

CROSSRAIL

PETITION

Against Amendment of Provisions— 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 WESTMINSTER CITY COUNCIL

SHEWETH as follows :-

1. A Bill (hereinafter called “the Bill”) has been introduced into and is now pending in your honourable House intituled “A Bill to make provision for a railway transport system running from Maidenhead, in the County of Berkshire, and Heathrow Airport, in the London Borough of Hillingdon, through central London to Shenfield, in the County of Essex, and Abbey Wood, in the London Borough of Greenwich; and for connected purposes”.
2. A paper of amendments of provisions (“the Amendments”) was advertised in May 2006, making provision amongst other matters to acquire additional land to the east and north of the Royal Oak worksite.
3. Your petitioners are the Westminster City Council. Part of the area for which your petitioners are the local authority will be injuriously affected by the provisions of the Bill as proposed to be amended, and your petitioners accordingly object thereto for the reasons, amongst others, hereinafter appearing

4. This additional land is required in order to construct extended sidings for the reinstatement of the existing concrete batching plant following the construction of Crossrail line 1. In order to construct the required extended sidings the Westbourne Park Passage footbridge will need to be extended to the north to span over the new sidings and a longer section of the existing retaining wall to the north of the existing railway line will need to be moved to the north.
5. The acquisition of land will require a greater area of land take from the Westminster Academy, which is currently under construction. The original Bill scheme would require a temporary land take of approximately 850sqm from the Academy and a permanent land take of approximately 270sqm. The revised scheme would require approximately 2600sqm of temporary land take and 790sqm of permanent land take.
6. Your petitioners are concerned that the promoter has failed to take into consideration the full impact of these proposed works and fear that the promoter is currently proceeding on a flawed assumption that the only significant adverse impact arising from these works will be the temporary closure of the footbridge. Your petitioners' detailed concerns in respect of the Additional Provisions being sought include the following –
 - (a) Your petitioners have made the promoter aware of their concerns over the reinstatement of the concrete batching plant throughout the development of the Crossrail proposals. Your petitioners' draft planning brief for Paddington New Yard and Adjoining Land (May 2005) also clearly sets out details of your petitioners' concerns. The promoters' Environmental Statement "(ES)" concludes that there would be no significant adverse impact from the reinstatement of this facility. , This, however is based solely on the grounds that there is an existing facility on the site. The revised scheme shows an indicative area within which the concrete batching plant would be reinstated but, it does not provide details of the size of the facility or detailed layout proposals. The ES therefore fails to address the impact of the resiting of the facility, the intensification of the use of the site, the proximity to residential units and the proximity to the Westminster Academy.

- (b) The operation of the existing concrete batching plant already gives rise to amenity problems associated primarily with the lorry movements to and from the site exacerbated by the unconstrained hours of use. Your petitioners do not consider the Bill to be a robust method for controlling the reinstatement of such a facility and given that it is an above site development not directly connected to the railway proposal, seek for its provision to be controlled through the normal planning process. Your petitioners require as a minimum for the promoters to produce a full Environmental Impact Assessment of the revised proposal which should consider the impact of the proposal on the surrounding residential units, the Westminster Academy and on road traffic in the area. This would help your petitioners to consider whether this is an appropriate site to reinstate the batching plant as well as identify what type of mitigation measures and controls would be required during its operation. This should include minimising the movement of aggregates by road, negotiation of more suitable lorry routes and the control of hours of operation. Your petitioners also seek powers to control the design and operation of any reinstated batching plant.
- (c) Your petitioners question the requirement for a reinstated concrete batching plant given that the promoters assert in their ES that there are no proposals to replace this facility temporarily and that it is assumed that the supply of ready-mix concrete will be taken up by other batching plants that can serve the same area. On this basis it is assumed that there will be sufficient capacity within other plants to cope with the additional demand for ready-mix concrete during the construction of Crossrail. Your petitioners concerns over the promoters' revised scheme to acquire a significant increase in land from the Westminster Academy, in order to put the needs of a concrete batching plant before education, are therefore further justified given that there is no clear demand for the existing facility to be reinstated.
- (d) The revised scheme would result in a significant increase in the permanent land take from the Westminster Academy. The Westminster Academy is already considered to be a restrained site in

terms of the amount of land designated as playing fields and as such your petitioner has real concerns over the impact of a further reduction in space currently designated as playing fields. The promoters have not acknowledged this permanent land take as a significant adverse impact and are relying on the Academy to revise their pitch layout in order to accommodate their proposed works. Such revisions will require the benefit of planning permission and your petitioners will therefore be required to consider in full the impact of modifications to the pitch layouts on the rest of the Academy site. Any movement of the pitches north will reduce an area of land which is currently designated as a nature learning area and the promoters have not considered the impact of this in their ES. Furthermore, the promoter has not made clear how the revised proposal impacts on access to the pitches by emergency vehicles. Whilst there have been some joint discussions between the Academy, the promoters and your petitioners no agreement has been reached between the parties to date on an acceptable scheme. Your petitioners therefore remain very concerned about the impact of the additional land acquisition on the operation of the Westminster Academy.

- (e) The promoters state in their ES that the works will be undertaken within the existing construction programme set out in the main ES and that it is likely that the works will be undertaken within the first 12 months of the main construction programme. It is understood from discussions with the promoter that this timetable is likely to change and as such your petitioners seek greater clarification over when these works will take place. The Westminster Academy is due to open in April 2007 and the promoter has real concerns that the proposed works will be carried out during the operation of the Academy. The temporary land take, if acquired during the operation of the Academy, will have a considerable impact on the operation of the sports facilities and would cause severe disruption to the Academy. Your petitioners are of the view that these works should be carried out during school holidays or preferably prior to the opening of the Westminster Academy. Your petitioner considers it a far more sensible use of public funds if the works to the Westbourne Park Passage footbridge and retaining wall were carried out at the same time as the Academy

carries out works to the bridge. This would also cause far less disruption on the use of both the Academy and community sports facilities.

- (f) Your petitioner is concerned that despite the introduction of the Disability Discrimination Act (DDA) the promoters, who are a Government department, only seek the powers to upgrade the northern span of the Westbourne Park Passage Footbridge. Furthermore, in the event that the Academy does not implement their proposals to provide DDA access to the northern span the promoters are proposing under 'Scenario 2' to extend the bridge and to provide access to the extended span via steps. Your petitioner considers this approach to be completely unsatisfactory and is concerned that a Government Department is endorsing this approach. Your petitioners seek assurances from the promoter that a new footbridge is constructed which provides DDA access at both the northern and southern spans regardless of whether the Academy have implemented their proposals.
7. Should the Additional Provision in respect of the acquisition of land at Royal Oak Portal not be agreed your petitioners reserve their position as set out in their petition against the Bill as deposited.
8. Your petitioners are well aware that at this stage a significant amount, of design development and consideration of responses to a number of issues raised by petitioners is underway by the Promoter. At this time however, it remains unclear as to how this work will address, let alone resolve the points raised in the petition.
9. It is pertinent to highlight that all of the points raised in the petition have been concerns that your petitioners have consistently put to the Promoter, for example, in the draft planning brief (May 2005), the processing of the planning application during 2004 for the bus garage extension and in the petition itself in draft form since May 2005.

10. Throughout these procedures and the years of these activities your petitioners have also consistently put forward both potential problems and solutions for the Promoter to address and thereby overcome the points in the petition.

11. Subject to the forthcoming responses from the Promoters to the petition points and their own scheme development, which may meet your petitioners' concerns, your petitioner believes all the points at issue can be satisfactorily resolved.

YOUR PETITIONERS THEREFORE
HUMBLY PRAY

your Honourable House that the Amendments of Provisions may not be made 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 Amendments of Provisions 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

Agents for Westminster City Council.