

COUNCIL	Date 21 June 2006	Classification Unrestricted	Report No.	Agenda Item No.
Report of Director of Development & Renewal		Title CROSSRAIL: – Petition against the 2nd Additional Provisions of the Crossrail Bill, published May 2006		
Originating Officer(s) Bob Bennett – Crossrail Project Director Owen Whalley – Head of Major Project Development		Wards: Mile End East Bow East		

1. SUMMARY

- 1.1 This report briefly updates Members in respect of the current situation on the Crossrail project and seeks authority for the Council to submit a second petition as set out in Appendix A to this report against the 2nd Additional Provisions to the Crossrail Bill published on 9 May 2006.

2. RECOMMENDATIONS

Council is recommended:-

- 2.1 That in the judgement of the Council it is expedient for the Council to oppose the 9 May 2006 Amendment of Provisions to the Crossrail Bill now being promoted in the present Session of Parliament.
- 2.2 That by this resolution the Council consents to such opposition and thereby approves the submission and content of the petition against the second tranche of Additional Provisions to the Crossrail Bill as set out in Appendix A of this report.
- 2.3 That all necessary steps be taken for the purpose of such opposition and for complying with the provisions of section 239 of the Local Government Act 1972.
- 2.4 That the Corporate Director (Development and Renewal) be authorised to continue negotiations with the Crossrail team in relation to the issues in the second petition as set out in Appendix A to this report with a view to resolving the Authority's objections to the Crossrail project and withdrawing in full or in part the second petition in the event of a successful outcome to the negotiations.
- 2.5 That the Corporate director, (Development & Renewal), be authorised to negotiate and resolve matters arising consequential to the Authority's objections to the Crossrail project insofar as the specific authority of the Council is not required.

LOCAL GOVERNMENT ACT 2000 (SECTION 97)
LIST OF BACKGROUND PAPERS USED IN THE PREPARATION OF THIS RFEPORT

Brief Description of Background papers	Tick if copies supplied for register	If not supplied, name and telephone number of holder

3. **BACKGROUND**

- 3.1 The Crossrail project comprises a proposed new cross London railway running west-east through Central London and Tower Hamlets connecting directly with existing rail routes to Reading, Maidenhead and Heathrow airport in the west, and to Shenfield and Abbey Wood in the east.
- 3.2 The central section of the proposed railway including Tower Hamlets will comprise new twin bore tunnels. The tunnels will enter the borough from the west under Spitalfields towards Whitechapel where a new integrated station is proposed. At a point under Stepney Green the route will fork. One set of tunnels will continue to the northeast under Mile End Park and Bow before emerging at the surface at Pudding Mill Lane in the London Borough of Newham. The other set of tunnels will head south-east-wards towards the Isle of Dogs where a new station is proposed. On average the tunnels will be some 30 – 35 metres below the surface.
- 3.3 Two stations are proposed for the borough. One at Whitechapel, linking with the existing London Underground station and one at the Isle of Dogs, just north of the Canary Wharf estate. In addition to these stations, the tunnels will be connected to the surface by vertical shafts, in order to provide access, emergency escape routes or ventilation. These shafts are located at approximately 1km intervals in order to meet current fire safety requirements. The promoters of Crossrail also originally proposed to use Hanbury Street in Spitalfields as one of the tunnel boring machine launch sites, but following a Ministerial announcement in March the tunnelling methodology has now been revised to eliminate the use of Hanbury Street for this purpose. It is now proposed that the launch sites for the tunnels through the borough will be from Pudding Mill Lane and at the Limmo peninsula (both in the London Borough of Newham).
- 3.4 Since the Crossrail proposals were first published for consultation early in 2004, the Council has supported the project in principle on the basis of the strategic benefits to be gained from the scheme both as an improvement to the existing public transport network and to stimulate the further regeneration of the borough and London as a whole. This support has always been dependent on the provision of stations at Whitechapel and the Isle of Dogs. The Council has consistently and strenuously sought to minimise and mitigate the environmental impacts that will arise from the construction of the railway.
- 3.5 The Crossrail project is being promoted by the company known as Cross London Rail Links Limited (CLRL), which is a joint venture company owned by Transport for London (TfL) and the Department for Transport (DfT). The project is being progressed through a Parliamentary Hybrid Bill procedure which means that any objections to the proposals are heard in the first instance by a Select Committee of the House of Commons. The Crossrail Bill was published in February 2005 and full Council at it's meeting on the 2nd March 2005 authorised the submission of a petition against the Bill, which confirmed the Council's support in principle for the project, but set out a number of objections relating to the construction of the project. The most significant objection to the Crossrail project was the proposed tunnelling methodology and its associated proposal to launch tunnel boring machines from a site from Hanbury Street in Spitalfields

- 3.6 The petition was submitted in September 2005 and was one of 358 eventually submitted to the House of Commons. Petitions were submitted by local authorities affected by Crossrail together with a range of other public, private and voluntary organisations. In all there were 84 petitions submitted from Tower Hamlets based individuals, organisations or agencies. The House of Commons Select Committee started hearing the petitioners at the end of 2005 and is likely to have completed the main part of its work before the rise of Parliament for the summer recess. The Council's petition was heard on the 7th June 2006.

4. Current Situation

- 4.1 The Council's original petition contained 96 clauses which dealt with 35 individual objections to the Bill's proposals. Notwithstanding the submission of the petition, the Council continued to negotiate with Crossrail in an attempt to resolve the Council's objections prior to the petition being heard by the Select Committee. These negotiations have been extremely successful with the result that it was considered that only two of the Council's objections remained to be put before the Select Committee. The most significant success in negotiation was the adoption by Crossrail of the Council's preferred end to end tunnel strategy which removed the need for a tunnelling site in Spitalfields. It is proposed to prepare a full briefing to Members which will set out the outcome of negotiations on the original petition points.

- 4.2 Since the deposit of the Crossrail Bill in February 2005, a number of revisions so the original bill proposals have been identified by Crossrail as being necessary either in response to design changes or as a response to petition objections. Where these revisions involve the acquisition or use of land outside the current limits of the Bill it is necessary for the Bill's promoters (Crossrail) to make amendments through Additional Provisions to the Bill. These amendments are submitted to Parliament and are subject to a petition period in the same way as the original Bill. The first tranche of Additional Provisions, was published in January 2006 and, so far as the Borough was concerned, the most significant of these related to the proposals for Whitechapel Station. The changes made to the station met a number of the Council's objections as set out in the original petition in that they provided for a better integrated station design. Other matters had been raised in the Council's original petition, and there was therefore no need for the Council to petition against these first revised proposals.

5. Issues Raised by 2nd Additional Provisions

- 5.1 Crossrail has recently published a second set of Additional Provisions as proposed further revisions to the existing Bill. These include a number of new issues which will impact on the east of the Borough. Since the original petition does not cover all the matters raised in these 2nd Additional Provisions, the Council needs to submit a fresh petition to protect its position before the Select Committee. These Additional Provisions were published on the 9th May 2006 and the Parliamentary deadline in lodging petitions was the 13 June 2006. As this closing date was before the next meeting of the Council it was necessary to submit a second petition within the Parliamentary time-limit subject to approval of the Council. If the Council do not wish to go ahead with the recommendation as set out in this report (at paragraph 2) then the petition can be withdrawn.

5.2 This second set of Additional Provisions impact on two main areas of the borough:-

- 1) Payne Road / Grove Hall Park / The Bow Quarter (Bow East) - see Plan 1 attached to this report.
- 2) Eleanor Street / Bow Triangle (Mile End East); - see Plan 2 attached to this report.

5.3. Payne Road / Grove Hall Park / The Bow Quarter

Crossrail need to divert the existing Ham and Wick sewer to avoid a conflict with the proposed running tunnels in the Fairfield Road / Wrexham Road area of Bow. The original proposal aligned the diverted sewer through LB Newham using a pumped system.

5.4 The Additional Provisions now propose a shorter sewer diversion from the site currently occupied by the McDonalds restaurant in Payne Road (Bow Flyover) northward under Grove Hall Park to a site immediately south of the Manhattan Building which forms part of the Bow Quarter residential complex. This would be a shorter tunnel and would eliminate the use of a pumped system. The main impacts in the Borough are: -

- McDonalds Restaurant: Loss of restaurant, but other main impacts would arise from lorry movements and noise impacts which may affect adjoining uses on Payne and Fairfield Roads and pedestrian and cycle routes.
- Grove Hall Park: Proposed use of part of Park as a work site for 6 months and vehicular access to and from the site. This will result in a loss of amenity both within the Park itself and to the occupiers of surrounding properties.
- Manhattan Building, Bow Quarter; The use of a vacant piece of railway land immediately to the south of this Grade II listed residential block as a work site is likely to cause significant noise impacts to residents.
- Blackwall Tunnel: The use of part of the Blackwall tunnel northern approach for night-time working has the potential to cause significant disruption on the A12 and adjoining highways.

5.5 Eleanor Street

Crossrail propose to use part of this site which currently provides the borough's only gypsy and traveller's site for a ventilation shaft for the bored running tunnels. This requires the relocation of the 20 travellers' pitches.

5.6 The Additional Provisions propose the acquisition of a larger area within the Bow Triangle to allow a single decant of the travellers on to a permanent new site. This proposal is very welcome to the Council and the travellers. While details about design, noise mitigation etc. are still to be resolved, the Council supports the proposal subject to details of the acquisition procedures being resolved, and satisfactory noise mitigation being provided to the new travellers' site.

6. **Petition Against 2nd Additional Provisions.**

6.1 Following discussions with Council Officers, the Council's parliamentary agents drafted the Petition as set out in Appendix A to this report. As was the case with

the petition in order to mitigate the adverse impact described in sections 5.2 to 5.5 of the report above. One of the difficulties the Council has faced in dealing with these new proposals is the lack of detailed justification for the changes made, the lack of information about the proposed construction programme and anticipated impacts.

7. Implications For Sustainable Action For A Greener Environment

7.1 The improvement of public transport capacity resulting from Crossrail is essential to ensuring future development on the Isle of Dogs and at Whitechapel can be effectively accessed primarily by public transport. However, the loss of any part of Grove Hall Park is in an area of open space shortage should be minimised and avoided if at all possible.

8. ANTI – POVERTY IMPLICATIONS

7.1 The increase in transport capacity arising from the construction of Crossrail will support future growth in the Isle of Dogs and Whitechapel particularly and the borough as a whole, stimulating levels of economic activity and employment, thereby raising the economic and social welfare of those living and working in the area of influence. The Council's original petition sought undertakings from Crossrail to ensure that local businesses and local people benefited from the Crossrail project. Crossrail have provided such undertakings. The revised proposals for the travellers' site at Eleanor Street will benefit a particular disadvantaged group within the Tower Hamlets community.

8. Equal Opportunities Implications

8.1 In negotiations with Crossrail since the original petition was submitted, the Council has and is continuing to negotiate with Crossrail to ensure that equality issues are being properly addressed in the planning and implementation of the Crossrail project. The decision by the Promoter to improve the Eleanor Street Travellers Site re-provision has positive equalities implications.

9. Risk Assessment

9.1 If negotiations with Crossrail and/or representations by the Council on these 2nd Additional Provisions to the Crossrail Bill during the Parliamentary process are not successful, then there may be significant short term local impacts, particularly in the eastern part of Bow as outlined above and detailed in petition which form Appendix A to this report.

10. Comments of the Chief Financial Officer

10.1 The report seeks full Council approval to agree petitioning of the second tranche of Additional Provisions to the Crossrail Bill. Members are advised that the petitioning will have financial implications for the Council.

10.2 In March 2005 Council agreed to petition the Crossrail bill. This has had a

legal and specialist consultancy fees. These include Counsel representation and Parliamentary agents' fees. The bill is not expected to receive Royal Assent until late 2007, but it has already been determined by the Parliamentary Select Committee that costs that are incurred in petitioning the Bill must be financed from the Council's own resources.

- 10.3 The cost of petitioning was identified as a budget pressure in the 2005/06 and 2006/07 estimate reports, and only very limited budgetary provision currently exists to finance these costs. Between September 2004 and May 2006, the Development and Renewal Directorate has incurred in excess of £360,000 of Crossrail related expenditure on behalf of the Authority. To the end of March 2006, £250,000 of costs were funded from compensatory savings identified within existing Development and Renewal budgets. A further £110,000 so far remains to be funded in 2006-07.
- 10.4 At this stage it is not possible to provide an accurate assessment of the costs involved in this further representation, although they will be significantly lower than the £360,000 already incurred in preparing and presenting the original petition.
- 10.5 The Council will continue to meet additional costs resulting from the implementation of Crossrail, following Royal Assent. The Council will however be able to apply to the Parliamentary Select Committee for funding to recover the implementation costs incurred, although at this stage this funding is not guaranteed. The likely additional expenditure involved is not known at present, but as the scheme progresses future reports to Committee will identify these costs and address the resulting resourcing implications.

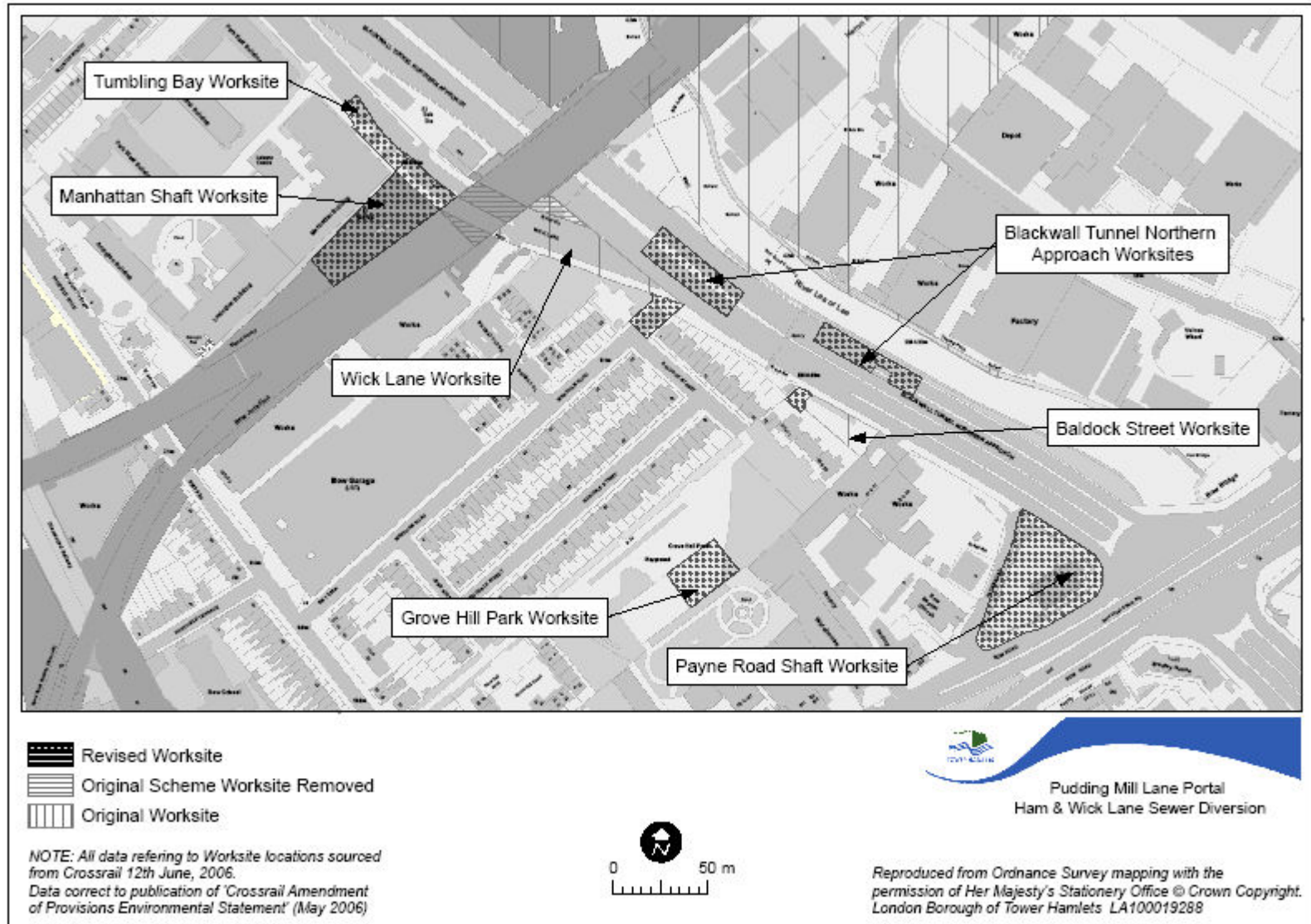
11. Concurrent Report of the Assistant Chief Executive (Legal Services)

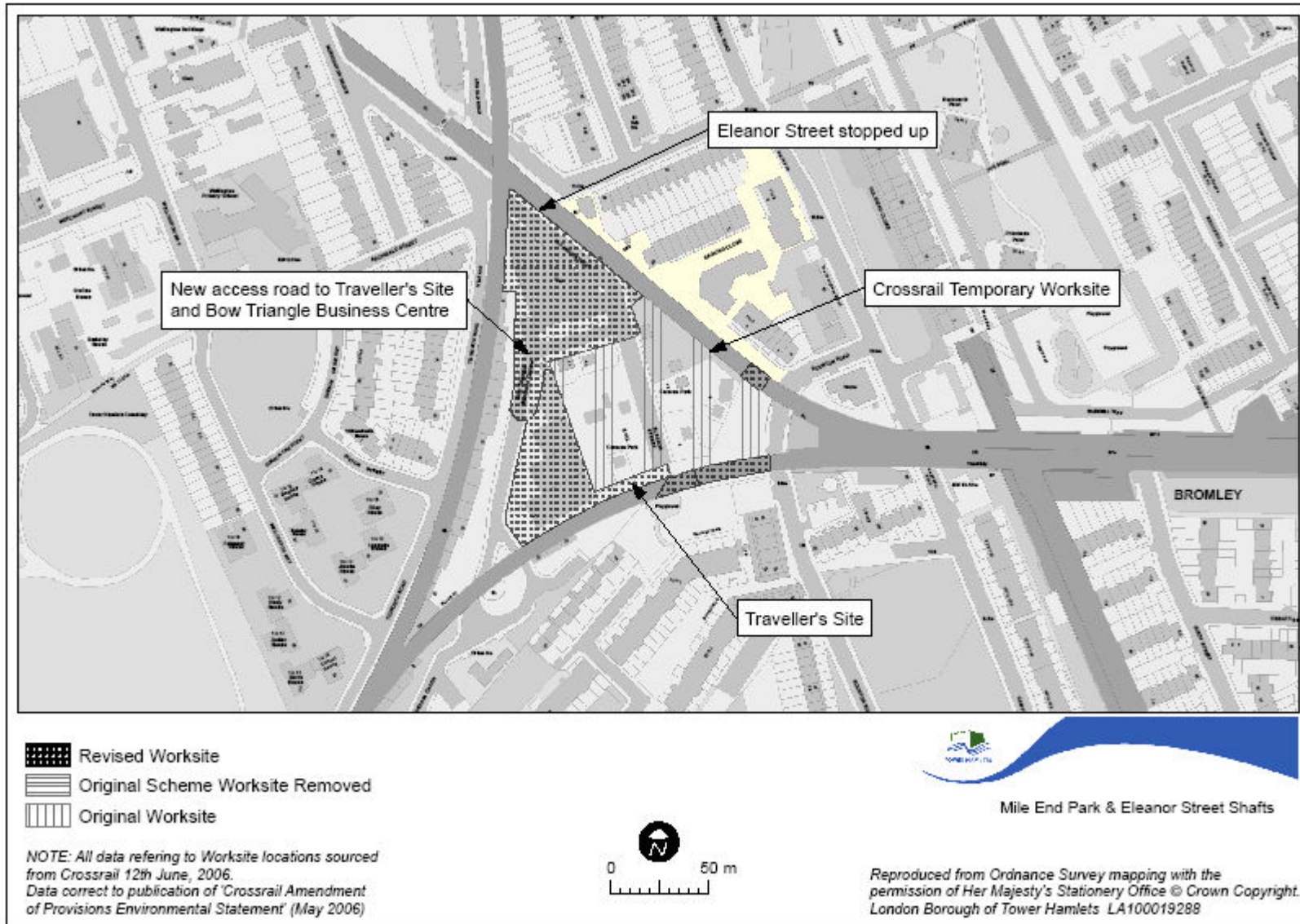
- 11.1 The Council has the power to oppose (or promote) local or personal Bills pursuant to Section 239 of the Local Government Act 1972 (LGA 1972)
- 11.2 If the Council accept the recommendation to oppose the 9 May 2006 Amendment of Provisions to the Crossrail Bill by way of a second petition it will be necessary, in accordance with Section 239 LGA 1972, for a resolution of the Council to be passed by majority of the whole number of the members of the Council at a meeting held after a public notice of the meeting and its purpose has been advertised in a local newspaper.

12. Conclusion

- 12.1 As indicated in this report, during the last 6 months, Crossrail have made a number of important changes to the Bill's proposals which have benefited the Borough considerably. The most significant of these changes has been the decision to adopt an end to end tunnelling strategy and the consequent elimination of the need for a tunnelling machine launch site in Spitalfields. There have also been changes to the proposals for Whitechapel Station, and the revised proposals for Eleanor Street have also resulted from successful negotiation by the Council. The Council also received satisfactory undertakings for Crossrail in respect to mitigation of impacts at construction sites in the Borough. It is hoped that negotiations on the additional provisions will be equally successful, but in the meantime, the Council's approval is sought to submit a second petition to protect the Council's formal position with regard to

Payne Road, Grove Hall Park, Manhattan Building. Proposed Work Sites





Petition Against the Additional Provisions

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2005-2006

CROSSRAIL BILL

P E T I T I O N

Against the Additional Provisions – 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:

THE MAYOR AND THE BURGESSES OF THE LONDON BOROUGH OF TOWER
HAMLETS

SHEWETH as follows:-

- 1 A Bill (hereinafter referred to as the “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 The Bill is promoted by the Secretary of State for Transport (hereinafter called “the Promoter”).
- 3 On 9 May 2006 the Promoter deposited certain amendments to the Bill, together with an additional Environmental Statement, revised plans and sections and a supplementary Book of Reference, collectively entitled “Amendment of Provisions May 2006” (hereinafter referred to as “the Additional Provisions”).
- 4 Your Petitioners deposited a petition against the Bill in September 2005 (number 218). It is respectfully submitted that the rights, interests and property of your Petitioners, and those who live and work in the London Borough of Tower Hamlets (hereinafter referred to as “the

Borough”), are injuriously affected by the Additional Provisions, to which your Petitioners object for reasons, amongst others, hereinafter appearing.

- 5 Your Petitioners would however, respectfully reserve their right to raise further issues and objections in the light of any additional relevant information received from the Promoter after the date of deposit of this Petition.

Your Petitioners' further concerns

- 6 Your Petitioners seek undertakings and assurances from the Promoter as regards the management of construction work sites so as to prevent loss of, and access to, amenity and facilities to those who live and work in the Borough, during the construction period. The physical area of each proposed work site should be kept to a minimum with the safety of the public, whether pedestrians or other road users, being of paramount importance and the period for which each site is required is also to be kept to a minimum.
- 7 Your Petitioners submit that the nominated undertaker should provide detailed plans, method statements, work programmes, and schedules of deliveries (particularly abnormal deliveries) in relation to each work site, well in advance of the commencement of operations. Your Petitioners should be notified well in advance of any alterations in methods of construction and construction operations, particularly in relation to site servicing and set up arrangements.
- 8 It is clear that the construction sites associated with the Promoter's scheme (whether in the Borough or beyond) will be centres to and from which large quantities of construction materials and equipment will be transported, together with staff. There will also be the problem of removal of spoil from the working sites. The matters which your Petitioners submit should be subject to their control in these respects are the routeing of lorries and other vehicles, control of impacts associated with construction vehicle holding areas, access to worksites, hours of operation, number of vehicle movements, size of vehicles and miscellaneous related matters. Your Petitioners submit that the nominated undertaker should minimise the cumulative impact of lorry movements by properly managing, and keeping to a minimum, the number of such movements, using the strategic road network and confining movements to normal worksite hours.

- 9 Your Petitioners are concerned that it is not made clear how the Additional Provisions will interact with the Traffic Management Act 2004 (“TMA 2004”), and your Petitioners seek clarification and consultation on that issue. Furthermore, as Highway and Traffic Authority for the Borough, and in order to fulfil its Network Management duty under TMA 2004, your Petitioners require that they must be fully involved on all proposals and consents to make temporary or permanent road closures and traffic diversions and changes to traffic flow, and about any physical alterations to the highway. Overall, procedures and agreements should be put in place prior to undertaking of the works in order to take account of other highway and development activities within the Borough which would be concurrent with the Promoter’s works and to ensure proper highway management throughout the Borough. This is to be monitored jointly by your Petitioners and the nominated undertaker. Where necessary, the routeing of lorries, cranes, delivery vehicles and other associated plant on local roads, including to and from construction vehicle holding areas, should be agreed with your Petitioners in advance of works, taking into account road safety, sensitive frontages, existing levels of traffic (including pedestrians and cyclists), traffic management and potential consequent traffic bottlenecks. All such measures should take proper account of the Health and Safety legislation for access to, egress from, and passing by of, construction site related premises, by both the public and construction site staff.
- 10 Your Petitioners are also responsible for a number of important functions and under certain duties as regards listed buildings and conservation areas (e.g. in the vicinity of the Manhattan Building) pursuant to the Planning (Listed Buildings and Conservation Areas) Act 1990. Your Petitioners are concerned to minimise, as far as possible, the likely adverse impacts in this regard, of the proposals contained in the Additional Provisions, and to ensure that demolition is carried out only as a last resort. In particular, your Petitioners are concerned about the impact of construction works and permanent new buildings on the setting of existing listed buildings, and require that all such new buildings should be designed sympathetically with special regard to their impact on neighbouring listed buildings and the setting of affected Conservation Areas.
- 11 Your Petitioners are also concerned to ensure that, following the completion of any such works, any necessary reinstatement/redevelopment is carried out in sympathy with the surrounding area. Your Petitioners also need to be clear about the extent to which the Additional Provisions override existing legislation.

- 12 Accordingly, your Petitioners would respectfully suggest that the Bill should not be permitted to pass into law without the addition of a clause, or clauses, to ensure that (i) any reinstatement/redevelopment at Intervention Sites that is made necessary by the Promoter's scheme project is carried out in a manner and style appropriate to the area in which it takes place, and shall be approved by your Petitioners, and (ii) the appropriate person or body responsible for securing compliance with that obligation (including compliance with any relevant provisions of the Promoter's final codes of construction practice) is identified in the Bill.
- 13 Your Petitioners have previously participated in discussions with the Promoter as a result of which the Promoter agreed to carry out an Equalities Impact Assessment of the Bill's proposals. Your Petitioners are concerned that there is no evidence that such an assessment has been undertaken with respect to the Additional Provisions. Your Petitioners seek clarification that such an Equalities Impact Assessment has been performed and if it has not then it is respectfully submitted that the Promoter should complete the assessment at the earliest opportunity.

Ham and Wick Sewer

- 14 Your Petitioners would respectfully record their disappointment at the inadequacy of the Promoter's efforts to consult with your Petitioners, and the wider public, on the inclusion of the revised proposals for the diversion of the Ham and Wick Sewer (hereinafter referred to as "the Sewer"), which now appear in the additional provisions. The Promoter has provided only limited opportunity for prior discussion and your Petitioners respectfully submit that the Promoter has failed to justify the specific proposals put forward including the need for any form of sewer between Payne Road and the Manhattan Building. The resultant information deficit has made it difficult for your Petitioners to respond properly to the Proposals.

It is respectfully submitted that if the Promoters prove the requirement for the Sewer then they should enter in to consultation with your Petitioners in order to establish the best location for the Sewer taking in to account biodiversity residential amenity traffic access and the improvement programme that is already underway in Grove Hall Park.

- 15 The proposals for the Sewer will lead to an increase in construction traffic. Your Petitioners respectfully submit that the Promoters should conduct a review of the construction routes

that are set out in the Environmental Statement once a location for the Sewer has been settled upon. It is submitted that when conducting this review the Promoter should seek to minimise the impact of construction works on the use of Grove Hall Park both in terms of the size of the construction site and the routing and management of construction traffic. The Promoters should also take in to account existing traffic regulations in particular the banned right turn from Bow Road in to Fairfield Road that will need to be reclassified if it is to be used for construction traffic.

- 16 The works are at the very least likely to damage the aesthetics of the area and cause the loss of on street parking. Even now, however, the Promoter accepts that 40 properties in Manhattan Building will suffer significant adverse noise impacts, both during the day and at night. Your Petitioners humbly submit therefore that the Promoter should offer appropriate mitigation that may include noise insulation at those properties, and at any other properties (including those adjacent to the proposed Grove Hall Park worksite) which have been identified as being likely to suffer significant noise impacts.
- 17 The proposals for the Sewer will lead *inter alia* to the loss of a central part of Grove Hall Park, which has been identified for use as a worksite, and a further nearby area of land, required to facilitate the two-way flow of construction traffic that the Promoter's proposed works are expected to generate. Your Petitioners respectfully submit that, if these proposals are implemented, residents in the surrounding area will suffer significant adverse impacts, both in terms of noise and deleterious effects on visual amenity.
- 18 In the meantime, your Petitioners have been working with the local community, and Leaside Regeneration to upgrade facilities at, and generally improve, Grove Hall Park. In that connection, £25,000 has already been spent on a feasibility study for the desired improvements, the outcome of which was positive. Accordingly, a further £180,000 has been identified for expenditure in 2006/07 on the necessary improvements. However, the Promoter's revised proposals for the diversion of the Sewer necessarily jeopardise the improvements, and any failure to complete them would represent a very significant disappointment to the local community.

In particular, the Promoter's proposals would blight the park for many years, delaying considerably the commencement of any works to enhance it. The temporary land take required to bring those proposals to fruition, and the consequent disturbance, would be

significant. Meanwhile, the permanent land take would limit the design options available to the Borough when improvements to the Park finally came to be made, and would also reduce the scope for future use of the Park as a whole, both by the local community and others. It is submitted that the Promoter should recompense your Petitioners for any abortive fees incurred in connection with the proposed improvements to the park and for any future loss of grant that may arise as a result of programme delays caused while construction of the Sewer takes place. It is submitted that the Promoters should also compensate your Petitioners for the temporary loss of the parts of Grove Hall Park that are to be used during construction of the Sewer and for the permanent loss of the part of the park that is to be used for the Sewer shaft.

- 19 As for the proposed worksite at Payne Road, it is clear from the Additional Provisions that it will include part of the carriage way constituting Payne Road itself, and part of the adjacent footpath. Traffic and pedestrian access will be maintained, however, and lorry movements are projected to peak at 60 per day, with a norm of 40 per day. Accordingly, your Petitioners seek comprehensive details from the Promoter of the steps that it proposes to take to safeguard those who will continue to use either the cycle lane or the bus stop on Bow Road, as well as the pedestrians who will also continue to use that route.
- 20 Your Petitioners respectfully submit that as a result of the Payne Road worksite the increase in lorry movements along Payne Road will lead to an increase in congestion at the junction between Payne Road and Bow Road. Your Petitioners would therefore seek information from the Promoters as to what steps it intends to take to prevent traffic that is caught in the congestion from diverting through the nearby residential areas.
- 21 Your Petitioners are also concerned that a church and a youth club will suffer significant adverse impacts as a result of the projected activities at the Payne Road worksite. In particular the loss of parking in the area will result in reduced attendance at both organisations which will damage their viability. The noise from the construction will also interfere with the functioning of the church and the youth club. Accordingly, it is respectfully submitted that the Promoter should provide information on how the noise experienced at the properties will be mitigated. Your Petitioners would also seek assurances from the Promoter that it will enter in to discussions with your Petitioner and the occupiers of the buildings to find possible solutions to the loss of parking in the area.

- 22 Your Petitioners are concerned that the proposed activities in the Payne Road area will affect the proposed residential development which will front on to Payne Road. Your Petitioners seek clarification from the Promoters as to how it has taken this residential development in to account in design of the sewer at the site. It is respectfully submitted that the Promoter should also provide information on its proposals to mitigate the impact of its proposed construction on the residential development.
- 23 The proposed activities at Payne Road would take place in an area surrounding Bow Church that has been selected to be included in the Mayor of London's "100 Public Spaces" programme. Your Petitioners seek clarification as to how the Promoter has taken account of the proposed development under the Mayor's programme when planning its own activities in the Payne Road area.
- 24 Meanwhile, the Blackwall Tunnel worksite will occupy two separate sites located on the A12. The first, 300m north of the junction with Bow Road, will occupy the central reservation and three lanes of carriageway. The second, southern site will be located at the start of the southbound slip road at Bow junction. Although all working at these sites (other than during concrete pours) is due to take place only at night, there is obvious potential for significant disruption on the A12 and adjoining highways. Accordingly, your Petitioners seek assurances from the Promoter that work will not be permitted under any circumstances to run over into the morning as this would cause major delays for those using the A12, and add to the already high level of congestion on that route which occurs as a result of traffic backing up from the Blackwall Tunnel to the Bow Flyover during the rush hour. It is respectfully submitted that the Promoter should discuss the timing of closures with your Petitioners and the Highway Authority with particular regard to the regular maintenance closures of the Blackwall Tunnels. This consultation should seek to avoid the diversion of any through traffic on to Borough roads.
- 25 Your Petitioners seek information from the Promoter on its proposals to mitigate the impact of noise from the Blackwall Tunnel worksite on the residential properties that overlook the site from the west.
- 26 The Promoter claims that the measures contained in the Additional Provisions will not cause any significant impacts on Manhattan Building, which is a Grade II listed property. Your Petitioners are sceptical about that claim, however, and have requested further technical

information from the Promoter as a result. Accordingly, your Petitioners would respectfully reserve the right to develop this aspect of their case further once they have received the additional information sought from the Promoter, and have themselves had the opportunity to carry out a detailed investigation of the potential impacts (including those likely to be caused by vibration) on the buildings and their foundations.

- 27 Furthermore, if the Additional Provisions are implemented, access to Manhattan Building will be restricted on three nights of the week between 8pm and 6am. Accordingly, your Petitioners would respectfully ask that the Promoter be required to give appropriate notice of this restricted access.
- 28 With regard to the Tumbling Bay worksite your Petitioners seek confirmation from the Promoter that the highway areas of the site will be reinstated to a high level of design and quality to reflect their proximity to the Manhattan Building listed property.

Eleanor Street Travellers' Site

- 29 Turning next to the Promoter's revised proposals for the travellers' site at Eleanor Street, your Petitioners strongly support the amendments insofar as they provide for a single stage relocation of the Eleanor Street residents to an appropriate site within the Eleanor Street area.
- 30 However the Promoter has suggested that the revised scheme will not generate any additional significant temporary or permanent noise and vibration impacts in addition to those identified in the main Environmental Statement, published at the same time as the Bill. The Borough however strongly disagrees with that last conclusion because it believes that Eleanor Street residents will experience unmitigated significant residual construction noise impact as defined in the main Crossrail Environmental Statement. Consequently your Petitioners would respectfully submit that the Promoter should offer appropriate mitigation to the residents through measures available in the Promoter's noise and vibration policy. Your Petitioners are currently discussing the adequacy of the policy with the Promoter and may need to raise a number of concerns which affect Eleanor Street and other Crossrail sites with your Honourable House.

General matters

- 31 As a general matter, your Petitioners submit that provision should be made for the Promoter to repay to your Petitioners all proper costs, charges and expenses (including the proper fees of such professional advisers as they may instruct) reasonably incurred in consequence of the Bill or of any provision made as a result of this Petition.
- 32 There are other clauses and provisions in the Additional Provisions which, if passed into law as they are now proposed, will prejudicially affect the rights, interests and property of your Petitioners, and those who live and work in the Borough, and for which no adequate provision is made to protect your Petitioners.

Conclusion

- 33 Your Petitioners submit that, in the respects mentioned above and in other respects, the Bill fails adequately to safeguard and protect the rights, interests and property of your Petitioners, and those who live and work in the Borough.

34 Your Petitioners therefore respectfully submit that insofar as they relate to the matters mentioned above the Additional Provisions should not be inserted in the Bill and the Bill should not be allowed to pass into law in its proposed form.

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 themselves, their Counsel, Agents and witnesses in support of the allegations of this Petition against so much of the Additional Provisions as affect the rights, interests and property of your Petitioners, and those who live and work in the Borough, and in support of other such clauses and provisions as may be necessary or expedient for their protection, or that such other relief may be given to your Petitioners in the premises as your Honourable House shall deem meet.

AND YOUR PETITIONERS WILL EVER PRAY, &c.

BIRCHAM DYSON BELL
Parliamentary Agents for:
THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF TOWER
HAMLETS

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2005–06

CROSSRAIL BILL

P E T I T I O N

of

THE MAYOR AND THE BURGESSES OF
THE LONDON BOROUGH OF TOWER
HAMLETS

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

BIRCHAM DYSON BELL
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6 June 2006