

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

PETITION

Against the Bill– On Merits – Praying to be heard by Counsel, &c.

TO THE HONOURABLE THE COMMONS OF THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND IN PARLIAMENT ASSEMBLED.

THE HUMBLE PETITION of **OSBOURNE INVESTMENTS LIMITED**.

SHEWETH as follows:-

- 1 A Bill (hereinafter referred to as “the Bill”) has been introduced and is now pending in your honourable House intituled “A bill to make provision for a railway between Euston in London and a junction with the West Coast Main Line at Handsacre in Staffordshire, with a spur from Old Oak Common in the London Borough of Hammersmith and Fulham to a junction with the Channel Tunnel Rail Link at York Way in the London Borough of Islington and a spur from Water Orton in Warwickshire to Curzon Street in Birmingham; and for connected purposes.
- 2 The Bill is presented by Mr Secretary McLoughlin, supported by The Prime Minister, The Deputy Prime Minister, Mr Chancellor of the Exchequer, and Secretary Theresa May, Secretary Vince Cable, Secretary Iain Duncan Smith, Secretary Eric Pickles, Secretary Owen Paterson, Secretary Edward Davey, and Mr Robert Goodwill.
- 3 Clauses 1 to 36 and 45 to 58 of the Bill set out the powers sought for the construction and operation of the railway referred to in paragraph 1 above. They include provision for compulsory acquisition, planning permission, heritage issues, trees and noise. Clauses 37 to 45 of the Bill establish the regulatory regime for the railway and clauses 59 to 65 deal with miscellaneous and general provisions.
- 4 The works proposed to be authorised by the Bill are described in Schedule 1

of the Bill.

- 5 Your Petitioners are **Osbourne Investments Limited** (company number 03561195) (hereinafter referred to as "your Petitioners"). Your Petitioners are the freehold owner of land comprising title number NGL128715 known as Boden House (formerly Elliot House) on Victoria Road, Park Royal, NW10 6NY. The Bill seeks authorisation for the compulsory acquisition of part of your Petitioners' interests at this property.
- 6 Your Petitioners and their rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.
- 7 The Bill seeks authorisation for the compulsory acquisition of the car and cycle parking area at the front of Boden House, together with the ramp up to the roof top car park above Boden House. The compulsory acquisition of this land would effectively acquire the entirety of the parking area for Boden House, as the ramp area identified for compulsory acquisition is the only access point to and exit point from the roof top car park.
- 8 The car parking at the front of and on the roof of Boden House (providing 137 spaces in total) services this five-storey office building, which is used by 350 full time staff members. No alternative offering of car parking has been offered to your Petitioners and without such car parking the building will be unable to operate at full capacity. It will significantly reduce the value of the property.
- 9 The notice served on your Petitioners fails to schedule JP Boden & Co. Limited (company number 02692601) as lessee of Boden House. The Bill poses a blight to the future occupation of these buildings which are unlikely to be let without the car parking arrangements.
- 10 Boden House is the only property in this stretch on Victoria Road, Park Royal which has been excluded from compulsory acquisition. The remainder of this area is to serve as a main construction compound. This blight is compounded by the acquisition of the front and roof car parking facilities which serve these buildings.
- 11 Discussions with the promoters of the Bill indicate that the car parking area at the front of Boden House and the ramp to the roof top car park is temporary only and is only intended for access to utility services. However, this is not clear to your Petitioners from the published information and therefore future planning for the property is severely restricted.
- 12 The land is identified as land potentially required during construction and

then as proposed railway sidings. Your Petitioners seek a written undertaking from the promoters of the Bill that access to the front and roof top car parking and services to Boden House will not be affected or impeded by the railway works either during construction or operation of the railway.

Length of compulsory purchase powers

- 14 The Bill seeks authorisation for the grant of compulsory purchase powers for a period of 5 years from the date when the Bill receives Royal Assent. The Bill further allows for this period to be extended for a further 5 years by the Secretary of State.
- 15 Your Petitioners consider that 10 years is too long a period of time for landowners to be subject to the threat of compulsory acquisition. Such threat will stall any development plans and could lead to vacant properties. It is submitted that the compulsory acquisition powers should be restricted to a period of 5 years only, with no potential for the period to be extended.
- 16 For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, clauses 4 to 10, 15 and those seeking to authorise the compulsory acquisition together with the deposited plans so far affecting your Petitioners, should not be allowed to pass into law.
- 17 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioners and their rights, interests and property and for which no adequate provision is made to protect your Petitioners.

YOUR PETITIONERS therefore humbly pray your Honourable House that the Bill may not be allowed to pass into law as it now stands and that they may be heard by their Counsel, Agents and witnesses in support of the allegations of this Petition against so much of the Bill as affects the property, rights and interests of your Petitioners and in support of such other clauses and provisions as may be necessary or expedient for their protection, or that such other relief may be given to your Petitioner in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.

Signed by Richard Guyatt as agent for your Petitioners

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AGAINST, agreed by your Petitioners
The Bill –
On Merits –
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Agent for your Petitioners:
Richard Guyatt
Bond Dickinson LLP
3 Temple Quay
Temple Back East
Bristol
BS1 6DZ