

IN PARLIAMENT

THE HOUSE OF LORDS

SESSION 2015–16

PETITION against the

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Against – on Merits – Praying to be heard by Counsel, &c.

THE HUMBLE PETITION of TRANSPORT FOR LONDON

YOUR PETITIONER DECLARES that:

1. A Bill (hereinafter referred to as "the Bill") has been introduced and is now pending in your noble 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 Water Orton in Warwickshire to Curzon Street in Birmingham; and for connected purposes."
2. Your petitioner is specially and directly adversely affected by the whole Bill.

YOUR PETITIONER

3. Your Petitioner is Transport for London, a body corporate established under section 154 of the Greater London Authority Act 1999 ("the 1999 Act"). Section 141 of the 1999 Act imposes upon the Mayor of London ("the Mayor") a general duty to develop and implement policies for the promotion and encouragement of safe, integrated, efficient and economic transport facilities and services to, from and within Greater London. Your Petitioner is tasked with facilitating the discharge by the Mayor of his duties under section 141 of the 1999 Act, with responsibility for most aspects of London's public transport, managing London's main roads and planning and building new infrastructure. Your Petitioner is also responsible for delivering the Mayor's transport policies and strategy for London, as set out in the Mayor's Transport Strategy, a statutory document and a key part of a strategic policy framework to support and shape London's social and economic development.

4. Your Petitioner, together with its subsidiaries, currently manages London's buses, the London Underground railway network, Docklands Light Railway, Overground and Tramlink. Your Petitioner also runs Santander Cycle Hire and Cycle Superhighways, London River Services, Victoria Coach Station, the Emirates Air Line and London Transport Museum. As well as controlling a 580km network of main roads (known as the "Transport for London Route Network" or "TLRN") and all of the city's 6,000 traffic lights, Your Petitioner also runs London's Congestion Charging scheme and is responsible for the regulation of taxis and private hire vehicles on London's roads.
5. Your Petitioner, its subsidiaries and its respective rights, interests and property are specially and directly affected by the Bill, and acting on its own behalf and on behalf of its subsidiaries, objects for reasons amongst others, hereinafter appearing.

YOUR PETITIONER'S CONCERNS

6. Your Petitioner is supportive, in principle, of the proposal to construct a new high speed railway between London and the West Midlands ("HS2 Phase 1"). The Mayor regards the development of a high speed rail network in the UK as representing a key element in reshaping the nation's transport network to enable economic growth, as identified in the Mayor's Transport Strategy.
7. Your Petitioner previously raised concerns as to whether the proposals for HS2 Phase 1 provided the best integrated transport solution for London and sufficiently addressed a number of adverse impacts arising out of the construction of the proposals. In particular, Your Petitioner identified the following concerns:
 - (a) transport provision for the successful delivery of Old Oak Common as a major new transport interchange;
 - (b) impacts at London Euston including design;
 - (c) adverse impacts on London's public transport; and
 - (d) adverse impacts likely to arise during construction of HS2 Phase 1.
8. Your Petitioner has been in detailed discussion with the Secretary of State for Transport in relation to the proposals for HS2 Phase 1 and both parties have made good progress. Your Petitioner has entered into an agreement with the Secretary of State and has received a number of further undertakings and assurances from him in relation to the implementation of the powers in, and the carrying out of works that would be authorised by the Bill. Those undertakings have dealt with most of Your Petitioner's concerns.

9. On 1 July 2015, the Secretary of State provided Your Petitioner with a set of assurances ("**the July 2015 Assurances**") dealing with the provision by the Promoter, Your Petitioner and others with a series of pedestrian and cycle links to link the station proposed at Old Oak Common as part of the works authorised by the Bill and surrounding transport networks, particularly the London Overground.
10. Most recently, on 7 December 2015, the Secretary of State provided Your Petitioner with a further set of assurances (provided jointly to Your Petitioner and to the Mayor of London acting on behalf of the Greater London Authority) ("**the December 2015 Assurances**") dealing with:
- (a) the delivery of the vision for Euston Station and the surrounding area;
 - (b) the design of Euston Station;
 - (c) the connection of HS2 Phase 1 at Euston with the proposed Crossrail 2 scheme;
 - (d) a link through Euston Station from east to west;
 - (e) the works proposed for the Hampstead Road Bridge;
 - (f) construction traffic and the use of rail;
 - (g) the protection of Your Petitioner's assets at Euston Station, Euston Bus Station and the proposed Cycle Superhighway;
 - (h) the Code of Construction Practice and Environmental Minimum Requirements to be adopted in relation to the works authorised by the Bill; and
 - (i) reducing traffic impacts at Hillingdon.
11. While Your Petitioner sets out below more detail on certain of the above issues, in many cases, those assurances make provision for the Secretary of State to carry out further studies and associated work to provide solutions that will deal with Your Petitioner's concerns. The Secretary of State is to consider Your Petitioner's comments on those studies once they are completed and will then determine whether or not to implement the solutions identified. Progress has been made on a number of the assurances. However, as at the date of this Petition, those studies, etc. have not been completed and accordingly, Your Petitioner does not know what solutions will be identified to deal with its concerns listed above or, indeed, whether the Secretary of State will determine to implement those solutions. Accordingly, Your Petitioner is

obliged to petition your noble House in order that Your Petitioner can bring these issues before the Select Committee or your noble House pending, or following, (as the case may be) the Secretary of State's determination on the solutions. However, Your Petitioner does not intend the bringing of this petition to impute any criticism of the Secretary of State or the Promoter of the Bill at this stage.

Old Oak Common Pedestrian and Cycle Links

12. Your Petitioner has been concerned to ensure the delivery by the Promoter, Your Petitioner and others of a series of pedestrian and cycle links to link the station proposed at Old Oak Common as part of the works authorised by the Bill and surrounding transport networks, particularly the London Overground as well as a vehicular link leading over the Grand Union Canal at the eastern end of the proposed station at Old Oak Common.
13. In the July 2015 Assurances, the Secretary of State committed to require the nominated undertaker to agree an outline specification of the designs for the relevant links by 31 December 2015 and to agree detailed specifications by 30 June 2016.
14. While a draft outline design has been produced, no design has yet formally been agreed; as at the date of this petition the final design specifications for the links haven't been seen or approved by TfL and no changes to the HS2 Station designs to accommodate the links have been seen or agreed. The final situation on the design therefore cannot be known. Your Petitioner petitions in order that if need be, the Select Committee can consider the issues and give a direction or recommendation to the Promoter if the Select Committee considers it appropriate.

Delivery of the vision for Euston Station and the surrounding area

15. Your Petitioner wishes to see a coherent, integrated redevelopment of the Euston area, comprising not only the new station at Euston for HS2 but also a redevelopment of the existing Network Rail ("NR") station at Euston and provision for overstation development and regeneration in the area.
16. In the December 2015 Assurances, the Secretary of State committed that he would set up:
 - (a) the Euston Station Strategic Redevelopment Board ("ESSRB"), to include as members, Your Petitioner, the Greater London Authority, the Department for Transport and NR. Full terms of reference for the Board and a forward work programme for the following year were to be agreed by the end of March 2016. Although a meeting of the ESSRB has taken place, the full terms of

reference for the Board that include a forward work programme have not yet been produced and agreed.

- (b) the Euston Integrated Programme Board ("EIPB"), comprising Your Petitioner, the Greater London Authority and others. The EIPB is to bring together HS2 work streams; provide member organisations with information on progress; support coordination between member organisation activities; report to the ESSRB and work with the Euston Strategic Board; make recommendations on scheme changes that would facilitate integration of the different schemes proposed at Euston; and monitor the progress of community engagement in accordance with the Promoter's Community Engagement Framework. Two meetings of the EIPB have taken place.

17. Further, the Secretary of State committed to agree before the end of 2016 a working schedule for all activities required to deliver all the relevant schemes in the Euston Station area (i.e. the HS2 Euston station, rebuild of the existing NR station, the Crossrail 2 proposals at Euston and the oversite development and related development opportunities). At least two months in advance of the publication of the NR Initial Industry Plan for Control Period 6, NR is to be invited by the Secretary of State to present any relevant elements of that draft plan which relate to the development of the Euston NR station for the ESSRB to consider.
18. Bearing in mind, for example, that the NR Initial Industry Plan for Control Period 6 is expected in September 2016 and that no preliminary information has been produced or provided to Your Petitioner, Your Petitioner is now concerned that the timeframes for these deliverables referred to above may not be met. Your Petitioner asks the Select Committee to ensure that these steps are woven into the implementation of the powers under the Bill to ensure that these steps cannot be disregarded, or carried out too late in the process to be of use. If the timeframes are not met, the ability to develop and agree an integrated plan which optimises both the transport solution and regeneration will likely be lost.
19. Your Petitioner raises these issues given the importance that it places not only on the need for the HS2 Euston station to integrate into the existing transport network and a desire to mitigate construction impacts, but also by the Mayor's wider ambitions for growth and development in the Euston area and a pressing requirement for the rebuild of the NR Station. Your Petitioner believes that the carrying out of the works authorised under the Bill give rise to a once in a lifetime opportunity to revolutionise not just the NR Station but a whole area at the heart of London. There is an

opportunity now to future-proof for the NR Station redevelopment and mitigate or reduce future construction impacts and costs.

20. Opportunities to (1) combine construction worksites and coordinate works and (2) avoid or mitigate impacts on other transport infrastructure (including the London Underground ("LU") network, bus station and strategic road network) must be maximised via the structures that the Secretary of State has agreed to put into place.
21. Progress on developing an integrated plan at Euston has been slower than was envisioned at the time of the December 2015 Assurances. It is critical that an integrated masterplan which establishes the designs for the HS2 station, Crossrail 2 station, rebuild of the NR station and OSD development is finalised by early 2017 in order for the plans to be optimised and synergies between the schemes to be maximised. More broadly, Your Petitioner hopes that through the work of the ESSRB in particular, a comprehensive rebuild of the NR Station can be brought forward which could avoid the need to retro-fit changes and result in sub-optimal design solution for the existing NR station.
22. Your Petitioner asks the Promoter to commit to ensuring that the ESSRB and the EIPB have a real tangible influence on the design and implementation of the works authorised by the Bill. For example, it is in the nature of a complex interaction as that between the HS2 works proposed at Euston and Your Petitioner's existing assets there, that numerous issues will arise over time. Presently, the Promoter has instructed Arup to undertake many studies to improve the programme and the designs for HS2 Phase 1. Your Petitioner has no full vision of the list of studies and – more importantly- has not been asked to provide input in these studies. A lack of collaboration could trigger further delays if the new proposals are not agreed with Your Petitioner, examples of the new studies are:
 - (a) the LU substation/vent shaft at Euston – it is important that the LU substation/vent shaft works include Your Petitioner's functional requirements specifications as well as minimises the operational disruption to the LU services (risks of power failure impacting on the secure running of the LU services); and
 - (b) Fleet Sewer relocation – Your Petitioner has raised concerns about the feasibility of the current design which could affect both Your Petitioner's LU assets and surface transport assets.
23. Your Petitioner believes that matters of asset protection such as these can be dealt with by the structures established in the December 2015 Assurances *if* those structures have sufficient influence on the design and implementation of the works

authorised by the Bill. Your Petitioner asks that the Promoter give the necessary undertaking that they will. If the Promoter develops HS2 Phase 1 in a transparent and visible manner with Your Petitioner, Your Petitioner can process the agreed asset protection mechanisms agreed between Your Petitioner and the Promoter expediently to assist the Promoter in meeting its timetable for the implementation of HS2 Phase 1.

Construction traffic and the use of rail

24. Your Petitioner has raised concerns about the daily volume of HGVs currently predicted to be using routes in and around the Euston worksite, having regard to the capacity of the road network in this area and noise, vibration and air quality impacts.
25. Your Petitioner considers that transportation of a significant proportion of spoil and other construction materials and waste by alternative methods, particularly rail is the only way in which the Promoter will be able to reduce construction traffic using the road network.
26. In the December 2015 Assurances, the Secretary of State committed to seek to maximise, in so far as reasonably practicable within the existing Bill powers, the volume of excavated and construction material from the construction of the HS2 Euston station and approaches to be brought in by rail and removed by rail, whilst balancing the wider environmental impacts to the local community and on passenger services.
27. Also in the December 2015 Assurances, the Secretary of State committed to require the nominated undertaker to develop the scoping brief for and a plan that seeks to achieve the commitment set out at paragraph 26 above. That plan will include consideration of ambitious options that may require, amongst other things, separate planning permissions and the plan will include the identification of targets to measure future progress.
28. By May 2016, the plan is to be submitted to the EIPB for comment. The nominated undertaker is then to use reasonable endeavours to incorporate comments from the EIPB into the final plan. That plan is then to be submitted to the Secretary of State for his consideration within a month as to whether its proposals will be implemented. That plan is underway but, as at the date of this petition, the final recommendations on that plan have not yet been reached and as such the Secretary of State's likely views upon it cannot be known. Your Petitioner petitions in order that if need be, the Select Committee can consider the issues and give a direction or recommendation to the Promoter if the Select Committee considers it appropriate.

Cycle Superhighway

29. In the December 2015 Assurances, the Secretary of State committed to require the nominated undertaker to carry out a study ("the Cycle study") to assess proposals for reasonable alternatives for the lorry holding facility at Park Crescent, Camden proposed as part of the works authorised under the Bill. This was in light of Your Petitioner's concerns regarding the possible impact of the movements of HGVs to and from the holding facility on Your Petitioner's proposed cycle superhighway in the area.
30. The Cycle study is to be submitted to the EIPB for comment no later than May 2016. The nominated undertaker is then to use reasonable endeavours to incorporate comments from the EIPB into the final Cycle study. That study is then to be submitted to the Secretary of State for his consideration within a month as to whether its proposals will be implemented. That study is underway but, as at the date of this petition, the final recommendations on that study have not yet been reached and as such the Secretary of State's likely views upon it cannot be known. Your Petitioner petitions in order that if need be, the Select Committee can consider the issues and give a direction or recommendation to the Promoter if the Select Committee considers it appropriate.

Crossrail 2 connection

31. With the HS2 services in operation, there will be a significant increase in passengers passing through Euston. Your Petitioner welcomes the proposed upgrade in the LU station to cope with the additional demand. However, if the benefits of the scheme are to be fully realised post Phase 2 completion, additional capacity will be required to guarantee passengers travel with ease beyond Euston to locations across London and the surrounding region. Transport for London analysis shows that major new capacity will be required to relieve severe overcrowding and long queues for onward journeys on the LU Victoria and Northern Lines southbound from Euston. Hence the HS2 scheme will rely heavily on Transport for London's Crossrail 2 ("CRL2") proposals for a new regional rail route linking south west London to north east London and beyond, which will include a station at Euston-St Pancras.
32. While CRL2 is not yet a fully committed project, CRL2 will have significant benefits for London as a whole but also the Euston-St Pancras area in particular by further enhancing the area's development potential.
33. As a result of the complex transport infrastructure interfaces in this area, the design and delivery of the Euston HS2 Station and the NR Station would both have a significant impact on the potential for the CRL2 station. Your Petitioner therefore considers that a commitment to deliver a coordinated design for the HS2 Euston

Terminus and the NR Station as part of a cohesive redevelopment is also the best way to ensure that the CRL2 benefits can be delivered.

34. In the December 2015 Assurances, the Secretary of State committed to require the nominated undertaker to carry out a study ("the Crossrail study") to assess proposals for the provision of a shorter passenger link between HS2 Euston Station and CRL2 beneath the existing Euston NR station, which would require changes to the spine building proposed as part of the HS2 Euston Station and the safeguarding of space within the footprint of the Euston Mainline Station to provide for connection with that passenger link.
35. That study is to be submitted to the EIPB for comment no later than May 2016. The nominated undertaker is then to use reasonable endeavours to incorporate comments from the EIPB into the final Crossrail study. That study is then to be submitted to the Secretary of State for his consideration within a month as to whether its proposals will be implemented. That study is underway but, as at the date of this petition, the final recommendations on that study have not yet been reached and as such the Secretary of State's likely views upon it cannot be known. Your Petitioner petitions in order that if need be, the Select Committee can consider the issues and give a direction or recommendation to the Promoter if the Select Committee considers it appropriate.

East-West Link

36. The Euston Area Plan proposes new east-west and north-south pedestrian streets routes across the station and its approach. The current station at Euston and approach does not allow this movement through the Euston station site, frustrating access to The Regents Park and Somers Town areas by requiring pedestrians and cyclists to travel north or south to Euston Road and Mornington Crescent in order to make this movement. The effect of this is evidenced by the pattern of development around the existing station as the eastern and western perimeters, in particular, are devoid of activity due to a lack of active frontages. The Promoter's revised designs for Euston does not alleviate these problems, with the spine building proposed to join the Euston HS2 station with the NR Station providing insufficient open space and walking routes for local residents, visitors and passengers using Euston station easily to connect to areas east and west of Euston station.
37. A lack of an east-west link will leave Euston Road and busy streets further north in Camden Town centre as the only east-west routes for cyclists and pedestrians in this area. Exacerbation of east-west permeability problems could mean the new hub of activity on the western side of Euston Station will remain poorly connected to the major new developments of the Francis Crick Institute and Kings Cross on the east side which will house major multi-national companies such as Google. These hi-tech,

science and research organisations are likely to generate considerable demand for the high-speed services in terms of both staff and visitors. The value of time needs to be recognised. Direct, convenient links between the west side of Euston (which itself is likely to house high-value jobs) and the hub of activity to the east are crucial to maximising the agglomeration benefits of all the new development in this part of London. Community severance could also be exacerbated by the relocation of an existing local secondary school from the west of the station to the east in order to provide space for the construction of the Euston HS2 station, with children and parents being required to take a much longer route along the busy Euston Road. In addition, linkages between the Euston HS2 station and the regional and international services from St Pancras depend on an adequate east-west link.

38. In light of the above concerns, in the December 2015 Assurances, the Secretary of State committed to require the nominated undertaker to carry out a study ("the Parcel Deck study") to assess proposals for the provision of a pedestrian route across the end of Euston NR station utilising the existing Parcel Deck. The Parcel Deck study will consider options that may require separate planning permissions that may be granted from the London Borough of Camden or use the Permitted Development Rights of NR.
39. That study is to be submitted to the EIPB for comment no later than May 2016. The nominated undertaker is then to use reasonable endeavours to incorporate comments from the EIPB into the final Parcel Deck study. That study is then to be submitted to the Secretary of State for his consideration within a month as to whether its proposals will be implemented. That study is underway but, as at the date of this petition, the final recommendations on that study have not yet been reached and as such the Secretary of State's likely views upon it cannot be known. Your Petitioner petitions in order that if need be, the Select Committee can consider the issues and give a direction or recommendation to the Promoter if the Select Committee considers it appropriate.

Hampstead Road Bridge

40. Your Petitioner has raised concerns about the reconstruction of Hampstead Bridge which is required in order to provide access for trains to the new HS2 Euston Station.
41. As stated in the original requirements agreed between the Promoter and Transport for London in June 2014, Your Petitioner considers that the width of the bridge should be reduced to better reflect the existing road layout in the area. The construction of a smaller bridge, with 4 vehicular lanes plus segregated cycle lanes and pedestrian walkways would reduce construction impacts, shorten the construction period and also have a positive long term environmental effect.

42. Another reason the reconstruction of the bridge requires such significant works is the apparent need to raise the bridge above its existing height. The increased height of the road will result in: severance of roads abutting the approach to the bridge which must now be stopped up; increased levels of noise for nearby receptors; more significant landscape and visual impacts; longer construction times; and drainage concerns. Your Petitioner understands this originates from route-wide height tolerances required to allow passage for the new trains travelling at a high speed. However, as the trains are approaching a terminus at Euston, speeds will be significantly lower. Your Petitioner understands that this in turn should be reflected by a reduction in required minimum tolerances, in line with standard railway practice.
43. Your Petitioner has sought from the Promoter commitments to: (a) reduce the height of the bridge by at least one metre; (b) work in collaboration with Your Petitioner and the London Borough of Camden to reduce further the impact of the bridge on the local area; and (c) agree with Your Petitioner's effective construction plans for the bridge.
44. In the December 2015 Assurances, the Secretary of State committed to design the replacement Hampstead Road Bridge with 4 vehicular lanes plus segregated cycle lanes and pedestrian walkway.
45. Also in the December 2015 Assurances, the Secretary of State committed to require the nominated undertaker to carry out a study ("the HR Bridge study") to assess proposals for minimising the height increase of the Hampstead Road Bridge as a result of the works to be authorised under the Bill.
46. That study is to be submitted to the EIPB for comment no later than May 2016. The nominated undertaker is then to use reasonable endeavours to incorporate comments from the EIPB into the final HR Bridge study. That study is then to be submitted to the Secretary of State for his consideration within a month as to whether its proposals will be implemented. That study is underway but, as at the date of this petition, the final recommendations on that study have not yet been reached and as such the Secretary of State's likely views upon it cannot be known. Your Petitioner petitions in order that if need be, the Select Committee can consider the issues and give a direction or recommendation to the Promoter if the Select Committee considers it appropriate.

Traffic impacts around Hillingdon

47. Your Petitioner has concerns in relation to the volume and intensity of HGV movements through the London Borough of Hillingdon, particularly in the Ickenham area. Your Petitioner was disappointed that the longer tunnel proposals put forward by the London Borough of Hillingdon which would significantly reduce the construction and longer term impacts of HS2 Phase 1 in the borough was not pursued further.

48. In the December 2015 Assurances, the Secretary of State committed to require the nominated undertaker to carry out a study ("the Hillingdon study") to reduce HGV movements in the Ickenham area of Hillingdon, including proposals to maximise movements by rail; alterations to the Copthall cutting; greater reuse of excavated material; changes to the Harvil Road railhead design and footprint; acceleration of the Harvil Road rail sidings; and the reduction of the number of road vehicles associated with workforce travel. The Hillingdon study will seek to set a target reduction in HGV movements compared to earlier HS2 Phase 1 proposals.
49. That study is to be submitted to TfL, LB Hillingdon and the Secretary of State for comment no later than May 2016. The nominated undertaker is then to use reasonable endeavours to incorporate those comments into the final Hillingdon study. That study is then to be submitted to the Secretary of State for his consideration, who will use all reasonable endeavours to implement the plan, taking into account the safe, economic, efficient and timely delivery of HS2 Phase 1. The Secretary of State will then notify Your Petitioner and LB Hillingdon as to what extent the study will be implemented. As at the date of this petition, Your Petitioner has not seen that study and does not know the Secretary of State's likely views upon it. While progress is being made, Your Petitioner, along with the London Borough of Hillingdon, is concerned that the significant impacts resulting from the construction of HS2 through Hillingdon may still be too high. Your Petitioner petitions in order that if need be, the Select Committee can consider the issues and give a direction or recommendation to the Promoter if the Select Committee considers it appropriate.

Code of Construction Practice

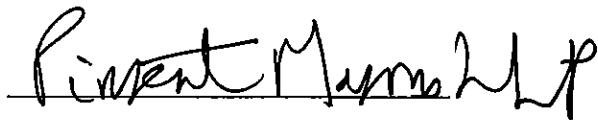
50. Your Petitioner expects to see a fourth draft of the Promoter's Code of Construction Practice (CoCP) in relation to the works authorised by the Bill at the end of April 2016. In the December 2015 Assurances, the Secretary of State committed that the CoCP will reflect best practice from other major infrastructure projects (including in London, any guidance issued by the Mayor) and areas of the CoCP to be considered through the HS2 Planning Forum would include provisions relating to:

- (a) air quality;
- (b) the safety of vulnerable users;
- (c) the mechanisms for the amendment of the CoCP over time to reflect changes in standards, legislation and guidance; and
- (d) a Route Wide Traffic Management Plan and associated documents.

51. As at the date of this petition, the next draft of the CoCP has not yet been completed and Your Petitioner cannot know whether the provisions above have been included. Your Petitioner petitions in order that if need be, the Select Committee can consider the issues and give a direction or recommendation to the Promoter if the Select Committee considers it appropriate.

Your Petitioner therefore asks the House of Lords that it, or someone representing it in accordance with the rules and Standing Orders of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition to the Select Committee which considers the Bill.

AND YOUR PETITIONER REMAINS, &C.

A handwritten signature in black ink, appearing to read "Pinsent Masons LLP", written over a horizontal line.

**PINSENT MASONS LLP
Parliamentary Agents for Transport for London**

18 April 2016