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IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

P E T I T I O N

Against the Bill – Praying to be heard by counsel, &c.

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

THE HUMBLE PETITION OF HOUNSLOW LONDON BOROUGH COUNCIL

SHEWETH as follows:

1. A Bill (“the Bill”) has been introduced into 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, 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 set out the Bill’s objectives in relation to the construction and operation of the railway mentioned in paragraph 1 above. They include provision for the construction of works, highways and road traffic matters, the compulsory acquisition of land and other provisions relating to the use of land, planning permission, heritage issues, trees and noise. They include clauses which would disapply and modify various enactments relating to special categories of

land including burial grounds, consecrated land, commons and open spaces, and other matters, including overhead lines, water, building regulations and party walls, street works and the use of lorries.

4. Clauses 37 to 42 of the Bill deal with the regulatory regime for the railway.
5. Clauses 43 to 65 of the Bill set out a number of miscellaneous and general provisions, including provision for the appointment of a nominated undertaker ("the Nominated Undertaker") to exercise the powers under the Bill, transfer schemes, provisions relating to statutory undertakers and the Crown, provision about the compulsory acquisition of land for regeneration, reinstatement works and provision about further high speed railway works. Provision is also made about the application of Environmental Impact Assessment Regulations.
6. The works proposed to be authorised by the Bill ("Phase One of HS2") are specified in clauses 1 and 2 of and Schedules 1 and 2 to the Bill. They consist of scheduled works, which are described in Schedule 1 to the Bill and other works, which are described in clause 2 of and Schedules 2 and 3 to the Bill.
7. Your Petitioners are the local authority for the London Borough of Hounslow and have been invested by Parliament with a number of important powers and duties in relation to the interests of the inhabitants of their area. Amongst other functions of your Petitioners is that of the highway authority for all existing or proposed public highways in their area, except for those which are the responsibility of Transport for London. In addition, your Petitioners are the traffic authority for most roads in their area. They are also the local planning authority and are thus responsible for general planning and the preparation of development plans. Each of these functions is affected by the provisions of the Bill as set out below.
8. Your Petitioners allege that they and their property, rights and interests in their area and the inhabitants thereof would be injuriously and prejudicially affected by the provisions of the Bill if passed into law in their present form and they accordingly object to the Bill for the reasons, amongst others, hereinafter appearing.

## **Background**

9. The Bill provides for an interchange station at Old Oak Common which will serve HS2, Crossrail and the West Coast Mainline and which is within the area of the London Borough of Hammersmith and Fulham.

10. Your Petitioners support the construction of the station at Old Oak Common since it provides a unique opportunity to regenerate the Old Oak Common area. However, your Petitioners are concerned that that opportunity will not be exploited to the full if the Bill is allowed to pass into law in its current form.
11. Your Petitioners ask your honourable House to amend the Bill to ensure that the works authorised by the Bill are designed so that they do not impede but actively facilitate the provision of connectivity at Old Oak Common station between HS2, Crossrail and the North London and West London Lines, and for such connectivity to be designed so as not to unnecessarily preclude (in terms of cost and disruption) the future introduction of a rail service to Hounslow.
12. In order to facilitate regeneration in a manner consistent with the Mayor of London's Transport Strategy, transport connections must be provided at all levels, ranging from international to local. The current HS2 proposals would facilitate improved national and regional connections but would be lacking in sub-regional and local links. A connection to Hounslow would ensure that your Petitioners' area would benefit from the proposed scheme. It would also mean that Old Oak Common would be accessible to a greater number of key markets. In its current form, the Bill does not provide a means for that connection to be developed and so the above mentioned benefits are likely to be lost.
13. As explained in the following paragraphs, the provision of connectivity would result in a number of benefits; its absence, however, would have a detrimental effect on your Petitioners' area.

#### **Growth in Hounslow**

14. Your Petitioners submit that the potential for growth within their borough, as articulated within their draft Local Plan ("the Plan"), would be injuriously affected by the Bill in its current form.
15. The significant growth in housing and employment set out in the Plan is largely predicated on a step change in public transport access through the provision of a new rail link between Hounslow and Old Oak Common, via Brentford. The anticipated growth includes 12,300 new homes being built in the borough between 2015 and 2030. This is consistent with the annualised housing target for the borough established in the Mayor of London's draft *Further Alterations to the London Plan* (January 2014). Employment growth will also take place, as

evidence underpinning the Plan identifies a need for an additional 90,000 sqm of office floorspace to meet the demand from potential occupiers. This figure is in addition to the 110,000 sqm of office floorspace which is already in the development pipeline.

16. The growth in homes and offices will require improved communications in your Petitioners' area and the highway network cannot be expected to accommodate it all; indeed, saturation of the highway network would act as a brake on significant growth. Since the Bill does not provide for connectivity between Old Oak Common and Hounslow, it misses an opportunity to improve communications in your Petitioners' area.

### **Air quality in Hounslow**

17. Your Petitioners' area has been designated an Air Quality Management Area under the Environment Act 1995 ("the 1995 Act") owing to the presence of the air pollutant nitrogen dioxide. Assessments show that air pollution levels remain above the levels required by the Air Quality Standards Regulations 2010 and the European Directive 2008/50/EC. In order to assist in the resolution of these problems your Petitioners are following, as required by the 1995 Act, an action plan which provides for the improved provision of public transport and which aims to relieve pressure on the local highway network by establishing a viable alternative to private car use. By not providing for connectivity between Old Oak Common and Hounslow, the Bill removes a potential means by which your Petitioners could relieve pressure on its highway network.
18. Your Petitioners further note that the United Kingdom is subject to infraction proceedings by the European Commission with regards to a breach of air quality within London. Where a member state is found to be in breach of EU law, it must take steps to remedy that breach. If it does not, it may be brought back before the European Court of Justice and a fine may be imposed. The Localism Act 2011 provides that a local authority can, ultimately, be required to pay some or all of a fine arising from a decision of the European Court.
19. In order to assist with the long-term improvement of air quality in London and to help reduce the risk of the United Kingdom and your Petitioners facing the prospect of a financial sanction arising out of infraction proceedings your Petitioners submit that the Bill should be amended as described above.

## **The case for connectivity**

20. Your Petitioners have been progressing plans for an orbital link from Hounslow to north London for many years, originally envisaging a shuttle to Willesden Junction. With the emergence of Old Oak Common as a key sub-regional link, the opportunity to link to both Crossrail and HS2 further strengthens the proposition which was recognised in the Mayor of London's Sub-regional transport plan for West London 2010.
21. Your Petitioners have commissioned transport consultants to assess the implications, benefits and costs associated with the introduction of a direct passenger service between Hounslow and Old Oak Common. An outline business case for the link has now been completed, using "worst case" projections. It concludes that the proposed link is deliverable technically and provides a positive business case.
22. The positive business case is predicated on the provision of the necessary station infrastructure at Old Oak Common, to facilitate services from the North and West London Lines, as part of HS2. It is clear from research undertaken by TfL and HS2 Ltd. that the provision of any station infrastructure subsequent to the completion of the HS2 project would be, at best, complicated and inefficient and, at worst, prohibitively expensive.

## **Conclusion**

23. The provision of connectivity from Old Oak Common to Hounslow would help improve the business case for the HS2 project as a whole by drawing in millions of west and south-west Londoners into a direct catchment for the high speed network and would increase the potential density of new development at Old Oak Common. It would also help deal with the onward dispersal constraints at Euston station.

## **General**

24. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of your Petitioners and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

YOUR PETITIONERS THEREFORE HUMBLY PRAY

your Honourable House that the Bill may not pass into law as it now stands and that they be heard by themselves, 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 amendments as may be necessary and proper for their protection and benefit.

AND YOUR PETITIONERS will ever pray, &c.

SHARPE PRITCHARD LLP

Agents for Hounslow London Borough  
Council

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AGAINST,

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