as Agent.

11192. **Mr Elvin:** The Petitioner is resident of 18 Deal Street in Spitalfields which is to the north-east of the proposed shaft at Hanbury Street and is outside the Bill limits. The property of the Petitioner is about 60 metres to the north of the east-bound running tunnel. I ought to mention that the Petitioner only received her Petition response document yesterday because the post office was unable to deliver it and only informed us at the end of last week that it had not delivered the PRD. Mr Mantey, who is the Petitioner negotiator, went around personally as soon as we found out on Friday and left a copy of the PRD. I understand Ms Broadbridge is still willing to proceed for which the Committee I am sure are very grateful.

11193. **Ms Broadbridge:** I would like to begin my presentation with a brief word about Tower Hamlets Council in relation to Crossrail's proposals. The council has never explained the value of creating another underground station at Whitechapel to me as a local resident. The local community has been told that the new Whitechapel station is intended to help regenerate an area which even to outsiders must seem pretty lively, vital and thriving community.

11194. Frankly, this word "regeneration" sounds patronising to people like myself who are already resident in the area and who are aware, possibly more than visiting property developers, of what a bustling and lively place it is to live. Meaningless term like "regeneration" effectively serve to depersonalise, dismiss, overlook or devalue the community in which you live. They are words used to sweeten the bitter pill of the impact of development on your surroundings and daily life.

11195. I am interested in the people of this village and not just buildings. I thought the last presentation was excellent and very interesting. I would like to stress that I do not think Spitalfields should be used as just another Brown fields site for development which I think a lot of city developers tend to think.

11196. In my case, it is the village of Spitalfields and it is a village because when I come out of my door every morning on the way to work I say hello to my neighbour opposite and my neighbours who live either side of me if I see them going to work. We all know one another to talk to. It is a safe, relax and friendly community that I am lucky enough to live in. My main reason for bringing this Petition is because I am interested in preserving the precious, unique character of my village.

11197. I am afraid that my personal experience of regeneration in East London is that it is usually a euphemism for just that, development. Having observed Tower Hamlets Council and the corporation of London's developer in action in Spitalfields and on the city fringe over the course of the last six years I have come to learn that regeneration very rarely benefits the local residents in the local area. More often than not, development is targeted to satisfy the perceived requirement of city workers on their lunch breaks who commute to the square mile but have little or no connection to their work surroundings.

11198. If Whitechapel is to be regenerated—and it could do with some help—then I would suggest that some of the planning gain generated from other projects in the borough could be spent on improving local services and facilities for local people. I understand that the London Borough of Tower Hamlets is sitting on around eight and a half million pounds of planning gain monies derived from other developments. I would like to ask whether some of this money could perhaps be used to offset the environmental impacts that the Crossrail project will have on Spitalfields and in particular on Deal Street residents?

11199. **Mr Liddell-Grainger:** Ms Broadbridge, that is way outside our remit. We cannot look at that, that is for Crossrail. Can you please focus your remarks on Crossrail.

11200. **Ms Broadbridge:** We would be grateful if some of that money could be used to offset the impacts of this development. I also wish to make the point that while Crossrail's change of mind on the tunnelling strategy is welcome, I realise that it probably would not have been achieved but for the concerted efforts of a community campaign prior to the recent local elections. I would like to point out for the record that it was this campaign which eventually galvanised the council into action which led to Crossrail to changing direction. For these reasons I am not wholly convinced that Tower Hamlets Council has in any way represented my view or the views of other local people. I have been unsurprised but nonetheless quietly angry about this point until now.

11201. I am chiefly concerned with Buxton Street which is the road abutting my road.⁵ It is at the end of my road. It is currently closed due to through traffic that Crossrail intends to reopen in order to allow lorries access to the exit route along Vallance Road.

11202. I am told by neighbours who have lived in the Area longer than I have that since it has been closed this road has become a haven of safety where young children can play. It seems to be exactly that way. I frequently see mothers with very young children, some under five years of age, traversing the street

⁵ Committee Ref: A123, Street map locating Buxton Street and Deal Street (SCN-20060620-002).

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with their toys and tricycles—and this is outside school hours—on the weekend or in the early evening, going for a walk.

11203. I also understand that Buxton Street was originally closed to traffic by the council because of an active community campaign which was mounted by local residents following the deaths of two small children caused by a traffic accident a few years ago. This makes me increasingly anxious about what might happen if this road is reopened again, even if the lorry access is controlled.

11204. Will the flow of traffic along Buxton Street be controlled by gates at the end of the road, where it meets the junction with Deal Street? Will there be fences erected on either side of Buxton Street to stop children straying into the path of lorries? If not, what measures will be taken by Crossrail to protect vulnerable young children who play in Allen Gardens? How safe will they be once lorries start travelling along Buxton Street?

11205. Only last weekend I was out picnicking in Allen Gardens with friends when I saw a group of very young boys aged about seven or eight years old running around in the park together, unaccompanied by an adult, presumably because they live on one of the neighbouring estates that borders the park. I would like some assurances from Crossrail and the council that children will still be able to play in the park and the playground adjacent to Buxton Street without any danger of a collision with the heavy vehicles passing by. Otherwise, not only will the quality of life in the area be blighted for people who live on Deal Street, but young lives will be endangered and access to the only reasonably sized piece of Green public space in Spitalfields will be ruined, at least temporarily.

11206. There is also the issue of the three primary schools which abut the route taken by at the lorries along Buxton Street, en route to Durward Street. Although we have been given assurances by Crossrail that the lorries will not be traversing this route during the hours that children arrive at school and leave school, there is still a risk that children may want to play after school hours around the perimeter fence of the school and that they risk being involved in an accident. Has this issue been settled with the three local primary schools to their satisfaction?

11207. However, I would also like to stress that Allen Gardens is used not just by young children but by adults like myself as a place of rest, respite and recreation, away from the busy hubbub of Brick Lane and the surrounding traffic-ridden streets of Spitalfields. It acts as a small “lung for the city”. We go there to picnic, read a book, walk the dogs, enjoy the annual Spitalfields community festival, to visit the city farm with friends and sometimes just to sunbathe and play Frisbee.

11208. If lorries are going to be traversing Buxton Street for a period of four years during the shaft construction process, then I would like to seek assurances from Crossrail that the park will not be excessively disturbed by Sunday working or evening working during the summer months.

11209. I would also like to make the point that a considerable number of cyclists, including myself, use Buxton Street as a short cut to access Brick Lane. For cyclists this is an excellent way to cut out the busy traffic on Vallance Road, Spital Street and Hanbury Street. I would like to ask Crossrail how long it will be before Buxton Street is open to cyclists again?

11210. This next topic concerns planning matters. I am very concerned about Crossrail’s proposals for oversite development—or OSD—which will occur at the end of construction, around at the Hanbury shaft site.

11211. I am aware that others have already raised a similar point about OSD in a previous representations, but I would like to ask one question which I think has not been raised yet. If Crossrail does intend to make “reasonable practical endeavours to negotiate the right to develop these sites after the shaft has been dug, then who will the money from time to time eh sale of these developments go to?

11212. Practical endeavours to negotiate the right to develop these sites after the shaft has been dug, then who will the money from time to time eh sale of these developments go to?

11213. **Mr Liddell-Grainger:** As I have said previously, this is out of our remit and we cannot deal with this matter here. Can you please stick to issues relating to Crossrail.

11214. **Ms Broadbridge:** Okay. The next issue is relating to noise and health impacts. I am aware that the acoustics in Deal Street are very sensitive and acute. At times the Dawn Chorus can sound as loud as a car alarm going off because the area is such a green and pleasant place to live.

11215. The green aspect (not the noise) is one of the main reasons why Deal Street has become such an attractive place to live. Some of my neighbours have been residents in Albert Cottages for over 20 years, which shows how much the place compels people to want to stay.

11216. However, what concerns me is the possibility of low level, ambient vibrations caused by lorries transporting rubble from the shaft on Hanbury Street down Buxton Street, particularly during initial intensive construction period. Much is frequently made of loud noise in residential areas caused by neighbours, planes, traffic et cetera, but I am also concerned about the lesser-known effect

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that apparent low level noise or vibrations will have on the physical and mental health of Deal Street residents during this initial construction period.

11217. This is the type of noise that could wake up a baby or an adult during the night if 24 hour working takes place. It is the type of noise likely to bring with it the effects of stress and anxiety such as sleep deprivation for Deal Street residents. I would like if Crossrail would produce, for my peace of mind, a clearer idea of how loud the noise of works taking place will be for people sitting at home on Deal Street and whether on a sunny summer's evening we might have to close our windows and doors and go indoors.

11218. Why has Crossrail not produced studies to give an indication of the noise levels likely to be caused by 16 heavy lorries per day travelling up and down Buxton Street? I am concerned that no community impact assessment has been produced to look at the welfare issues other than those directly related to health.

11219. No background information or evidence is provided to show existing levels of ambient noise for Deal Street residents who live on Deal Street, yes the HIA asserts with confidence that there will be no significant increase in noise levels, despite plans to work from 7 am to 10 pm sometimes and at other times to work 24 hours per day.

11220. Crossrail's health impact assessment offers no substantive support or offers any mitigating plans to reduce the cumulative effect of raised noise levels, apart from offering a very limited number of residents living close to the site the possibility of double or secondary glazing.

11221. This sounds to me very much like a blithe and irresponsible dismissal of the reality of what it means to live next to a building site for a concerted period of time. I would like response to these points.

11222. My conclusion and main argument is Crossrail have said that they no longer intend to start tunnelling in Spitalfields and they will not be building a large depot at Romford, so then why can they not now make another change and alter the tunnel route from time to time eh one they want, the one that goes from Liverpool Street to Whitechapel but along the Whitechapel Road, missing the church, 19 Princelet Street, all the Georgian buildings and no big hole in Spitalfields. With this route they will not need to tunnel under Spital Street to Pedley Street.

11223. I would urge the Committee to consider recommending major amendments to the Hybrid Bill at the Third Reading to mitigate against the extremely harmful impact this project will have upon the residents, families and school children in Deal Street. In particular, I would like to see an amendment which gives serious consideration to moving the tunnelling route further south than the

present safeguard route, thereby avoiding major, serious and long-term disruption to the lives of the families and school children where I live in the heart of Spitalfields.

11224. Finally, I have a number of questions for Crossrail and I will leave a copy with them and the Committee. I want assurance that these questions will be answered fully and appropriately in writing in a matter of days. I would like confirmation that a copy of Crossrail's response has been sent to this Committee.

11225. Firstly, Will the flow of traffic along Buxton Street be controlled by gates at the end of the road, where it meets the junction with Deal Street? Will there be fences erected on either side of Buxton Street to stop children straying into the path of lorries? If not, what measures will be taken by Crossrail to protect vulnerable young children who play in Allen Gardens?

11226. If lorries are going to be transversing Buxton Street for a period of four years during the shaft construction process, then I would like to ask, what assurances can Crossrail give that the park will not be excessively disturbed by Sunday working or evening working during the summer months?

11227. I would like to ask Crossrail how long it will be before Buxton Street is open to cyclists again?

11228. If Crossrail does intend to make "reasonable" practical endeavours to negotiate the right to develop OSD sites after the shaft has been dug, then who will the money from sale of these developments go to? Given the current high land values in the area, it is doubtful that local people could afford to buy this plot of land or any development on it. Presumably the site will be developed for sale a commercial, competitive rates?

11229. **Mr Liddell-Grainger:** Mr Elvin?

11230. **Mr Elvin:** Sir, can I deal with the broader points which have been raised. So far as the issue of the value of the Whitechapel is concerned, the Committee made clear on day 41, which was last Thursday, paragraphs 10883 to 10894 of the transcript, that they accepted that the principle of the station in Whitechapel was established by a Second Reading, and therefore it is not a matter for the Committee to determine. I do not propose to say any more about that. We have, in any event, given the Committee an explanation of the reasons for the station and Mr Anderson on last Thursday, day 41, gave evidence on the issue. So far as working hours are concerned, as I mentioned a moment ago, agreement has been reached with the local authority on the working hours. A final document needs to be prepared for submission to this Committee so that you can see what has been agreed.

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11231. Can I tell the Committee what that means. It has been agreed that the core working hours will be from 8am to 6pm on weekdays and 8am to 1pm on a Saturday. Outside the core working hours only non-disturbing preparatory work, repairs and maintenance, will be carried out outside those hours, for example on Saturday afternoon or on Sundays and even then not later than five o'clock in the afternoon. That does not involve the delivery and removal of spoil. Construction related to traffic serving the work sites will abide by this, by the agreed hours of working for each specific location. That means that the core hours will cover timing of deliveries, off-loading and loading from the public highways, and deliveries, other than a normal load, will not take place outside the core working hours and start and closedown periods without prior agreement with the local authority.

11232. Can I make it clear that the activities that are agreed to 24 hours a day primarily are the tunnelling works and matters which can be served through the portals and within the tunnels themselves and matters such as the operation and maintenance of equipment.

11233. The Committee will get a full document which sets this out in detail but I thought it would be helpful to make it clear now that there will not be delivery lorries taking spoil away at ten in the evening or matters such as the Petitioner raised concern about.

11234. Can I also say so far as cycles are concerned, this is dealt with in information paper D20 paragraph 3.1, local diversions will be signposted and where necessary alternative facilities provided.⁶

11235. Finally, on the question of oversight development, that is a matter for the normal planning process by local planning authorities and where necessary we would appeal to the Secretary of State for Communities and Local Government under the Town and Country Planning Act. It is not the decision of the House or the Secretary of State for Transport, but of the normal planning process.

11236. So far as the proceeds from oversight development, if the site is bought by public money then it will be the public coffers that will take the proceeds. However, as Mr Colin Smith, one of our property experts, explained to the Committee, I think it was during the first Westminster Petition back in February, it is a mistake to regard this as being profitable because of the fact that we have to pay for the property upfront when it is taken and then the property is held while the works are being carried out and before any development can take place.

11237. Of course, there is a holding cost and the financing of the capital costs of acquisition. However, it is the public purse that will pay and the

public purse that will take such proceeds as arise from selling off any OSD whilst it is permitted. The OSD is entirely a matter for the normal process and in an area such as Hanbury Street no doubt that will be constrained by the presence of many listed buildings. I have nothing else to say.

11238. **Mr Liddell-Grainger:** Thank you, Mr Elvin. Have you got anything else to say?

11239. **Ms Broadbridge:** Many thanks you for your response there. I wanted to query the phrase "non-disturbing noise" as I find it is a slightly odd term and I would welcome a stronger definition of what that is. I would also welcome a more detailed study from Crossrail into what the noise effects will be, such as the one carried out on the King's Cross development a few years ago, which I gather was very detailed.

11240. Also, I gather there is a start-up period between seven and eight in the morning before the working of eight until one on a Saturday, so that would mean more noise before 8 o'clock start time. Some people like a lie-in on a Saturday so that is not very nice for residents. That is all I wanted to say.

11241. **Mr Liddell-Grainger:** Thank you very much indeed. Can I call Dr Susan Goodbody and Thomas Sparks.

11242. **Mr Elvin:** The Petitioners own 19 Wilkes Street in the area. Their property is located above the eastbound running tunnel about 200 metres to the west of the proposed Hanbury Street shaft. You can see the 310, which is the petition number, next to the 195.⁷ At the point of 19 Wilkes Street the tunnels will be more than 100 feet below the surface, some 36.5 metres below ground. Thank you, sir.

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The Petitioner appeared in person

11243. **Mr Liddell-Grainger:** It is Dr Goodbody, is it?

11244. **Dr Goodbody:** It is. My name is Susan Goodbody—and I am sorry Tom Sparks cannot be here today. As you have heard, I live at 19 Wilkes Street, right on top of the tunnel. We have been offered a settlement of 26mls. You have already heard arguments from many people as to why the tunnel should not be built under historic Spitalfields and I am not going to go into that again. As I understand it, Crossrail is intended to benefit all Londoners and I think that all Londoners should share in the cost. I have a very genuine fear that a very small minority of us are going to end up paying far, far more than our fair share of the cost, and I have come here today to ask you to prevent this and protect us.

⁶ Crossrail Information Paper D20 Traffic Management During Construction, <http://billdocuments.crossrail.co.uk>

⁷ Crossrail Ref: P97, Location of individual Petitioners based in the Spitalfields Area (TOWNHLB-31003-002).

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11245. Obviously I do not have time to go over all the points in our Petition, so I will concentrate on just two, and those are with respect to noise and the potential damage to our home. Here is what keeps me awake at night. I worry, genuinely, that ten or 12 years from now I will be sitting in my basement listening and going mad over the sound of trains running underneath me, and I phone Crossrail or whoever is involved at that point—it might not be Crossrail any more—and they will be, at best, unwilling to help me or, at worst, unable to help me because the tunnel will be a *fait accompli* and there will be nothing that they can do about it. So I am asking you, please protect me from this possible outcome.

11246. Additionally, I also worry that if there is damage to my home then I will have to prove to Crossrail's satisfaction that this is as a result of the Crossrail link, and I do not see why I should be put in this position. I am not the one who is changing the *status quo*. I do not want to bear the cost or distress of litigation and I really do not believe that some independent person like me would have any hope of winning such litigation against a big outfit like Crossrail, with their access to legal teams that I have no possibility of matching. So I am worried about that.

11247. I have a couple of very specific questions that I was hoping to put to Crossrail; is that going to be possible? Can I ask questions?

11248. **Mr Liddell-Grainger:** Yes, you can. If you would like to address them to the Committee and I will ask Mr Elvin.

11249. **Dr Goodbody:** So the threshold for noise that Crossrail are aiming to be under is 40 decibels. The 40 decibels is definitely audible across the majority of frequencies that the human ear can hear. When people talk about noise they often give an example of leaves rustling, and that is only ten decibels—that is thousands and thousands of times less than trains at 40 decibels. So I just want to ask Crossrail, presumably you have a mathematical model that you have produced to predict that the noise level will be less than 40 decibels, and if you do is it published and do we have access to it?

11250. **Mr Liddell-Grainger:** Mr Elvin will be listening closely.

11251. **Mr Elvin:** He is indeed.

11252. **Dr Goodbody:** Also, in the response to our Petition Crossrail said that the threshold that they were aiming for was described as $40\text{dB}_{\text{LAmax,S}}$ where "S" is a time constant of one second. To me, when I see time constants it makes me think is that correct? I want to know basically is this decibel level going to be across all frequencies? How much higher is it going to be, say, at 1000, 10,000 hertz? Could it be ten times higher, 100 times higher? I do not know. I am asking them basically what is the gain of this

device at all frequencies? How much are these very audible frequencies and what would be the threshold that would have to be reached if you reached the normal time constants? I am not sure if I should—

11253. **Mr Liddell-Grainger:** Please continue, Mr Elvin will be listening closely to what you say.

11254. **Dr Goodbody:** One other question which was regarding the response. We have been told several times that there is going to be a survey of our property before tunnelling starts and I would like to know when this is actually going to happen. Will it involve going into the house and pulling up floorboards? What is it actually going to entail? That is what I want to say and if you could answer these questions I would be grateful.

11255. In closing I would like to say, please uphold the request we made in our Petition. Please grant us an independent assessment of noise, vibration and settlement that we requested in our Petition and please require that Crossrail come to some agreement with us on an acceptable level of noise rather than impose one on us. Thank you very much.

11256. **Mr Liddell-Grainger:** Mr Elvin, would you like to answer the questions?

11257. **Mr Elvin:** Indeed, if the Committee would find it helpful Mr Thornely-Taylor can explain the issue with groundborne noise again.

11258. **Mr Liddell-Grainger:** If you want to start off yourself, we have gone over that fairly carefully and we have had demonstrations on the ground noise. So if necessary we will call a witness but I think we have explored the area.

11259. **Mr Elvin:** Can I first say that with regard to the assessment of the listed building, which is the Petitioner's property, that has been subject to a stage 3 settlement assessment, and as with the general undertaking that will be made available to the Petitioner and we will enter into any further discussions over that settlement report with the Petitioner to help understand it and to discuss it.

11260. Secondly, so far as surveys and how defects would be taken forward: (a) any damage would be remedied by Crossrail, but (b), contrary to the assumptions that some make, the methods of preventing settlement damage are focused on at source methods, as Professor Mair indicated on day eight. It is set out in section 4.1 and 4.2 of Information Paper D12 and the defect survey process is set out in section 5 of Information Paper D12, and the defect survey is typically undertaken about a month before construction starts in the area to make sure that it is unaffected by construction.⁸

⁸ Crossrail Information Paper D12 Ground Settlement, <http://billdocuments.crossrail.co.uk>

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11261. As with the unlisted buildings, the summary of the stage 3 report is already in the public domain in the technical report.⁹ It is the second down, 220, 17-25 Wilkes Street, potential settlement damage negligible, building sensitivity scored one, which means that they have some delicacies which have to be observed. Therefore, overall potential impact is not significant, but that is subject to a stage 3 report which, as I have said, will be made available.

11262. So far as noise is concerned the 40dB level, which is taken over at a one second interval is a sensitive approach because it measures out that noise not over an hour or over minutes but over a second. So it is more sensitive than if the time index were extended. Secondly, the weighting of the decibel scale that is used for these measurements takes account of the frequency response of the human ear, as I think Mr Thornely-Taylor explained to you, also on day eight, when he gave his general noise presentation; but I am sure he would be willing to talk to the Petitioner and explain it outside the hearing.

11263. **Mr Liddell-Grainger:** I think that would be very helpful, Mr Elvin. I do think the Petitioner does need that. Would that be all right?

11264. **Dr Goodbody:** Yes, that would be lovely.

11265. **Mr Elvin:** Can I reassure her that detailed modelling has been carried out. There are eight volumes of a noise impact technical report, which have been publicly available in the various deposit locations and on the Internet for the last 18 months, and certainly the modelling details, if a Petitioner wishes to get into the nitty-gritty, is there in the eight volumes of technical reports. Sir, as I have said, I have offered Mr Thornely-Taylor to discuss the noise issues further with the Petitioner. I understand from Mr Thornely-Taylor that with this property it is predicted that noise levels will be well below 40dB and probably below 30. So you can put that in the context of other properties.

11266. **Mr Liddell-Grainger:** Dr Goodbody, are you happy that you can have a conversation with the noise expert. Would that be helpful?

11267. **Dr Goodbody:** Yes, I am really happy with that. Do you understand about this?

11268. **Mr Liddell-Grainger:** The role of the Committee is to try and facilitate your concerns, and if we can orchestrate as we go along then we will try and do it.

11269. **Dr Goodbody:** After having this conversation if I am still unclear, what happens then?

11270. **Mr Liddell-Grainger:** You can certainly write to us and we will take notice of that.

11271. **Dr Goodbody:** The first point was to reply to us about the stage 3 assessment, so are you telling me that that has already been done? So this has been done without entering our house?

11272. **Mr Elvin:** It is the first iteration of the report. We have already given the Committee the terms of the agreement with Tower Hamlets and they will be provided to the property owners and we are then prepared to discuss the individual terms of the individual properties with individual property owners.

11273. **Dr Goodbody:** So I am asking quite a simple question for a straightforward answer: is anyone ever going to come into my house and have a look at it from the inside?

11274. **Mr Elvin:** I suspect the easy answer to that is that once the report is received if that is what the Petitioner wishes then the answer will be yes.

11275. **Dr Goodbody:** Okay, thank you very much. You made a blanket statement that if there is damage Crossrail will remedy it. I understood that there is still some argument over that; that I would have to show that the damage was as a result of Crossrail, it would not automatically be assumed that the damage was Crossrail's fault.

11276. **Mr Elvin:** That is why the defect survey is done just before the works are carried out.

11277. **Dr Goodbody:** But these are 300-year old houses, they are full of defects.

11278. **Mr Elvin:** Yes, and we have listed building specialists.

11279. **Mr Liddell-Grainger:** We have gone through this very carefully because of course it is a concern to the Committee given the importance of this area.

11280. **Dr Goodbody:** All I am saying is that I do not want to be in this position and I would like to get as much protection from you as I can.

11281. **Mr Liddell-Grainger:** Dr Goodbody, thank you very much for coming forward.

11282. Can I call the Spitalfields Small Business Association, Mrs Kay Jordan.

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Mrs Kay Jordan appeared as Agent

11283. **Ms Jordan:** Can I just say that I am very deaf and on my left side I am totally deaf.

11284. **Mr Liddell-Grainger:** Yes, we know that. We have been told that.

⁹ Crossrail Ref: P97, Impact Assessment, Crossrail Schedule Impact, Alan Baxter & Associates, Volume 2, p125 (LINEWD-STR118-125).

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11285. **Mr Liddell-Grainger:** Mr Mould.

11286. **Mr Mould:** Sir, I shall simply say that the Petitioner is the Spitalfields Small Business Association Limited, which owns and manages approximately 90,000 square feet of workspace in the Spitalfields area in London, and a number of properties are owned or leased by the Association. I will not take trouble to read them all out, I am sure that the Petitioner mentions those in turn if she wishes to draw them to the Committee's specific attention.

11287. **Mr Liddell-Grainger:** Ms Jordan.

11288. **Ms Jordan:** I will start by introducing myself and telling you a little about the organisation I work for and I am representing today. I will then explain which properties of the organisation are affected, as this gentleman said, by the Promoter's proposals, and how the Promoter's proposals will now affect the lives and livelihoods of our tenants and those in the wider Brick Lane community.

11289. I will go on to explain how our organisation and the wider Brick Lane community were excluded from the Promoter's round 1 consultation process and as such were denied the opportunity to participate in discussions concerning the route taken by the Promoters in the Brick Lane area who were not told of the environmental impact of such works on our physical and social conditions.

11290. I will explain that the Secretary of State, whose recommendations to the House during the second reading of the Bill, recognised our right to make these matters the subject of your Committee's deliberations and recommendations. I will go on to explain how we consider the proposed route and the ventilation shaft in Hanbury Street to be not only ill-conceived but also totally inappropriate for our tightly knit urban area and community.

11291. Finally, I will explain why the southern alignment, briefly talked about by the Promoters but never considered or explained in detail, is a more appropriate alignment which should be developed and adopted even at this late stage of the proceedings.

11292. For the record I will state that my name is Kay Jordan and I am the Executive Director of Spitalfields Small Business Association, known locally as the SsBA, and that is how I will refer to it in my presentation.

11293. I trained as an architect at the Architectural Association in the late 1960s and practised community architecture working with, first, Calvin Kofte and then with the SsBA since the late 70s. I come from a family of engineers: my grandfather, father, brother and indeed my nephew are all qualified engineers, and I too have worked, before

becoming a community architect, with major engineering companies, including work on gas pipelines through Iran.

11294. When it did exist I was the Vice Chairman of the IRP's community architecture group and I exhibited and won architecture awards. In 1996 I was awarded an MBE for my community work—

11295. **Mr Liddell-Grainger:** Ms Jordan—

11296. **Ms Jordan:** I know, you want me to rush and I am trying to go as fast as I can but I hope that you will be kind enough to listen to what I have to say.

11297. I will go on now to talk about the SsBA. The SsBA is an extremely well known social enterprise with a national as well as international reputation, and it has been in existence for 25 years, and we are what is now known as a self-sustaining social enterprise, and we actually get that self-sustainability from our workshops. It was created in the late 1970s to help, then, a mainly Bangladeshi community improve living and working conditions in an area that then contained the worse slums in the country. Through joint venture arrangements, working with the housing cooperative, now known as the Spitalfields Housing Association, it was to attempt to acquire and improve some of the worst buildings in the area.

11298. Since incorporation in 1981 the SsBA has created and improved and now manages some 90,000 square feet of commercial space in the Brick Lane area, which it lets to approximately 120 tenant businesses and community organisations. They carry out a variety of trades and activities, and like the housing cooperative we are a membership to our tenants, so we are like the housing cooperative but our tenants are members and therefore we are not in the normal landlord/tenant relationship of a normal commercial limited company.

11299. We pride ourselves on our multi-racial, multi-cultural base, and as well as reviving small business premises and economic advice we have a charity called the SsBA Community Trust, which supports two training and enterprise projects, one known as the Poetry in Wood for people with learning difficulties, and another called Heba, a women's project which is based in Brick Lane.

11300. One of the aims of the SsBA is to represent the views of its members and the wider community and all the economic and other related issues as they affect Spitalfields, and it is on this basis that I wish to present the following case in relation to the Promoters' proposals for their cross London rail link to the heart of our community.

11301. Before going into detail I wish it to be recorded that these views relate only to the detail of the works as they relate to the Brick Lane area, because we are told that it is not possible for this Committee to discuss or take evidence about the

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need of economic justification for the overall proposals, and we consider the overall proposals to be neither economically sound nor socially justified.

11302. As an Association of Small Businesses we also wish to have put on record our opposition to the notion that businesses in London should pay a percentage increase in business rates—

11303. **Mr Liddell-Grainger:** Mrs Jordon, this is nothing to do with us; you said it yourself. We cannot take it into consideration.

11304. **Ms Jordan:** We do object to having to be considered that we will put a percentage on our rates to support a rail link tunnel connecting simply the City of London to Canary Wharf in the east and Heathrow in the west, and no amount of argument claiming economic regeneration, which has been claimed, additionality or connectivity will change our minds about this. We are convinced that the proposals are anything but what they say they are and represent the advancement of the City into the East End. They will do, as far as we are concerned, the opposite to what they say they will do and in our opinion they will devastate and completely destroy our vibrant and multi-cultural community. I will note that I put in my notes here, “I expect the Chairman by now to be saying what he is not wanting to hear from Miss Jordan,” and for his sake I will now turn to the detail of the Bill.

11305. My papers are numbers 1 to 4. If you could start with one, please. This is the slide you saw much earlier when these proceedings started.¹⁰ In fact, my office has kindly altered it to try and highlight what the Promoters were saying where our properties are affected by it. You can see a very large yellow block in the middle. Down on the right-hand side is a block where the arrow route of the traffic is, which is a converted synagogue and business centre where my office is. In fact, just behind the very large block in the middle which was going to be the hole, you will just be able see two little strips of yellow.

11306. Could you turn to the next document, please.¹¹ This document shows our property holding as it is affected by the railway. These are the properties that are affected. You can see large chunks of property to the left of where the main hole would be, which are workshops and flats which were the ones the housing co-operative started off with. The plots to the south, I have mentioned. The block in the north is another collection of properties that we have off Brick Lane which are subject to being probably interfered with with the first Crossrail proposal. Come along and you will see to the east of where the hole is there is a whole series of blocks which are also properties, some of which are owned

by the SSPA and the very large property on the left-hand side is a community centre which is owned by the local authority but managed by ourselves.

11307. Could you turn to the next picture, please.¹² I have put this in as a graphic representation. It is an extract from a manual report of—and if I could read Bengali, then I could tell you—it is 1989. It was representing our tenants and members. You can see from Hanbury Street and Princelet Street we sit exactly in and around where this hole is, so you will see how we are affected.

11308. Could I see the next picture, please.¹³ These pictures are of the properties in Hanbury and Princelet Streets. You will see the Dutch gable properties which are on Hanbury Street which were improved in the late 1980s and the single row of terrace with the big building in the background. The big building is in fact Britannia House which is, or was in fact, to be knocked down and the single row of properties are back workshops behind a terrace of property owned by the housing co-operative. These were properties we separated out in terms of residential and industrial use. You can see the tenants outside. This, in fact, was a building site that Prince Charles came to when he said something should be done with the East End. I should say that now we are certainly having something done to us.

11309. Now the next one, please.¹⁴ Unfortunately, despite our property holding, it was not until the beginning of January 2004 that I knew anything about the proposals for a large hole in Hanbury Street. It was simply by bumping into a neighbour of ours who said, “I thought you would have been jumping up and down about the fans in Hanbury Street.” I said, “What fans in Hanbury Street?” I was then told there had been some exhibition in late October that he had called in and seen but was not been seen by anybody else. That neighbour directed me to a Crossrail website. On the Crossrail website I found these two boards, and I understand these were boards that were in their public consultation exhibition. You can see on the left-hand side our Dutch gable properties looking very smart, not quite right but very smart, adjacent to it and above it is an indication of a major development which was to take place with the fans and a strange sort of tunnel arrangement underneath. This horrified me, but it was when I read the sheet on the left-hand side that alarm bells really started ringing. Whilst it was explained that this would be a ventilation shaft and it would indeed have fans that would be running day and night, the second to last paragraph, when I read it, absolutely caused alarm bells. I will read it to the Committee for the sake of the report: “The shaft worksite is also proposed to be used as a launch and retrieval point for tunnel-boring machines that will

¹⁰ Committee Ref: A124, Location of Petitioners based in the Spitalfields area (TOWNHLB-32305A-001).

¹¹ Committee Ref: A124, Actual Location of SsBA properties (TOWNHLB-32305A-002).

¹² Committee Ref: A124, SsBA Publication, People who mean business, 1989 (TOWNHLB-32305A-003).

¹³ Committee Ref: A124, Photographs of Hanbury Street and Princelet Street (TOWNHLB-32305A-004).

¹⁴ Committee Ref: A124, Hanbury Street Shaft—Proposed Shaft Design (TOWNHLB-32305A-005).

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be used during tunnel construction”. Now being an architect, I understood what this meant. I was absolutely horrified that the indication of these words was the fact that the tunnels will be dug from our area. One sentence, nothing else, nothing else on the website, no indication of the Pedley Street worksite other than a little green line running up the side. I was absolutely horrified.

11310. I was so horrified that in fact I penned a letter to Crossrail. In fact, I have an exhibit of that here.¹⁵ If you could just put that up. I will paraphrase all of this. I wrote to Mr Simon Bennett saying that he appeared to have carried out consultations that were about this. We understood that round one consultation would be completed on 19 January and they will be asking for approval under that to fix the line of this railway, which nobody knew about. We had learned nothing about this. We registered our strongest complaints about it and we wished it to be known that not only was a consultation exercise a sham but we were also lead to believe that the office had been told not to consult in our area. We also demanded that round one consultation process remain open until the proposals about the Hanbury Street shaft and spoil tunnels were openly presented to the people of the Brick Lane area so we could all see what was going on. I copied my letter to a great number of local organisations, all of which are listed on this letter. I got no reply to that and, therefore, consulted a friend of mine who was a retired QC who also thought it was rather odd that nothing happened and we had not been consulted. Therefore, I wrote again to Mr Bennett on 6 February explaining that we ask again that they give consideration to further examination and to give us the opportunity to be consulted.¹⁶ We also pointed out that there is not to be anything about the environmental effects this would have within our community within their presentation. I did get later replies. What then pursued was two or three months of hectic information gathering, not information that was presented at a public meeting but information across a great number of community organisations who met both individually and collectively with Crossrail to try and find out what was happening.

11311. Could you put up the next slide, please.¹⁷ This slide was the one presented not publicly but to a meeting with the Spitalfields Society. Fortunately, we were able to share information. It was on that basis of this that we were able to discover that the Pedley Street worksite which is at the end of that blue line which disappeared off the top of the original presentation drawings was not only as it had been in the first round—can you show me the next one, please, it is the extent of the worksite in Pedley

Street on the first proposals for Crossrail—not only was it similar to the original site, but, in fact, it was considerably larger.¹⁸ Not only was it taking spoil from the hole, but it was taking spoil from the railway station that will be dug at Whitechapel. This is a composite diagram of Crossrail’s old drawings which my clever staff were able to put together.¹⁹ You will see the lettering and the writing are all at strange angles because they were never connected before, they were all in little bits. You find the great block of Pedley Street was something that I put together having gleaned from the various bits of information that we got at the individual discussions and meetings that we had. Could you put the next one up.

11312. **Mr Mould:** I am sorry to interrupt the Petitioner but, as the Committee will have noted, lest there be any confusion, those last two drawings were composites of the private bill scheme from the early 1990s on which certain earlier aspects of the current scheme—because Pedley Street is, of course, no longer part of our proposals—were superimposed.

11313. **Ms Jordan:** Could you go back now please. This one is a composite of your current scheme, and I may in my bag have drawings.²⁰ These are three separate drawings; in fact the only addition is the very large block at the top which is in my composite added to your drawings. Could I go to slide 11 now, please.²¹ Having put this picture together locally, everybody was so horrified that we tried to get a public meeting called by Crossrail. Crossrail refused to do this, so in fact my committee invited them to a meeting of a few members. To that meeting we invited—because it was a private meeting, and you are refused to come to a private meeting—representatives of other organisations. This was a letter that was sent to Alistair Darling at the end of that meeting.²² It said, and I will read some it: “At the meeting of Wednesday 26 May”—this was in 2004—“60 people from 19 local organisations met two Crossrail representatives—”

11314. **Mr Liddell-Grainger:** Ms Jordan, we can read it.

11315. I will paraphrase then. We expressed our concerns about the worksites and the proposals in Brick Lane here. We had heard they would not hold a public meeting. Despite repeated requests, this did not happen. At the end of that meeting the people living and working in the area passed a resolution. For the record, I would like to read that resolution.

¹⁸ Committee Ref: A124, Route Map—Liverpool Street to Bethnal Green (TOWNHLB-32305A-010).

¹⁹ Committee Ref: A124, Composite Plan of the impact of Crossrail works in the Spitalfields area (TOWNHLB-32305A-011).

²⁰ Committee Ref: A124, Route Map—Liverpool Street to Bethnal Green (TOWNHLB-32305A-010).

²¹ Committee Ref: A124, Composite Plan of the impact of Crossrail works in the Spitalfields area (TOWNHLB-32305A-011).

²² Committee Ref: A124, Correspondence from SsBA to the Secretary of State for Transport, 7 June 2004 (TOWNHLB-32305A-012).

¹⁵ Committee Ref: A124, Correspondence from SsBA to CLRL, 17 January 2004 (TOWNHLB-32305A-006 and -007).

¹⁶ Committee Ref: A124, Correspondence from SsBA to CLRL, 6 February 2004 (TOWNHLB-32305A-008).

¹⁷ Committee Ref: A124, Pedley Street worksite (TOWNHLB-32305A-009).

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It is as follows: “The people of the Brick Lane area, the Spitalfields around the town ward in the London Borough of Tower Hamlets, are not prepared to accept the environmental, social and economic impact of the current proposals by Crossrail to locate a tunnel access shaft, ventilation shaft and underground tunnels in and passing through the heart of our communities. We are appalled at the lack of understanding of politicians, engineers and businesses from outside the area of the disruption and profound impact of these proposals of many years on the lives, health and livelihoods of people living and working here. We have launched a campaign for change and we use all legitimate means at our disposal to achieve change. In particular, we will seek with energy and resolve to defeat the re-election for the political representatives not prepared to meet with us to bring about the changes we seek”. This was sent in June 2004 and, as you probably know, we now no longer have the MP that was our MP of the period neither do we have the leader of the council and several of the politicians. Following that meeting and that letter, we then raised a campaign.

11316. **Ms Jordan:** Could I have the next one.²³ This is the first leaflet that went out, on what has turned out to be a campaign run by Mr Muhammad Haque including our campaign which has spent hundreds of hours, millions of words, hundreds of leaflets, lots public meetings—

11317. **Mr Liddell-Grainger:** We can take those as read.

11318. **Ms Jordan:** I just wish to put on record that we feel it is this campaign and Mr Haque’s work that effected the change in the tunnel and the spoil removal that happened two or three days before—

11319. **Mr Liddell-Grainger:** It does not matter who did it. We got the message. What we are trying to ascertain is what you want.

11320. **Ms Jordan:** I will then go on. Would you put the next slide up, please.²⁴ I would like to ask why we were not consulted in round one. This is a code of practice on dissemination of information during major infrastructure projects found on the Deputy Prime Minister’s website. It is for stage one consultation. You will see it follows the lines, I have to tick—

11321. **Mr Liddell-Grainger:** Ms Jordan, we are well aware of that. We have made representation very forcefully to the Promoters about what has been done. We have made very clear that this proposal has not been properly handled. This Committee last week made it very clear to Mr Elvin and Mr Mould what the situation was. We have gone through this

very carefully. The consultation has not been up to scratch. We did that with Mr Galloway who is a Member of Parliament and with our Petitioners last week. Unless you have got something new to add?

11322. **Ms Jordan:** Yes, I have. I think the consultation that went on through round two and onwards has been appalling.

11323. **Mr Liddell-Grainger:** We know.

11324. **Ms Jordan:** It has ticked all the boxes. I want to specifically to talk about round one consultation. This demonstrates what should be done in round one. I wish to show to you we were deliberately excluded from round one consultation I think simply because, had we done that, we would have been able to say this is not the route of the line. Had we been able to say this is not the route of the line, then they really have not considered our evidence. Now we are at the 11th hour when we are still told by the Promoters it is impossible, but I wish to show you that I believe that we were deliberately excluded from that process because this is the process that they followed and it is quite true that you will see that they were supposed to talk to people. In fact in a Cabinet paper, my paper 14, a report to Tower Hamlets Council in October 2002, the local authority were urging CLRL to immediately begin communicating the benefits of Crossrail to local residents and businesses in advance of their local public consultation on detailed impacts, something that never happened, or even the local authority, which I find very surprising, were asking in 2002.²⁵ In 2003, they were writing to a resident of old St Patrick’s school, who was on the edge of what was originally the worksite of round one, telling him in fact that they were waiting to go out on public consultation but assuring him it would be a much smaller scale of work.²⁶ They would be driving in both directions from a site in Hanbury Street, the routes would be used to deliver boxes and lines and at the completion of the works, we will probably have a local route for railway, communications and power cables and telling us that ground conditions for the construction of tunnels east of Hanbury were going to be very difficult. All of this they knew since July 2003, and yet SsBA, you might say, had not an inkling of this until we ran into a neighbour in January 2004. Nobody knew anything about it. In September 2003 they were talking to people in the east of the borough about route alignments and where the portal would be and quite rightly, just as it said in the consultation document of what they were surely doing, they were negotiating and talking. I believe I heard earlier on they moved that portal to a better place having discussed it with local people. Yet we were going to have the only and the largest worksite in our midst and not one word was asked from our community. In fact, when the Department

²³ Committee Ref: A124, CBRUK Information Document Number 7, 31 May 2004 (TOWNHLB-32305A-014).

²⁴ Committee Ref: A124, Code of Practice on dissemination of information during major infrastructure projects, www.communities.gov.uk

²⁵ Committee Ref: A124, Crossrail Update, Cabinet Paper, London Borough of Tower Hamlets, October 2002 (TOWNHLB-32305A-016).

²⁶ Committee Ref: A124, Correspondence from CLRL to Mr Spurring, 11 July 2003 (TOWNHLB-32305A-017).

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for Transport wrote back to the letters in which I said we wanted to extend the period, they wrote back and said that they understood our organisation was previously not known to Crossrail, the Promoters, but that we would now be on a database and informed of future things.²⁷ It is true that we were informed of future things. I want to say to them and exactly what I told Mr Stark when I wrote to him, I found it difficult to believe we were not known because on 7 October, less than a week before, in fact, two weeks before the consultation process that they so-called “took out”, I had the land registry people coming to my office asking for details of which properties we owned.²⁸

11325. When they were asked what it was for, we were told that they were simply doing a local search and putting data together. For them to tell me that they not know about us, I find that very difficult to believe.

11326. I also find it difficult to believe because we actually petitioned around this area because of our properties in Brick Lane in 1991. We were one of the Petitioners putting in an objection but, nevertheless, they told me that I and my organisation had not heard about it because we were unknown to them.

11327. When we did our own survey of round one consultation we found that most people had not heard of them and had not received leaflets. There was no consultation and yet the round one consultation was through and the position of the line had been decided, as had the work site.

11328. Can I have slide 21, please.²⁹ This slide is very difficult. At the bottom it says, “Limit of land subject to consultation”. Because it says sheet number 13, and most of preliminary sheets say 13, I am assuming that the very thin dotted line, which seems to be the lines of deviation, were also the lines of consultation. Within that area there are some 32 tenants of the SsBA, 47 residential properties of the Spitalfields Housing Association and three properties in which my office has an organisational basis, yet not one of those people received a leaflet or knew anything about the round one consultation. In fact, when I asked for, or somebody did on my behalf, all the copies of the sheets of the display boards which had gone up in the round one consultation to get a better view of what was going on—can you pull up slide 23, please—you will see on this slide at the top it tells us that Crossrail will be the largest civil engineering project in Europe, but the bottom paragraph says, “Proposed temporary work sites—and I expect we were one of those, although we were a ventilation shaft as well—would be subject to further consultation with the local authorities and

residents as our plans develop”, yet they seemed to have pretty clear plans for these when they were writing to the gentleman who lived near there.³⁰

11329. When I looked at these panels, 123 information sheets that were displayed during the round one consultation across London, 116 of them were about the design of stations and shafts, basically the physical design of those particular things, and only seven of those sheets covered general topics. The topics covered were about the Crossrail project itself, the service it would bring in terms of trains, the journey times that it would improve on, the relief of overcrowding it would manage, its regenerative effects for London, its construction and the final one was about the authorisation and the opportunity that I would be able to come and talk to you today. Not one of these sheets included any environmental information for the people of London and I tell you that is wrong. That is something they should have done and we will be pursuing this.

11330. Can you put up 24(a), please?³¹ There was a press release which Crossrail themselves put out about a presentation of their tunnelling techniques to a conference in 2003. Mr Torp-Peterson, a gentleman who I have come to know very well and have a lot of respect for, was telling us that engineers never see problems, they only see challenges and that their pre-planning challenge has been to ensure that the scheme is technically feasible and can be built on time and within a controlled budget.

11331. I am sure this is exactly what Mr Torp-Peterson did along with his other engineers.

11332. **Mr Liddell-Grainger:** Ms Jordan, I think we have got the idea.

11333. **Ms Jordan:** I have got one more comment to make on this and then I will go into the detail. Having told us that a great deal of work had already been undertaken to devise a route of least resistance and one which minimises disruption for London Crossrail engineer, and this is what we were, we were not about the considered best-placed position in terms of the overall environmental impacts and everything else, we were simply a route of least resistance. In fact, he went on to say that they had taken into account the existing tube networks.

11334. **Mr Liddell-Grainger:** Mr Jordan, I am going to stop you. Can you please come to your point. We have gone through all this and we have made it clear as a Committee that you are just reiterating. If you continue with this I will stop you.

11335. **Ms Jordan:** I am continuing because I believe I want to bring these points out to you.

²⁷ Committee Ref: A124, Correspondence from DfT to SsBA, 30 January 2004 (TOWHLB-32305A-019).

²⁸ Committee Ref: A124, Correspondence from SsBA to DfT, 6 February 2004 (TOWHLB-32305A-021).

²⁹ Committee Ref: A124, London Borough of Tower Hamlets—Crossrail Safeguarding Directions Sheet No. 13 (TOWHLB-32305A-024).

³⁰ Committee Ref: A124, Crossrail—Construction (TOWHLB-32305A-026).

³¹ Committee Ref: A124, Crossrail’s tunnelling designs impress at international conference, www.crossrail.co.uk (TOWHLB-32305A-027 and -028).

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11336. **Mr Liddell-Grainger:** It has been done. One of the things I said at the beginning is that we do not take repetition. We have made the point.

11337. **Ms Jordan:** I have missed two of the days, but I have sat here and attempted to listen to what has been put and not one day has anybody told you that during round one consultation no environmental impact studies were presented.

11338. **Mr Liddell-Grainger:** We cannot change the past, it is gone, finished.

11339. **Ms Jordan:** That is true, but let me continue. I believe the route should have been set when the Bill went to the Second Reading in the House on 19 July, and the Parliamentary Under-Secretary reported to you as a Committee that the Secretary of State made it clear on several occasions that, "He expects the Select Committee to be able to consider representations about the objections to the route". These are my objections.

11340. **Mr Liddell-Grainger:** We have done this already. Can you please do the objections and keep them concise.

11341. **Ms Jordan:** I will not talk in great length about what I object to because I have listened to people talking about it here. I fail to see why you should be bored silly with repeats. I will ask the gentleman to put up sheet 28.³²

11342. The drawing on the left is what Crossrail presented as the new proposals for the new site in Hanbury. I simply give you a photograph of what this reduced hole is. This is the hole which was dug in Highbury in Islington and it is very similar to the one which will be on this site. Is this an appropriate size hole in the midst of our area? On this slide we have a vent pressure shaft which has been built into the foundations of the Moorgate development which is going up at the moment for Crossrail.³³

11343. This other drawing is a demonstration of what this hole is. Can you see that little man in the corner (indicating) and can you honestly say that the scale of these developments are appropriate scales for the mix of our area?

11344. I want to ask something about the traffic and why I think this baseline scheme is absolutely not a good scheme. We have talked about traffic and they assure us that parking the lorries outside the site and everything else will be fine. You have heard some representations today about the school children of the primary schools and that the traffic from these

sites will be crossing the track of three primary schools. Unlike Islington, the children in Spitalfields are taken to the school and brought back morning, lunchtime and afternoon by their parents, walking, they do not go in cars, they walk. The children will have to pass this site and the lorries will have to pass their schools. In fact, they are telling us that in order to mitigate against the worst problems no traffic will go past those schools when they are going backwards and forwards from school.

11345. Can I say that the effective working hours we are talking about have now been agreed at 8 o'clock until 6 o'clock but three hours of those will be missed while children are going backwards and forwards to school. Is this a sensible working arrangement? I think not. Articulated lorries and eight wheelers will probably not be able to get round the road junction from Buxton to Valance Road, neither of which are anything like the size of the road that people are trying to represent. Therefore, I would say to you that they will probably have to change the route of those lorries, maybe past the house of the local authority counsellor who has objected to their first proposals but had them changed. He is no longer a local authority counsellor so now they will probably take the lorries down a street where they can get the lorries.

11346. On the working hours, we are told now that it is 6 until 8 but there are things called "shoulder hours" and these "shoulder hours" are set-up times. These are times when the sites can operate so long as they do not make any noise. I have yet in my whole working career to find one builder who does not make noise on a site. It maybe that we are going to have a miracle in our area, but today I have yet to find either site set-ups or closures done in silence.

11347. Can you put up the next slide up, please.³⁴ I want to re-endorse something which Gareth said. This is where the hole is (indicating) and this is where the building is. You are seeing here that it says brewery. We are all worrying about ground conditions, but Crossrail do not seem to be worrying about that. In fact, the whole of my working career in this area has been concerned with ground conditions, even the two-storey houses are now built on what were sugar refineries and God knows what else. All of this industrial areas, which are now little buildings, have got piles, so to speak.

11348. We are told that Crossrail are not bothered about the ground but we are absolutely concerned about that. The one thing they are not saying with all their settlement proposals is that settlement is unforeseen, you cannot predict settlement. That is why all buildings, all architects, all engineers will tell you that the one thing they are worried about is the ground. It is equally true when you have tunnelling. Until they hit something, for example, an unexploded bomb, you do not know what you are going to hit. In fact, when I spoke to a man called Mr

³² Committee Ref: A124, Photograph of a the construction of ventilation shaft at Highbury; and Hanbury Street Shaft PPC Ring Shaft Construction based on Option C combined (TOWHLB-32305A-032).

³³ Committee Ref: A124, Photograph of advance construction for Crossrail: Pressure Relief Shaft at new Moorhouse development, City of London; and Hanbury Street Shaft Basement Construction based on Option C combined (TOWHLB-32305A-033).

³⁴ Committee Ref: A124, Street map of Spitalfields area

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Armfield—I have included a letter that he has written to the Rt Hon Douglas Alexander—and he was a district surveyor in this area for 30 years before he retired, he is now a private building consults, he knows, as I know, the state of the ground in this area, which is extremely fragile.³⁵ He wrote of his concerns about the conservation area and I too am concerned about those buildings. You have had ample representation, therefore I will not press it further.

11349. I would like to tell you about our buildings which are not listed buildings, yet they are some of the most exquisite Victorian buildings in the area. Our Dutch gable properties were built as Jewish tenements, as modern dwellings, and have an equal part to play and have got equally bad foundations. If we do settle, it is true, we will probably crack up rather than fall over. If you go down the line and go east of us there are local authority blocks built in the 1970s with rigid frame construction, mass concrete foundations, not piles, large bits of concrete that went in before we got as far as doing piles. It is true to say that if those buildings move, far from just settling as a brick building does, those buildings could well crack up. In fact, similar buildings cracked and people had to move out of them when they dug through the Lime House Link.

11350. The whole question of whether or not things will move and what the settlement will be is entirely unpredictable, it is a risk. I will say to you that digging in this area with our fragile, very beautiful Georgian buildings, some of the nicest Victorian buildings, our local authority flats and adverse conditions, which I would describe only as a Swiss cheese, will cause something to open up.

11351. In these adverse ground conditions is it sensible to put these lines through. I have included in my package some articles about buildings which are moving about and Crossrail disappearing down holes. It is true, I cannot tell you that this will happen in this area but equally Crossrail cannot tell you that it will not happen, and they can only tell you that it is going to happen when it has happened.

11352. **Mr Liddell-Grainger:** Ms Jordan, we have had a lot on building settlements, in fact some of the previous witnesses today have done it.

11353. **Ms Jordan:** I hope you have not done it because I hope they choose not to do it and they do not put these tunnels through the area which is like Swiss cheese.

11354. I will now go on to the southern route, something which nobody has done and nobody has talked about. You certainly have representations to say that they have considered four routes, but they have presented no evidence to you that various bits were done. In fact, when as recently as 19 June Crossrail were asked by myself, and somebody who will be presenting after me, whether Crossrail had considered any alternative route alignments between Liverpool Street and Canary Wharf, we were told that the fixed points of Liverpool Street Station, Whitechapel Station and the Isle of Dogs Station—

11355. **Mr Liddell-Grainger:** Ms Jordan, this has been looked at.

11356. **Ms Jordan:** I do not believe it has been looked at.

11357. **Mr Liddell-Grainger:** We have taken an enormous amount of evidence on the other routes. Mr Elvin and Mr Mould have made representations.

11358. **Ms Jordan:** I have not seen one representation of the southern route. They have talked about it and talked about it being dismissed.

11359. **Mr Mould:** If it is helpful, day 39, the beginning of paragraph 9799, Mr Berryman gave detailed evidence in relation to the options for a southern alignment continuing through to paragraph 9803. If you recall, that was in the context of the Petition of the Spitalfields Society represented by counsel who cross-examined Mr Berryman and then made detailed submissions in relation to that matter.

11360. **Mr Liddell-Grainger:** Thank you, Mr Mould.

11361. **Ms Jordan:** Can I say that when we requested plans relating to the Osbourne Street site, which he had referred to from Crossrail, the answer was, “No plans of a site are available as a southern alignment was not progressed because it was not a viable option”. However, the plan referred to in 3.41, which was the plan of the southerly route number 40, was the only plan that was shown.

11362. **Mr Liddell-Grainger:** We have had the evidence on that, Ms Jordan.

11363. **Ms Jordan:** You have had a plan—

11364. **Mr Liddell-Grainger:** I am calling a recess. It is now 4.40pm and we will resume at 6 o'clock.

The Committee adjourned until 6pm

In the absence of the Chairman, Mr Ian Liddell-Grainger was called to the Chair.

Ordered: that Counsel and Parties be called in.

11365. **Mr Liddell-Grainger:** Ms Jordan, I think you want to bring up a few points you have got left. Would you like to continue?

11366. **Ms Jordan:** Before I sum up I would like to make a few points about the southerly alignment. Could I ask for my slide 40, please? Having looked at the transcripts of the previous people speaking—presumably I refer to these numbers—at 9799, which is Mr Berryman speaking on Day 39, Mr Berryman tells us that they developed four options for the southerly alignment, and one of the problems of other alignments is it is even more difficult to locate sites for the shaft along the proposed southern route. That was particularly when they were considering a site that they could extend the spoil tunnel to coming up to Pedley Street. The problem with the one they had identified was it was quite near a school and educational establishment, and also because it was much closer to Mile End Road. I would like to point out that Mile End Road is a mile and a half away from where we are talking about, so I do not think it is much to do with Mile End Road, but it is Whitechapel Road that should be there instead. You have got even more of a matrix of buildings and traffic movements in the area. That was one of the many problems of the southerly alignment that they chose and, quite rightly, it was a long, long way from Pedley Street and it would have cost a lot of money to get the spoil shaft down to it. Now we have got rid of the spoil shaft one would hope that we could re-look at the southerly alignment.

11367. At 9509, page 24, Mr Berryman also tells us that they spent a lot of time looking at other alignments, a lot of time and money, and without any doubt it is the most controversial issue. It is a shame. We were not a controversial issue in round one but clearly we have become a controversial issue by the very nature that we were not in round one but in round two we have let it be known that we are controversial and we hope we will be listened to by the Committee on that basis. They say they spent a lot of time trying to optimise what they were doing and to look at alternatives. That is probably true but the alternatives were looking at holes they could put in the immediate vicinity of the Hanbury Street shaft. They looked at lots of options there and it took them up north into Woodseer Street. I agree they have spent a lot of time there but in my opinion they wasted a lot of time there and if they listened to us earlier we could have helped them save money.

11368. At 9901 Mr Berryman was talking about listed buildings and telling us that to do detailed appraisals of everything is very difficult and he went on to say for a linear route like this, like any railway, it would be a monumental undertaking because there are so many sites involved. To do detailed

appraisal and analysis, I agree costs a whole lot, it is monumental. So they have to pick on issues which are likely to be significant and focus on these in making a route selection. In making that route selection through Hanbury Street, one of the main issues was how to get spoil out quickly and efficiently and it was one of the things that the Montague Report told them they should look at as well, that they should consider their spoil removal arrangements because they needed improving because they may slow them up. Now that they have considered that, they have considered it twice and it is out of our area, we are extremely pleased about that.

11369. Could you go back to number 40, please?³⁶ You can see the loop at the bottom is the southerly alignment. When trying to establish what had and had not been done, you have to appreciate that myself, colleagues and other organisations asked Crossrail lots and lots of questions and as late as last week, in fact, we were down there asking more questions. On 14 June they replied to my colleagues, who I think will be presenting their petition after me. They requested plans relating to the Osborne site in Spitalfields. I hope I have not lost the site plan. If you look at the map where it says “eastbound and westbound” you can see just below that it says “intervention shaft” and there is a large blob there which is the school and Toynbee Hall that they were talking about. That was where they were proposing the intervention shaft. You can see it is so ridiculous taking it from way up here to down there that they did not even bother joining it on, and I would not have joined it on either because that was not a good idea. Now we do not have the intervention shaft it is not that bad an idea.

11370. In fact, when we requested these plans, in the answer they told us that there were no site plans available because they had never done them. They never took that southern alignment past this plan here, which is a pretty sketchy scheme to say that it has been considered in all its aspects. If you look at the line you will see the blobs that are on it, which look pretty severe, are not actually buildings indicated as having deep foundations but they are simply significant buildings. The lower one here is a significant site, as is this, and even my office is on here as a significant site, not because of me but the fact that it was a synagogue. I think the reference to significant sites is, in fact, not to do with the fact that these are significant buildings or deep pile foundations, I think the significance is represented in drawing 42, which is a drawing of the key aspects of the city fringe area.³⁷ I have not written it on my copy but I have put it on the bottom there, “Overall Spatial Strategy: City Fringe”. This is how the City

³⁵ Committee Ref: A124, Correspondence from Daryk Armfield to the Secretary of State for Transport, 16 June 2006 (TOWHLB-32305A-035).

³⁶ Committee Ref: A124, Hanbury Street Shaft, Alignment Options—Option D (TOWHLB-32305A-044).

³⁷ Committee Ref: A124, Overall Spatial Strategy: City Fringe (TOWHLB-32305A-046).

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views our area and the area of Whitechapel. Can we go to the next one, please?³⁸ It gives all sorts of aspects but this one picks up on sites and allocations of what they want to do. You can see all of this block here, some of which was in that block on the southerly alignment, is redevelopment sites. Not potential but ones that they know are in the pipeline. These have not got buildings with deep pile foundations because very soon all of those will be redevelopment sites with major office buildings.

11371. What I really want to say to you—it has taken me a long time—and I thank you for being patient, I did promise me I would be through in ten minutes, is this one is a site I wish to offer up to you. This is a site where the southerly alignment could have a hole in it prior to a major office development going on it. It is just one idea on the back of an envelope quickly looking at the drawings, no horizontal and vertical alignment has really been looked at, but it is certainly on the southerly route.³⁹

11372. In my opinion, now that we do not have a spoil tunnel up to Pedley Street there is absolutely no reason why they cannot be on the southerly route. Therefore, Chairman, when you ask me, and I am sure you will, “What do you want, Ms Jordan”, I will say I want you to take the advice that my father gave to me when I started practising. My father clearly said, “Look, just remember, if it is not broken do not mend it, but if risk is identified then what you should do is avoid it if you can”. I would say that after all our presentations we have undoubtedly identified risk. You are risking the lives, the health and the wellbeing of the people of Spitalfields, without any doubt at all. You could possibly be risking the buildings in Spitalfields, both our amazing and absolutely precious conservation area of Georgian buildings and our Victorian buildings, and even our 1970s, dare I say, slab blocks, because ground conditions in Spitalfields are so bad, it is such Swiss cheese, that they do not know, they cannot tell you, and I cannot say, that these buildings will not go down holes. Until it happens we do not know. They do not know and I cannot tell you. You will be risking a whole load of buildings, some of which are the most precious Georgian buildings in London.

11373. Therefore, in those circumstances and in view of the fact that you are charged with considering the situation about the route, I want you to tell Crossrail to go south to avoid all these risks, to avoid any unrest, any difficulties with the community, in an area where major developments will be going on anyway where they can put their shafts in without any of the problems that we are going to have to face.

11374. **Mr Liddell-Grainger:** Kay, thank you. Mr Mould?

11375. **Mr Mould:** I do not want to say any more about the merits of a southerly alignment as against our proposals. You have had Mr Berryman’s evidence and Ms Jordan has referred to that and given her views. That is something which the Committee will be looking at as part of its deliberations. Mr Elvin will close in summing up our points in due course.

11376. I do want to say on the points about consultation to remind you that we have given you detailed evidence on Days 40 and 41 through Mr Dean which explains in some detail the consultation process that we have been through, including rounds one and two, set those in context, and you will recall at the end of last Thursday, Day 41, we produced the NOP survey material at the request of Mr Binley in particular, I think. You will have noted that was produced in order to show how we have tested the effectiveness of the consultative process through the work of those consultants. Again, Mr Elvin will be talking about that and summarising our position in closing.

11377. Just turning from the general context to the particular concerns of this petitioner. The question was asked why was this organisation not consulted in round one, and there was the suggestion that Crossrail had not wished to consult the organisation at that stage. I can say immediately that was not the position. I simply refer the Committee to the letter of 30 January 2004, which is page 19 in her documents on the electronic numbering.⁴⁰ You recall that understandably she wrote in January 2004 to ask why it was that her organisation had not been consulted on round one and at the bottom of the page you will see an answer to that concern and an explanation for why it was given by Crossrail. Over the page, perhaps the most important point, thereafter the Association was added to the database and so was included within the consultation round. We have explained to you the difficulties we had in assembling the database of local organisations to consult at an earlier stage and we have said to you that frankly we were hoping that Tower Hamlets were going to help us with that and they have not been able to provide us with information. From the beginning of 2004 this organisation was included within the consultative process. Certainly there was no question of choosing to exclude them from that process. Just to remind you, by way of illustration, of the quality of material that was included within the second round of consultation, some of you will have seen this before, Mr Elvin has put it up on the screen. This was the information panel that was produced in the second stage to deal with the Pedley Street shaft proposals.⁴¹ I will not take time to read it out but there it is. It gives you a flavour of the material we were producing at that stage.

³⁸ Committee Ref: A124, Sites likely to be developed by 2016 (TOWHLB-32305A-047).

³⁹ Committee Ref: A124, Plan and City Redevelopment Photo—Southern Alignment Route (TOWHLB-32305A-048).

⁴⁰ Committee Ref: A124, Correspondence from DfT to SsBA, 30 January 2004 (TOWHLB-32305A-019 and -020).

⁴¹ Crossrail Ref: P97, Crossrail Information—Pedley Street Shaft—Crossrail Proposals (SCN-20060620-003).

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11378. If I can turn from that to the suggestion that the consultative material at round one was grossly inadequate because it failed to say anything about environmental impact, again if I can just remind you by way of illustration of two panels that we have already shown the Committee from the first stage, the round one stage.⁴² There is a panel which consulted on what was proposed in relation to the environmental impact assessment and summarised what we anticipated as being some of the main impacts of the project if it was to proceed at the construction phase. If you are content just to glance through that I will ask Mr Fry to put up a second panel if that is not too quick. There is another panel from round one dealing with the environment and in particular a series of objectives which Crossrail set out at that stage for consultation purposes in the bullet points at the bottom of the page.⁴³

11379. We would, with respect, not accept the criticisms made of the quality of the consultative process in terms of the substance of what was produced to consultees at that stage also, and we will deal with that further in closing and summarising our position.

11380. Can I also, just to tie up this point, remind you of the exchanges between the Committee and Mr Uddin, the witness who gave evidence on behalf of the Spitalfields Housing Association at the end of last Thursday's proceedings where certainly you had, I think it is fair to say, a slightly different flavour of the views of local people. There is a range of views before the Committee as to the quality of the consultative process both in terms of the process and the substance of the material that was produced. The Committee will be looking at that and weighing it up when it comes to consider its decision.

11381. If I can then turn away from that to one or two other matters that were raised during the course of Ms Jordan's presentation. You will recall she put up a picture of a shaft under construction which was within her bundle of materials and she suggested that the shaft in question corresponded in size to the proposed shaft at Hanbury Street under our revised proposals. So far as we are concerned that is not right, the shaft you see there is at least six metres in diameter larger than the shaft which is proposed at Hanbury Street. One should view that photograph with that thought in mind.

11382. In relation to working hours, you have heard us say something about that already, the Committee will receive more detailed information about that in due course, reflecting the agreement with Westminster City Council but I ought to say that our position is, as a matter of generality, that the working hours arrangements that we have agreed with the local authorities broadly reflect typical

arrangements for construction works within the City of London and within the metropolis from day-to-day.

11383. The question of settlement has been dealt with in great detail and I need say no more about that, save to remind you that the suggestion that what we are proposing is an unpredictable process is in fact not right. The whole purpose of our settlement policy and process is to seek to predict and to make arrangements for investments and assessment and remediation where necessary in the light of that predicted assessment.

11384. The Limehouse Link was raised as a possible comparator, that is not helpful either. That is a cut and cover tunnel, I think, and does not bear any relation to the proposals which are before you under this Bill.

11385. In relation to the southerly route, you have had a series of points made by the petition in relation to that. As I say we have given our evidence on that and we will close on that in due course. It is also, finally, just fair to say that the photograph of a development site which was put up as the last of the petitioner's exhibits, we think if one seeks to orientate oneself as to where that is, it is very close to Aldgate East Underground Station, and it is clearly a site which is already under development so I am not sure that assists with the point the petitioner is seeking to make.

11386. I have confined myself to trying to correct points where we think corrections are needed and on that basis I propose to finish there.

11387. **Mr Liddell-Grainger:** Thank you very much, Mr Mould. Ms Jordan, have you got any further remarks?

11388. **Ms Jordan:** Can I just come back on a few points, just quickly.

11389. **Mr Liddell-Grainger:** Very briefly.

11390. **Ms Jordan:** On the consultation issue, and your market testing, I would point out that your market testing was simply in 2004 and 2005. I think that clearly demonstrates that thanks to our campaign and our raising the issue we were actually much better at getting information to local people than you had been in 2003. Had you done it in 2003 the response would be that nobody knew what was going on.

11391. As far as the environmental impact slides are concerned, I am grateful to see those two slides out of 123. It is quite true that these were not in the package that was sent to me, I have not deliberately missed those out. The letter that I was sent said that it was a full set of things. I withdraw the remark that there was nothing but in fact two out of 126, or now

⁴² Crossrail Ref: P97, Crossrail Information—Environmental Impact Assessment (SCN-20060620-004).

⁴³ Crossrail Ref: P97, Crossrail Information—Environmental (SCN-20060620-005).

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128 I think. If you like I would like to respond to that in writing and I will do that if I think there are any points there.

11392. As far as the housing association are concerned, yes it is true they were here and they did give a response. Most of the petition they read out was what I helped them write because they had come to me and in fact I think they offered to do you a bit of consultation in the future, never ones to miss an opportunity for a bit on the side.

11393. Could I also say about the presentation of the shaft, I am sorry if my photograph one was untrue but I have not been down there with a measure so I did not know, and I just happened to have that photograph in my records. Certainly my photograph on shaft two I believe is in fact a true representation of the kind of thing we would be having in Spitalfields, equally gross and totally inappropriate for our tight knit area.

11394. From the point of view of working hours, could I say that you have just stated that they are working hours within the City of London. The City of London does not contain the residential community and population that we have, maybe I misinterpreted that.

11395. **Mr Mould:** Greater London.

11396. **Ms Jordan:** Greater London. I would say that these are totally inappropriate in the scale of residential area that we are. We have put up with all sorts of buildings but to be putting up with these sorts of working hours for four years is too much.

11397. **Mr Liddell-Grainger:** Kay, you are winding up.

11398. **Ms Jordan:** Just two more things. One is about the Limehouse Link. Because I was rushed in my evidence and actually flustered I was unable to point out that I brought up the reference to the Limehouse Link not because there were similarities in the tunnel but the fact that the building that had to be knocked down—In round one of the consultation in the Limehouse Link they were told us “Trust us, don’t worry, it will be all right” and when they went into the kind of detail, looking at the building that you are telling me that they will be doing now, the people were told “I am terribly sorry but now we think it will come down”. I am saying that sort of information should be available to the people of Spitalfields now, not later when the line has been settled.

11399. As far as the development site on the corner is concerned, it is quite true it is one little plot but I will point out that next to it in the blob that was on your drawing is a major redevelopment that will be going on at Guildhall University which has now decided that its buildings are redundant and they will be flogged off for a great deal of money in order

to help the university carry on. Those developments, as the spatial plans show you, will be happening before 2016.

11400. **Mr Liddell-Grainger:** Have you finished your case?

11401. **Ms Jordan:** That is fine.

11402. **Mr Liddell-Grainger:** Thank you very much. I am very grateful to you. Could I now call Mr Guy Carpenter.

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The Petitioner appeared in person.

11403. **Mr Liddell-Grainger:** First of all, there will be a division in the House in the next few minutes or so, so when the bells go I will call “Order! Order!” and suspend the Committee for 15 minutes. Mr Elvin?

11404. **Mr Elvin:** Mr Carpenter appears in his personal capacity. He is the owner of the second floor flat at 55 Hanbury Street. That property, as the Committee will be aware, is above and adjacent to the proposed eastbound running tunnel and is in the vicinity of the proposed shaft at Hanbury Street.⁴⁴

11405. **Mr Liddell-Grainger:** Mr Carpenter?

11406. **Mr Carpenter:** Yes. I am the secretary of the Woodseer and Hanbury Residents’ Association but I am here to present my own petition, although a lot of these things overlap so I have got certain things which I will leave.

11407. I am a resident of Hanbury Street and have been there for over 12 years. I have had the Promoter’s response to my petition and I do not consider that many of my concerns have been addressed and therefore reserve my rights on all of these points. If I do not refer to aspects of my petition it is because I believe the Committee is already well aware of these matters and do not wish to go over issues already covered. I have listened to the proceedings and read many of the transcripts so I will have to touch on certain things but I will be as brief as I possibly can be.

11408. I support many of the concerns and objections that have been raised about the Crossrail project and the impacts it will have on residents in the community.

11409. Turning to the consultation first. I have been personally involved in the matter of Crossrail in Spitalfields. I went to the round one consultation exhibition in Woodham Gardens in Whitechapel in October 2003 and I know of only one other person from Spitalfields who visited that exhibition. There were exhibition boards but no leaflets on Hanbury Street to take away. I have noticed that the Pedley

⁴⁴ Crossrail Ref: P97, Location of individual Petitioners based in the Spitalfields Area (TOWHLB-30603-002).

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Street information that was put up just a moment ago, that was in round two because at round one consultation there was no mention of Pedley Street. I do not think you have said that but there was no mention of Pedley Street in round one.

11410. Just so I do not have to say too much more, I have here a WHRA Consultation Report on the Crossrail consultation in Spitalfields and it details everything that we have come across. I have only got one copy now but I would like to present that to you.

11411. **Mr Liddell-Grainger:** We will get it circulated to everybody.

11412. **Mr Carpenter:** Okay.

11413. **Mr Liddell-Grainger:** That is basically your case?

11414. **Mr Elvin:** I am quite happy with that but we have had quite a lot of correspondence with Mr Carpenter over the last two weeks answering his questions and we have not been supplied with a copy of this document so I do not know what it says.

11415. **Mr Liddell-Grainger:** Everybody will get a copy and rest assured it will come out. This is basically your case, Mr Carpenter?

11416. **Mr Carpenter:** Yes. It is not really my case for the petition, we have produced that over the years and it details the failure of consultation at Spitalfields and what contacts we have had with Crossrail. A lot of people have said a lot of things and a lot of things have happened and it is down to the detail whether you received a leaflet or whether you did not. We did our own survey of residents' groups on 20 February 2004 because we were so concerned about whether people had got leaflets and information and what was going on. Out of 19 groups surveyed in Spitalfields, 15 had not had leaflets, so only four had had leaflets. I have that there with a few other comments about what contacts people had. Generally some had leaflets delivered giving an afternoon's notice and people had registered interest with Crossrail on several occasions. For example, WHRA only had a response from Crossrail after complaining to the Crossrail referee. It is just one sheet but I would like that put in too. I am sorry; I did not make any photocopies. That basically covers the consultation

11417. The reason I bring up the October 2003 round one consultation is because no alternative alignments were shown at that exhibition. Crossrail consultant, Dick Dunmore, advised me that I would have an opportunity to comment on the plans when they were presented to the council's planning committee. I presume that would have meant after the Bill had been passed. I pointed out that the exhibition was not actually in Spitalfields and there were two suitable community centres on Hanbury Street and that Crossrail could contact me and I would be happy to give details. I left the email

address of the WHRA. I filled in a response card and I took others for WHRA residents to fill in. I waited but received nothing. To finish with that part of it, I question whether residents would have ever found out about this plan if I had not stumbled across it that evening on my way to a friend's house in Whitechapel. Whenever I talk to people in Spitalfields about Crossrail everybody remembers where they were when they found out about Crossrail. It has been a significant thing since October, January as people have found out. It has become a significant moment when you find out about that.

11418. I have looked into consultation and we have looked at what should have happened. Crossrail is a part of TfL—Transport for London. We have heard the Promoter quote from the Code for the Dissemination of Public Information but not the guidelines set by the Transport for London consultation toolkit. The Transport for London consultation toolkit says consultation occurs if: "you are seeking to inform any decisions which have not yet been taken and if you are inviting comments, views and responses". It goes on to say: "never ask for comments, views or responses if all you want to do is explain what is going to happen anyway and if you have no intention of changing anything." On its legal obligations, it states: "consultation must be undertaken at a time when proposals are still at a formative stage". Finally, it says: "it is important that TfL has not closed its mind to alternatives". Crossrail has never exhibited for public consultation alternative routes and never had any intention in my mind of changing the tunnel alignment in the Spitalfields area.

11419. As we have heard from the evidence of the Spitalfields Society last Tuesday, Crossrail have produced reports since then on different alignments, and we saw one just now, that on closer examination appear to be about rubbishing any other proposed route that anyone seems to suggest. I have the Mott MacDonald feasibility study report, "Tunnel Alignments East of Liverpool Street Station" dated February 2002. It says: "Spitalfields is identified as being extremely sensitive environmentally". It says: "English Heritage provided 4,000 pages of data over the study area, which it was not possible to review fully". There is only one alignment shown in that document and since then the alignment has moved only a few metres to the north to line up with the Hanbury Street shaft. Basically only one alignment is what you see today as the Hybrid Bill scheme.

11420. There are just a few points that I would like to make as a lay person. I have no qualifications in anything other than I have got involved in Crossrail by living in Spitalfields. They have told us that the current alignment has a substandard curve coming out of Liverpool Street. It goes under a building, Dome House, that has 26 metre deep piling. Under Britannia House it has 20-25 metre deep piles. They say they do not know the depth of the Cutlers Gardens' piling. That was the last contact I had

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when they said that. They say it cannot go under Cutlers Gardens, Cutlers Gardens being a refurbished old building that they say has blocked any other alignment out of Liverpool Street. Engineers Whitby Bird, who were involved in that building, say they may be able to do that. I think the main reason that the tunnelling site needed to be close to Pedley Street was to take the spoil out. That is why we have Hanbury Street and that is why we have the alignment we have had, as Kay has said. The need to be near Pedley Street no longer applies. Since the recent major change in tunnelling strategy, which we welcome, the Promoter has not looked at alternative alignments. The Woodseer options, which were brought up by the Society, are still historically based on having a spoil tunnel to Pedley Street which, as Kay pointed out, is a very limiting factor.

11421. To sum up on that, I am really just saying please ask Crossrail to go back and present real route alignment alternatives for the people of Spitalfields so we can fulfil that round one function and have a proper consultation.

11422. I would like to move on to talk about settlement. I live in a building which is known locally as the Epstein building. It was an old furniture warehouse and furniture factory. I have a flat there on the second floor. It is a block that runs from 49-59 along the north side of Hanbury Street. I was here for the evidence about 19 Princelet Street, the museum, and its cast iron frame. I too live in a building from the late 1800s with cast iron columns and frames. It had not even occurred to me that there are cast iron pillars in the building. The building also has deep basements. The ceilings of the basements are much higher than they are in my flat. There is a lift shaft with a deep pit that runs below basement level. There is no building specific settlement report for 55-59 Hanbury Street, which I take to mean only a generic assessment has been done. Very, very recently I received a one page sheet from Crossrail telling me that when I checked that information.

11423. I am going to quote from document D12 that Crossrail sent me.⁴⁵ It is ground settlement section 2.3.4 and it states: "The generic assessment is only sufficiently informative for buildings with relatively shallow foundations. Buildings with a foundation level deeper than four metres, or greater than 20 per cent of the depth to tunnel axis, automatically qualify for a stage 3 assessment after the stage 2 process". The basements and lift pit in my building are at least four metres deep, so I think that building qualifies for a stage 3 assessment. Given all of this, I am also concerned that a stage 3 assessment has not been done and as we are on the shoulder of the tunnel—I am not sure what you call it—the edge of the tunnel, we will have a differential settlement from

the front of the building to the back of the building which the cast iron frame will not like and will simply crack. It is a very brittle Victorian cast iron frame.

11424. **Mr Elvin:** If, as Mr Carpenter says, his foundations are that deep we will carry out a stage 3 assessment and show the results.

11425. **Mr Liddell-Grainger:** Is that fair enough?

11426. **Mr Carpenter:** Yes, if that is an undertaking, that is great. That would bring me on to the deed of settlement. I have got so many questions about it that cropped up when I looked at the document. I only have repairing responsibility for my flat but it is likely that other parts of the building will need to be repaired and what happens then, what happens if the landlord, who is a commercial landlord, does not have a deed settlement? What if the landlord and Crossrail get into a legal dispute and I cannot live in my flat because it is not structurally safe? I have got all of those questions which I have not had answers to. I would like to be included in the deed of settlement and for it to apply to the whole building. I am sorry if I am being terribly naïve about it but I have looked at it and I am not a property lawyer so I do not understand the implications of what I would be signing.

11427. If Crossrail present me with something I do not understand and it has got these far reaching implications and I do not understand what they are then I will be signing this deed without any advice. I really do not want doubt and uncertainty over something as important as my home as I need to protect my home from that. I would like the Promoter to pay for me to get independent legal advice on the deed of settlement, if that is possible.

11428. **Mr Liddell-Grainger:** The compensation is fairly rigidly set and there is documentation which I know the Promoters have to do with compensation.

11429. **Mr Carpenter:** It is not really to do with compensation. It is to get advice before I enter into the deed of settlement, that is all, so I know what I am entering into and I can have it tailored specifically to my circumstances.

11430. **Mr Liddell-Grainger:** I think you would have to ask the Promoter. I am not sure this Committee can comment, but we hear what you say.

11431. **Mr Carpenter:** Thank you. I will move on to health impacts now. Specifically I want to limit myself to noise. I know a lot of people have spoken about that. I want to talk about myself and my life, the enjoyment of my home and how I live in Hanbury Street. I have an honours degree in fine art. I have diplomas in electronic imaging and sound design. My vocation is that of a sonic artist and composer based in Hanbury Street. I use sound as an artistic medium and I manipulate it as if it were any other medium using various different techniques. When treating actuality sound, that is sounds other

⁴⁵ Crossrail Information Paper D12 Ground Settlement, <http://billdocuments.crossrail.co.uk> (LINEWD-IPD12-003).

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than musical, which are the kind of sounds I work with, any background sound recorded with it will be treated as well. That background sound may be hardly noticed when it is an ordinary sound, just a straight forward recording, but once you treat it, it often makes it vividly apparent. Low rumbling is a good example of sound that then becomes intrusive. I am concerned that my work will be affected by the noise from the site over its years of operation. I have communicated my concerns to the Promoter and today I received an email from petition negotiator, Tom Mantey, stating: “Our predictions are that neither noise mitigation measures nor temporary rehousing will be necessary in order for you to continue working from your property as a sound artist”.

11432. **Mr Liddell-Grainger:** I suspend the Committee for 15 minutes.

The Committee suspended from 6.46 pm to 7.10 pm for a division in the House

11433. **Mr Liddell-Grainger:** Mr Carpenter, would you like to continue?

11434. **Mr Carpenter:** I was talking about the impacts of noise from the Hanbury Street site. I mentioned that I am an artist and I was discussing that I was concerned that my work would be affected by noise from the site over the years of its operation. I was just reading a quote that I received today in a letter from petition negotiator, John Mantey, when I communicated my concerns about my work being affected by the noise from the site. In the letter it says: “Our predictions are that neither noise mitigation measures nor temporary rehousing will be necessary in order for you to continue working from your property as a sound artist”.

11435. I would like to say I am very concerned at the predicted noise levels. The part of Hanbury Street that I live in is a narrow street with tall buildings either side. Further along with the site where the Pedley Street shaft will be, we have the backs of the Princelet street properties and in front of the site, the other side of the road, we have Boden House. These will act as very efficient reflectors of the noise from the site. We also have the massive Atlantis Building to the north of my property, that is a large ex-industrial block that is part of Truman Brewery, the big yellow brick building there, which, again, acts as a giant sound reflector. I actually listened to the ambient noise levels on Sunday night and—I am quite used to this as a resident—the Atlantis Building will reflect the noises from the street in Hanbury Street from that corner. It is a very large reflector of sound. This will mean that there will be substantial reflection. Do you want me to point out where these buildings are on the map, sir?⁴⁶

11436. **Mr Liddell-Grainger:** We have got the maps in front of us as well.

11437. **Mr Carpenter:** The Atlantis Building is above my building there. That is my property there and the Atlantis Building is up there. It runs right across here. This is Boden House and that is the site there, and these are Spital Street buildings. I am concerned about the reflection of site noise around the area which will exacerbate the impacts of any sounds made at the site, particularly early in the morning and late at night.

11438. I have studied the noise schedules and I do find them appalling. The noise schedule runs from January 2008 until October 2012, that is four years and ten months of noise events and noise activity on the site. We know that the normal working hours in the Code of Construction Practice are 12 hours a day, seven until seven, which will include Saturday and Sunday working. The working hours can be extended later, such as in the summer, and 24 hours a day for certain activities and deliveries. All in all that adds up to a frightening number of hours a week that this site will be potentially running. Any activity on the site will have some kind of noise impact. Reading the evidence given by the noise expert, Mr Methold, for the London Borough of Havering, and that of others who have given evidence, has really not inspired confidence in the approach the Promoter is taking over noise with regard to their responsibility to the community.

11439. I would like to quote Mr Methold when he was dealing with Crossrail’s approach to background noise. He says: “Clearly you want Crossrail to abandon this approach. We do not believe it is appropriate. We think it is concealing the results of their Environmental Statement. We want them to reassess those impacts using a minimum background noise level, as we would have expected them to. We also want to ensure that we do not see this approach re-emerge during detailed design stage.” He also goes on to say: “The Promoter is not prepared to be constrained to the noise levels that were predicted as part of the development of the Environmental Statement.” That is where my concern lies. Just as the Promoter often refers to the Channel Tunnel Rail Link, I too wish to refer to the impacts on residents in King’s Cross. I have met with residents of King’s Cross affected by CTRL where they have suffered enormously for many years and they have fought battle after battle just to try and get some sleep. They told us “Do not rely on assurances and commitments. You have no rights unless you have undertakings and mechanisms with which to enforce them”. I think that the crude tests applied to the concept of sound levels, background sound levels and the likelihood of complaint, that were brought up by Mr Methold hide a lot of potential misery for residents. To illustrate our powerlessness with this the residents were told by Tower Hamlets Council that Crossrail would be monitoring noise on the Hanbury Street work site when we asked them if they would be monitoring the noise. Last week Crossrail told us that the council would be monitoring the noise. That really does not inspire confidence.

⁴⁶ Crossrail Ref: P97, Location of individual Petitioners based in the Spitalfields Area (TOWHLB-30603-002).

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11440. From my own experience, I have had problems with the council to enforce planning conditions and noise nuisance for over five years. The problem continues even though the local government ombudsman has found in our favour. We have absolutely no confidence in our council when it comes to things like enforcement on these matters. What I suppose I am saying is residents need clear evaluation and control of the noise and vibration from the site which is something I am really asking for.

11441. I am also concerned that my building with deep basements and a brittle cast iron frame will act as a very good transmitter of ground borne noise and vibration. I have talked to Crossrail's sound expert in the break and he is coming to Spitalfields so I am hoping he will come and I will be able to talk to him when he comes to Spitalfields. We can talk about that further.

11442. I wanted to talk about my own experience in terms of all these dBs and values that you get with sound. All sound is not equal and a sound meter measures them in that way. It measures them equally. Vibration is also even more of an unquantifiable nuisance. I know that low frequency vibrations can cause people to feel ill.

11443. Just as an example, we know the sound of a dripping tap at night is not a loud event but it can stop you sleeping, there is an irritation factor. It is the same with a barely audible dull thump of bass from neighbours, if someone is having a party. It might not be X number of dB but it can cause distress and anxiety and keep you awake. To have a noisy neighbour move in for four years and however many months is not something we want. We can see that coming towards us, that Crossrail will be a bad neighbour.

11444. For me noise does impact on my health. I am particularly concerned about night time noise affecting my health and wellbeing. I have always found it quite difficult to sleep, I am quite a light sleeper. I was shocked to read the evidence given to the CTRL planning appeal from the then director of public health for Camden Primary Care Trust, Dr Fiona Adshead. In her report in section 7—you were introduced to that when Jill Cove of SCA gave evidence—Dr Adshead mentions the primary effects of sleep disturbance. She states that the primary physiological effects can also be induced by noise during sleep, noise events that happen while you are asleep. That includes increased blood pressure, increased heart rate, vasoconstriction, changes in respiration and cardiac arrhythmias, and that is irregular heart beat. This last point is a major concern for me.

11445. **Mr Liddell-Grainger:** Can I ask you, Mr Carpenter, what you actually want

11446. **Mr Carpenter:** I have this condition—

11447. **Mr Liddell-Grainger:** You have got a medical condition.

11448. **Mr Carpenter:** Yes. Sorry I took a long time but I wanted to quote her.

11449. **Mr Liddell-Grainger:** It is fascinating what you are saying but I am just trying to get to the bottom of what you are saying. You have a medical condition.

11450. **Mr Carpenter:** I suffer from cardiac arrhythmia which was diagnosed a few years ago. I had not known about this connection with noise until I started looking into it for the petition. It occurs more when I am tired or stressed which is common with this condition. I am concerned that the works at Hanbury Street shaft will affect not only my health during the works for these four years ten months but also may lead to a permanently decreased quality of life for myself due to my condition deteriorating over the years of the shaft works.

11451. Because of this, and to avoid any uncertainty, what I would like is an undertaking to be included in the noise and vibration mitigation scheme and to be provided with ground floor secondary glazing, additional ventilation and blinds. I also have an external door in my bedroom, facing east, facing towards the site, for which the scheme offers noise insulation which I would also like as part of that. I would like to talk to the Promoter about the construction process because I would like to be offered temporary rehousing for the very noisiest part of the construction process if that turns out with the new scheme to be very noisy.

11452. **Mr Liddell-Grainger:** You need to have that discussion with the Promoter. We hear what you say.

11453. **Mr Carpenter:** Right. They have already refused me in that way and I was wondering if they would give me an undertaking or the Promoter would respond to that now. That is really to conclude on that. I would like the Committee to consider each of my points: the noise and vibration mitigation due to my health; the stage 3 impact settlement, which you have discussed and that has been agreed; the explanation of my position as a long leaseholder with a deed of settlement and legal help with that and also in the wider scheme of things a proper consideration of alternative route alignments, alternative to the shafts. On my final point, with CTRL they looked at lots and lots of different areas for different sections. I believe Michael Schabas has made that point already. The CTRL committee, when it was at that stage, made the Promoter reduce the environmental harm and impact of the health hazard by insisting the Promoter follow rail lines and lines which did not impact on built-up residential areas. Obviously they

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did that and we have still seen the impact in King's Cross from residents' point of view. I really have not seen anything from Crossrail which really looks at it from a residents' centred point of view. That is why I am here and I am very anxious, and all the residents are very concerned, everybody is concerned, because it is only from a development point of view. That is really all I can say.

11454. **Mr Liddell-Grainger:** Thank you very much, Mr Carpenter. Mr Elvin would you like to respond?

11455. **Mr Elvin:** Sir, I am just going to deal with the specific points that have been raised. In terms of the exhibition, can I just remind the Committee the round one consultation which Mr Boyd Carpenter attended specifically refers to the Pedley Street tunnel. If you look at the last paragraph on the information sheet you will see "during tunnel construction spoil removed via an underground connection to temporary sidings to be located in Pedley Street".⁴⁷ You will see the blue line which shows the beginning of that, it does not show the terminus, that is absolutely correct but nonetheless there is an indication.

11456. Secondly, so far as alternative alignments are concerned, yes, alternative alignments were not shown as part of the consultation round one because they were not part of the project being consulted upon. That does not stop people giving consultation responses on alternative alignments but the position with alternative alignments, as Mr Berryman explained, is a considerable amount of work went into it and he gave the reasons which relate to engineering, settlement and related matters which explains why the southern alignment was rejected. There is no ulterior motive, we are not picking the Hanbury Street alignment just to make everyone's life difficult, it was picked because, as far as CLRL and its experts are concerned, it is the best route. The southern alignment I will deal with in my detail when I close the Spitalfields objections generally.

11457. So far as consultation is concerned, Mr Boyd Carpenter is wrong, we did use the TfL toolkit, it is referred to in the Spitalfields report which Mr Simon Dean spoke to on Day 40.

11458. So far as the Hanbury Street site being selected for Pedley Street, Mr Berryman tells me—and I pass this on to the Committee later if necessary—Hanbury Street was selected before the idea of the Pedley Street conveyor emerged and Hanbury Street is not just there because of the Pedley Street conveyor, Hanbury Street is required regardless of the Pedley Street issue for the reasons that were explained by Mr Berryman last week.

11459. So far as legal advice is concerned, I am afraid I cannot offer to pay Mr Boyd Carpenter's legal costs. The compensation provisions have been explained. There is nothing to prevent legal advice

being taken on the settlement deed if that is what is wanted but compensation, such as it is provided in terms of settlement, relates to a need to carry out surveys post work and during monitoring.

11460. So far as noise is concerned, we do not offer mitigation at this stage for the simple reason—and Mr Thornely-Taylor has explained this to Mr Boyd Carpenter and he is going to, as I understand it, meet him in Hanbury Street when he visits other residents as well—that the noise levels which will be experienced are below the most sensitive noise criteria of 25 decibels which are the criteria applied for noise sensitive properties such as studios, concert halls and the like. Regardless of issues of noise reflection, the noise levels which will be experienced will be low enough so that they should not disturb even the specialised activity which goes on in Mr Boyd Carpenter's premises. That is the same for both ground borne and air borne noise.

11461. The only period—and this I said when Mr Serota was here during Christchurch Spitalfields—of audible noise in terms of the tunnelling should be the period when the tunnel boring machines go through cutting the tunnels which is a period of seven to 14 days, as I explained to the Committee last week. Subject to that the operation of the tunnel should not cause Mr Boyd Carpenter problems.

11462. The issue that he referred to, Mr Methold and the London Borough of Havering was not dealing with this issue at all, it was dealing with the specific adjustments made under British standards for the noise from fixed plant, it was not dealing with the general questions of ground borne and air borne noise, so the comment, I am afraid, is not related to this specific context.

11463. Finally, so far as the steps to be taken in monitoring, the Code of Construction which is part of information paper D1 makes it clear that monitoring is not the responsibility solely of the local authority. The nominated undertaker will also be required to monitor and to comply with the noise levels which are set and you will find that in sections 5.1 and 5.2 of the Construction Code in IPD 1.⁴⁸ Thank you.

11464. **Mr Liddell-Grainger:** Mr Carpenter?

11465. **Mr Carpenter:** Yes, there are quite a few points I would like to respond to very briefly. I had a letter from Tom Mantey concerning the work in my flat today so I was concerned about the health impacts on me as well as being able to work there. They have 60 dBA daytime and 43 dBA evening noise. I was talking about night time noise events which do not wake you up but disturb your sleep, that is the concern they will impact on my health in that way. These noise events are not loud enough to wake you up but they are loud enough to disturb your sleep and cause the cardiac arrhythmia. On the

⁴⁷ Crossrail Ref: P97, Hanbury Street Shaft—Crossrail Proposals (SCN-20060620-006).

⁴⁸ Crossrail Information Paper D1 Crossrail Construction Code, <http://billdocuments.crossrail.co.uk>

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measurement of the noise, my point on that is it is the level that you set the background noise against. If your background noise level is set high then everything looks okay against that background noise level, but we are talking about adding noise events to the existing sound scape that is there. That is what that discussion was about. If you say the background noise level is 60 dB when it is in fact 40 dB, that is a colossal difference. I am not saying that, I am just giving you that as an example. I am a bit concerned about that.

11466. The shaft originally was in Princelet Street on the 2002 guide and was moved across the road to Hanbury Street. It was Hanbury Street but it had been in Princelet Street, so it was not fixed in place, I do not believe, until the spoil adit system was put in place. I think that was part of that. Prior to that you can see on the map of Princelet Street there is a big area that says "warehouse" just to the left of the coloured part of the site across the road and that was where the original vent shaft was proposed in the original alignment. It was moved to Hanbury Street. The only things I have seen have always said Hanbury Street and that has always been to do with the adit as far as I have seen, I have not seen any other information than that. Crossrail have always said they need to take the spoil out through that tunnel and it needs to be there, and that was what they told us and we believed them. They told us they could not move it anywhere else because that would make the tunnel for the spoil too long and it would not make it economically viable to move it. They told us that information. That is what I am going on.

11467. I am a bit surprised that as residents that we were expected to look at an exhibition board in Whitechapel that had one sentence about Pedley Street, which is a very, very long way away from Whitechapel, and be able to spot that. I am sorry I did say there was no mention of it, I am very, very sorry, there was mention of it, it was mentioned, it just was not on the other maps. Again, I do not think that has satisfied too many of my concerns. It has some of them with the stationary impact assessment and so on, I am very pleased about that. I have presented you with detailed evidence on the consultation from the WHO reports, and those will explain the situation of residents in some detail. That is all I want to say.

11468. **Mr Liddell-Grainger:** Mr Carpenter, thank you very much indeed. Can I call Ms Thornton, please.

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Ms Thornton appeared as counsel on behalf of the Petitioner.

11469. **Mr Elvin:** I say nothing more by way of introduction than this is the Residents' Association.

11470. **Ms Thornton:** Members of the Committee, I will be brief this evening. I am very aware you have heard a lot of evidence from the Spitalfields' residents already. In preparing the presentation this evening we took the opportunity to review all of the transcripts of the relevant sessions and we have annexed them to a letter which I hope you have got before you, just to demonstrate that we have tried to prepare as best we can to avoid repeating arguments that have already been made. I firstly want to check that everybody has the letter I am referring to and presenting on. It is a letter from Guy Carpenter, who you have actually just heard from, in his capacity as Secretary of the Residents' Association.

11471. **Mr Elvin:** I am afraid we only received it before the Committee resumed so it has not been introduced.

11472. **Mr Liddell-Grainger:** If you could have it circulated.

11473. **Ms Thornton:** There were copies circulated earlier.

11474. **Mr Liddell-Grainger:** What was the number?

11475. **Mr Elvin:** It has not got one. This is the first time it is being presented. It has got "Woodseer and Hanbury Residents' Association" on the top.

11476. **Mr Liddell-Grainger:** The only one we have got is A126. We will call this A127.

11477. **Ms Thornton:** Perhaps if I could explain. The letter arrived before you this afternoon because those instructing me reviewed over 500 pages of transcript to ensure we did not repeat ourselves and as the transcripts had only arrived by the end of last week the process has taken time. We apologise and we hope the Committee understands the reason for that. I will take you through the main points of the letter.

11478. Before I go further I would just like to say that I intend to be relatively brief this evening. Just because I am being brief does not in any way underplay the state of concern and anxiety that is felt by those affected.

11479. **Mr Liddell-Grainger:** That is absolutely understood, Ms Thornton, thank you very much for bringing it to our attention.

11480. **Ms Thornton:** There are three aspects I want to cover tonight. The first is a simple point. Given the revised tunnel strategy for Hanbury Street, and this is a point that has already been made by others so I repeat it, we would like to understand whether there is still a need for the shaft at Hanbury Street. We would like to hear from the Promoter as to whether the shaft at Hanbury Street is still necessary given as we understand there is greater flexibility now the tunnel strategy has been revised. That is point number one.

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11481. Point number two is we want to explore the protection measures that are available to residents. You are aware of the Channel Tunnel Rail Link experience of residents. That, it seems, is now a success story in terms of the relationship between residents affected by the construction works of the Channel Tunnel Rail Link, the contractors and the promoters. There seem to us to be some real practical examples there which the Committee could seek to replicate as one success story to ensure that Crossrail can proceed along the same lines.

11482. The third part of what I want to say will be very brief. It is to support arguments on wider issues made by others.

11483. The point about the need to look at the tunnel strategy for Hanbury Street is my clients are grateful for the changes that have been made to the tunnel strategy so that we no longer need a tunnel boring shaft. Because, as we now understand, there is greater flexibility in that, whereas before when you were boring right down to the earth and bringing out the tunnel spoil you needed a nearby railway line and a nearby street to take the spoil out, that is no longer taking place. There does seem to be a change of circumstances. There seem to be implications from that change of circumstances, ie greater flexibility about the location of the shaft. As far as we are aware the Promoter has not demonstrated why the Hanbury Street shaft is necessary or looked at whether there are now better alternatives given these change in circumstances. It may be that in this particular area, we are not saying there are, there is a better piece of land, derelict land, waste land, abandoned buildings, we do not know. As far as we are aware that assessment has not been carried out. Given these change in circumstances, given the impact and disruption that this Hanbury Street shaft is going to cause for the next five years, it does seem to be a matter of fairness that at the very least that assessment is carried out and the residents I represent receive the results of that assessment. That is the first thing we ask for.

11484. The second point I want to make is a point about trying to understand what the day-to-day impacts are going to mean for life for residents. I am picking up on some of the debate that has already taken place this evening. If one is trying to appreciate the concerns of residents and the difficulties they face, one of the problems is it is very difficult to understand what this is going to mean on a day-to-day basis for people. I say by way of preliminary point, the Government has accepted in the context of the Environmental Impact Assessment that the general public, when faced with a construction project of this sort of magnitude, feels anxiety and concern. Much of that anxiety and concern is about the fear of the unknown or the fear of these unforeseen effects. By providing proper information it is widely recognised you help to allay public anxiety; things may not be as bad as people feel. It is unfortunately the case that the information

that is coming out in this project is not allaying anxiety and concern. I will not go into the detail of it because I think you have heard it before.

11485. Mr Elvin has already referred this evening to generic documents when responding to individual petitioners. It may be simply inevitable in a project of this size that you have to rely on generic documents but I think it needs to be recognised when you are trying to understand the concerns of residents that generic documents, very technical documents, decibel limits, et cetera, when it is hard to understand what that is going to mean for day-to-day life, creates fear and anxiety. If you have got those problems sometimes you can get round them by consultation. You have heard about the problems with consultation in the Spitalfields area and I do not propose to repeat them, apart from making one particular point that is a source of significant anger and frustration to those I represent, which is in the round one consultation, which people now realise was their only opportunity to talk about a route, there was no explanation that there were alternative routes that could have been considered in a round of consideration. You have heard Mr Elvin's response tonight which is just because they were not in the consultation document or made available, people could have still commented on them. Quite frankly that is unrealistic when you have got residents who do not have the resources, who are acting on their own initiative, to be presented with proposals which do not refer to alternatives is to circumscribe what we are going to talk about. It is only now that people have realised they have lost the chance to talk about a particular route. I mention that because that is a point I have been asked to raise.

11486. Having said that you have got information problems here, you have got consultation problems, it therefore becomes very important that you move to protection measures. There is a sense I am getting from behind me, from those who are instructing me, that there may be a sense of greater preparedness to wait and see, to see if it is as bad as they fear, yet the Promoter says it will not be as bad. If they feel that at the point at which they have waited, they have seen it and actually it is getting quite bad, and they raise their head above the parapet and say, "Actually things are getting bad. The noise is getting bad. The lorry movements are getting bad", if at that point they felt confident that there would be a responsive resident focused sympathetic speedy dealing with the problem then I think that would go a long way to resolve some of the concerns.

11487. Those instructing me have tried to set out at page four of the letter what the impacts are likely to be for this particular part of Hanbury Street. Quite frankly, having heard the debate tonight, I do not think it is worth going down that route because what I am hearing is there is just going to be a debate about impact. "Yes, there is going to be an impact". "No, there is not going to be an impact". "It is not going to be as bad as you think". It goes to the same problem, there is a lack of proper specific

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information, for example there are no details yet of where the lorries are going to go in the streets in Spitalfields. I am hearing somebody saying to me "Yes, there are". Yesterday a letter was sent saying, "No details yet of specific routes the lorries are taking". This came from Tom Mantey, who I understand is the negotiator. The understanding of those who instruct me is that detail is not available.

11488. **Mr Elvin:** It is in the Environmental Statement.

11489. **Ms Thornton:** We can perhaps produce the letter.

11490. **Mr Liddell-Grainger:** I think we will just continue.

11491. **Ms Thornton:** Anyway, the point is exemplified in a way by the dispute you have just heard. It is not clear, there is an element of doubt, there is an element of confusion about what these impacts are going to be. That creates the uncertainty, it creates the concern, it creates the anxiety. If you cannot tie it down in advance you have to provide proper protection measures to pick up the pieces when they start to go wrong and that is what I want to look at tonight and try and identify, and I will do so briefly as I am aware of the time.

11492. At page five I talk about what exactly can we do to try and make people's lives better. Just to say here, this part of the letter comes from extensive consultation with what I will call the Channel Tunnel Rail Link affected residents. We cannot get a better, clearer example of what it is like for residents who are living through this day-to-day. They have this experience, and it is to be relied upon. There is a video available if you want to see what the residents affected by the Channel Tunnel Rail Link are saying. I understand that is difficult for the Committee. That has not been provided but I do not want you to think that we are not putting forward any direct evidence tonight, it is available. What the consultations with the Channel Tunnel Rail Link affected residents show is that there are four or five very important principles which ensure the protection for residents. We have set those out on page five.

11493. The first, and it bears repeating, is it is no good relying on assurances, it is no good relying on expressions of commitment and goodwill that a Promoter may make often at a stage when he or she is trying to get the project approved. That is not sufficient when one or two years down the line in the dead of night you have got someone who has a real problem. The legislative and regulatory spotlight has gone, people need assistance. That comes from legally enforceable binding undertakings, and that is what we are seeking tonight. So far as we understand, the Promoter has rejected the proposal that there be undertakings. I do not have the specific

details but that is what I am instructed. I remain to be corrected on that and I would be delighted if I was corrected on that.

11494. Regular meetings with the contractor so people understand in advance what work is going to happen to them over the next few weeks. A clear allocation of responsibilities so the Promoter, the contractor and the local council cannot all shift the problem. The procedures need to operate under the principle of equal partnership between the residents and the contractors. Residents should not have to negotiate with the local authority because, quite frankly, a local authority will never care as much as residents do. What made the major difference in the Channel Tunnel Rail Link was clear disciplinary procedures and clear penalties if the Construction Code was breached.

11495. Further additional points I make very briefly on how we best move the process forward given we are where we are in this particular Bill and these particular proceedings. You have heard evidence on a lot of health impacts, vibration impacts, noise impacts from petitioners. This generates additional concern from those sitting behind me as they hear more and more information being put forward before you, new issues being raised that they feel have not been adequately dealt with. If we are to move forward from here we need, those instructing me say, an independent assessment of the particular issues that have been raised before you on noise, vibration and sound with non-technical summaries so that people receiving them, wherever they are, can understand the outcome of those.

11496. You have already heard detail of the settlement, I do not propose to repeat it but can I say just on this point about the deed of settlement, the response of the Promoter is apparently "you can pay for your own legal advice". We hear that. It seems to us one option would be for legal resources to be made available for one lawyer on behalf of all the residents to negotiate a pro forma deed of settlement which residents could either sign up to or not. The only reason these residents are in the situation they are in is because of the Promoter and to hear that they have to pay their own money to get legal advice creates continuing frustration.

11497. I have talked about vehicle movements and regular meetings to understand about vehicle movements. On compensation, I simply refer you to the evidence given by Norman Winbourne on behalf of Mayfair Residents, a chartered surveyor with 50 years' experience who talked about the inadequacies of the Compensation Code, and now we understand it is not a code.

11498. Finally, on this—it is the point I made earlier, and possibly it is the most important point—as and when things go wrong having a resident focused responsive procedure to deal with these impacts. That means not just looking at whether people fall under schedules or under thresholds at the highly

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technical approach, it means looking at—and I appreciate this is difficult to achieve in practice—somebody in front of you who is vulnerable, who is suffering a problem maybe because they have a greater sensitivity or a greater vulnerability and being able to take that into account in any discretion you have and incorporation of some sort of principle along those lines to assuage their concerns. If you have got irresolvable differences then you need an independent appeals process that has to be seen to be independent. That could involve community representation, possibly not members from within the particular community but outside the community to involve a greater degree of objectivity. It might be local GPs, it might be head teachers, the post might be applied for and advertised, it is about creating a sense that this is a scheme that is looking after people as and when they need looking after.

11499. I finally want to say something very briefly on the two wider issues that you have heard a lot about and I do not intend to repeat. One of them is alternative routes and the second is the existence of the Whitechapel Station. I fully expect the response on Whitechapel Station to be, “This is a point of principle about the Bill, the time for debating that has gone”. What I will say in response to that is that is not helpful to residents who, as I have already pointed out, feel they lost their only opportunity to be adequately consulted on the route at round one, for the reasons I have given, no consideration of alternatives. To hear now that the time for debating that has gone sits very uneasily.

11500. On alternative routes, I refer you simply to the evidence of Michael Schabas for the Mayfair residents, delivered by a man of significant expertise in this area, 25 years of expertise. You heard him say that this Promoter has considered alternative routes only superficially and only to discard them. You then heard the witness for the Promoter attempt to rebut those arguments. We wholeheartedly support the evidence on alternative routes. You do have the power, as we understand from your instructions, to go back to Parliament to comment on the adequacy or inadequacy of the Environmental Statement. That point was made by counsel for the Promoter in his opening. We would urge you to exercise the power that you have according to your instructions to comment on the adequacy of the Environmental Statement as it relates to alternative routes.

11501. Very finally, on the Whitechapel Station you have heard about the absence of a cost benefit analysis, you have heard whether there should even be a Whitechapel Station or not and the confusion about whether we need that station. I am not going to repeat those arguments, apart from to refer you to the evidence.

11502. In conclusion, at annex two we set out a list of undertakings what those who instruct me would like. I will not read them out, I have covered them already. Suffice to say they start with this undertaking that the Promoter should come back to

the residents and say why the tunnel alignment at Hanbury Street is still necessary. They go on to look at the noise vibration measures that I talked about, details of the chosen route for lorry movements as soon as practicable, application of best practice industry standards in residential areas, clear allocation of responsibilities, regular meetings with the council, advance information, an independent appeals procedure, and there is a further one I would like to add which is the provision of legal resource for one lawyer to negotiate a deed of settlement on behalf of residents.

11503. Guy Carpenter is behind me if you would like to hear any evidence from him or if you have any questions. The Channel Tunnel Rail Link residents have said they would be very happy to come and talk to you. I know you have got a lot of people talking to you. That is probably the point where I end. The Channel Tunnel Rail Link residents were a success story, eventually. It took a number of years to get there but there is the opportunity for Crossrail to start where the Channel Tunnel residents have ended up and we would urge the Committee to do whatever it can to start that process. Thank you.

11504. **Mr Liddell-Grainger:** Mr Elvin, you have eight minutes.

11505. **Mr Elvin:** I have rescheduled my overall closing to 2.30 tomorrow, if that is acceptable to the Committee. Can I just make my very specific points. I will deal with those quickly so Ms Thornton can hear them because she may not be around at 2.30 tomorrow.

11506. The majority of the concerns that have been raised are dealt with by the Construction Code. I would like to assure the Residents' Association that the environmental scheme and the controls here build on the CTRL experience, as I explained to the Committee on Day 1, transcript paragraph 64 and others. We are well aware of the experience of CTRL and, indeed, many of our team are CTRL veterans. We are building on the experience of CTRL, so that is already done. The Construction Code itself is the primary means to the majority of the concerns. It may not deal with what is wanted as a matter of very specific detail but it deals with matters such as standards, enforcement and environmental requirements. I might remind the Committee that I gave an undertaking, the first one I gave, at paragraph 112 of the transcript on Day 1, on behalf of the Secretary of State to ensure that such steps are taken as are reasonable and necessary to secure compliance with the environmental minimum requirements set out in the Construction Code. They are secured by undertaking and I do not need to repeat or to give a further undertaking in that respect.

11507. On the issue of Hanbury Street and the need for it, the alternatives are set out in material. Clearly they may have passed by the Association. I have referred to them already. Supplementary

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Environmental Statement 1, section 6, eight alternative sites considered. So far as the renewed need for the shaft in the light of the new tunnelling strategy, I can assure the Residents' Association, as I have done on many occasions over the last two weeks, this will be the matter of a further Bill amendment, AP3, and will be the subject of a further Environmental Statement which will accompany AP3. This is not the end of the process, there is more consultation to come on the issue of the alignments and the selection of Hanbury Street. It is not that consultation round one was a lost opportunity, the whole course of consultation includes the Environmental Statement and the Bill process, the representations made to this Committee, which include the as yet to be published AP and further Environmental Statement, so those issues are far from closed and more will be put before the Committee and Parliament in due course.

11508. So far as the Spitalfields lorry route is concerned, can I show the letter from Mr Mantey at paragraph two.⁴⁹ What it makes clear, and the Committee will see it, is "the final fixing of the lorry routes will be in consultation with the authorities, as it has to be under Schedule 7 of the Bill, but the position of the likely lorry routing is set out in detail in the Environmental Statement" and this letter sets out the references. It is routes the Committee has already seen on the plans. The currently proposed lorry routes are already there in publicly available information with an explanation in volume 8b as to what is proposed. Of course, the final selection will have to be in consultation with the local authority and no doubt that will involve local residents as well.

11509. On the Compensation Code and legal costs, the position is what the position is. Parliament has decreed the current Compensation Code, which is applicable to this and to all other projects. It has rejected proposals for reform from the Law Commission and it has consistently applied that code to major infrastructure projects. I have made that point before and I do not elaborate on it.

11510. Finally, so far as Whitechapel is concerned—Ms Thornton has obviously missed this point from the transcripts but the Committee has already made it clear—this is part of the principle of the Bill. It was accepted by the House on second reading and is not open for debate before this Committee. I say that

⁴⁹ Crossrail Ref: P97, Correspondence from CLRL to Woodseer & Hanbury Residents Association (SCN-20060620-006).

simply to inform the Association, not to remind the Committee of what it already knows and has already made clear.

11511. I say no more in response now, I will carry out my main closing at 2.30 tomorrow afternoon and I will circulate in advance copies of my written submissions.

11512. **Mr Liddell-Grainger:** Thank you, Mr Elvin. Ms Thornton, we have—

11513. **Ms Thornton:** We will be less than a minute, although we have three minutes. Mr Elvin has talked about the Construction Code but our point is the Construction Code is not finalised yet a lot of detail that is highly relevant to the residents is in there. It is not yet finalised, therefore there is continuing uncertainty.

11514. We are obviously pleased to hear about the further Bill amendment and the further Environmental Statement on the Hanbury Street alignment. It does raise a question which we would like to ask. Do we have another opportunity to come back before you?

11515. **Mr Liddell-Grainger:** Indeed you do.

11516. **Ms Thornton:** Fine. Thank you very much for that. On Whitechapel, Mr Elvin may not have heard me when I said I predicted there would be an issue about principle and I made the point that principle means little to residents who feel they lost out on consultation earlier on. That is my point on that.

11517. The Compensation Code and the legality of it, I do not propose to say anything more on.

11518. On the lorry routes, as I understand it there is still a lack of clarity over Buxton Street and whether that is going to be used.

11519. **Mr Elvin:** That is going to be used. I explained that earlier.

11520. **Ms Thornton:** Absolutely fine. I will not make any further points on that.

11521. Finally, I have been asked to mention that the CTRL rail scheme did look at a large number of alternative routes and that is what clearly distinguishes it from the Crossrail scheme which has not looked at alternative routes. I have been asked to raise that point. I have no further comments.

11522. **Mr Liddell-Grainger:** Ms Thornton, thank you very much. Given that we have a minute to go, thank you for your minute. We will now adjourn until tomorrow at 10 o'clock.