

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013–14

**Transport for London Bill [HL]**

Against – 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 **Anabela Hardwick**.

SHEWETH as follows:-

1. A Bill (hereinafter referred to as “the Bill”) has been introduced and is now pending in your honourable House intituled “To confer further powers upon Transport for London; and for related purposes”.

2. The Bill is promoted by Transport for London. The Preamble to the Bill recites that: This Bill provides Transport for London (“TfL”) with further powers in respect of the arrangements for stewardship of its financial affairs and the management of its operational undertaking.

(1) It is expedient that the powers of Transport for London should be extended and amended as provided in this Act:

(2) It is expedient that subsidiaries of Transport for London should have further powers as regards giving security for borrowing:

(3) It is expedient that Transport for London should have powers as regards forming, promoting and assisting and investing in limited partnerships:

(4) It is expedient that Transport for London should have further powers as regards the carrying out of activities specified pursuant to section 157 of the Greater London Authority Act 1999:

(5) It is expedient that further provision be made as regards risk mitigation

(6) It is expedient that the other provisions contained in this Act should be enacted

3. *Clause 5* amends section 156 of the 1999 Act so as to enable TfL to become a partner of a limited partnership or to promote and assist, or join with other persons in promoting or assisting, a limited partnership in order to carry on any activities which TfL has power to carry on.

4 Your Petitioner is a business owner and has been a tenant in 47 Kempsford Gardens, Earls Court, London SW5 9LA for 22 years, and is saving for a deposit to buy a property in Earls Court. Kempsford Gardens is just one street away from Earls Court Exhibition Centre One (EC1) and is bordered by Old Brompton Road at one end and Warwick Road on the other. Earls Court Exhibition Centre One, Earls Court Exhibition Centre Two (EC2), the Lillie Bridge Depot, Gibbs Green and West Kensington Estates are located in the ‘Earls Court and West Kensington Opportunity Area’ which covers 77 acres and all are due to be demolished under the ‘Earls Court Masterplan’. This land is largely owned by the two partners involved - EC Properties LP (a wholly owned subsidiary of Capital & Counties Properties PLC known as Capco) and Transport for London. The Opportunity Area spans the boundaries of the boroughs of Hammersmith & Fulham and Kensington & Chelsea and its borders run along

Warwick Road to the east, Lillie Road to the south, North End Road to the west and West Cromwell Road (the A4) to the north.

5 Your Petitioner and their rights and interests are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.

5.1 The enhanced powers contained in the Bill will greatly increase the ability of TfL to implement the above mentioned proposals to the detriment of your Petitioner.

5.2 Your Petitioner will be forced to move from her current home of 22 years and the area of London in which she wishes to remain for the rest of her life due to the proposed demolitions to be undertaken by Capco/TfL as she is allergic to dust and the thought of having to leave her home in 2015, when EC1 is due to be demolished, is a cause of great stress for her.

5.3 Your Petitioner risks being directly and specially affected by a TfL decision on its land and its properties which will increase air pollution in an area which already exceeds recommended EU limits as the proposal will lead to further deterioration of existing poor air quality and contrary to London Plan Policy 7.14c which states that developments should be at least "air quality neutral" and not lead to further deterioration of existing poor air quality, particularly as this location is already designated as an Air Quality Management Area.

5.4 Your Petitioner is also very concerned about the asbestos that exists in EC1 and how this will be safely and effectively dealt with during the demolition process and safely moved out of the area in which she lives.

5.5 Your Petitioner objects that there is no Appendix to Clause 5 providing a full and comprehensive list of TfL properties/land which they wish to involve in the proposed partnerships. Therefore it is not possible to know whether these properties/land are currently being used to operate London Underground (e.g. as with Lillie Bridge Depot), London's buses, Docklands Light Railway, London Overground, Tramlink, London River Services or Victoria Coach Station and this lack of information denies residents, councils, the London Assembly, Parliament and others to subject TfL to further democratic scrutiny.

5.6 Your Petitioner objects that Clause 5 does not ensure that by entering into these proposed limited partnerships TfL's operations/services would not be adversely affected and subsequently damage the ability of London residents and visitors to travel safely and in a timely manner across the capital.

5.7 Your Petitioner objects that Clause 5 does not ensure that TfL would not adversely affect its staff. The example of Lillie Bridge Depot in the Earl's Court Opportunity Area clearly demonstrates how TfL's decision regarding one of their properties on their land has raised serious concerns for the RMT Union and Unite the Union regarding job losses.

5.8 Your Petitioner understands that TfL aims to enter into more joint ventures similar to that with Capco and objects that Clause 5 would allow limited partnerships which are subject to classified partnership agreements, have unacceptable levels of financial accountability and therefore are impenetrable to public scrutiny.

5.9 Your Petitioner objects that Clause 5 does not require that TfL undertakes due diligence to ensure that they are entering into limited partnerships with financially sound and ethically governed partners.

5.10 Your Petitioner objects that Clause 5 has no robust provisions in it to ensure that TfL does not enter into the proposed limited partnerships due to political pressure to ensure a particular Mayoral and/or government policy or "vision" for the capital which has not been publicly discussed, scrutinised by the London Assembly or Parliament nor voted for by the majority of Londoners nor indeed the wider electorate.

YOUR PETITIONER therefore humbly prays 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 Petitioner will ever pray, &c.

Anabela Hardwick

14<sup>th</sup> March, 2014

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PETITION OF ANABELA HARDWICK

AGAINST, By Counsel, &c.

Anabela Hardwick