

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2015–16

**HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL (ADDITIONAL
PROVISIONS)**

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 TRANSPORT FOR LONDON

SHEWETH as follows:-

1. A Bill (hereinafter referred to as “the Bill”) has been introduced 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 (referred to in this petition as “the Promoter”).

THE ADDITIONAL PROVISION

3. An additional provision to the Bill was deposited in Parliament on 13 July 2015 (referred to in this petition as "the Additional Provision") making amendments to the original proposals within the Bill.
4. The Additional Provision amends clauses 57, 58 and 63 of the Bill and Schedule 1, Schedule 2, Schedule 3, Schedule 4, Schedule 5, Schedule 7, Schedule 8, Schedule 11, Schedule 12 and Schedule 15.
5. The Additional Provision contains new works and changes to the Bill of interest to your Petitioner under the following headings:
 - 5.1 Amendments conferring additional powers to carry out works in the Borough of Slough and in the parish of Iver in the County of Buckinghamshire for the purpose of providing a new Heathrow Express depot in the Borough of Slough (to the north east of Langley railway station), in consequence of the displacement of the existing depot under the exercise of powers conferred by the Bill;
 - 5.2 Amendments conferring additional powers to provide sidings for Crossrail services at Old Oak Common in the London Boroughs of Ealing and Hammersmith and Fulham that could be extended in the future to create a connection between the West Coast Main Line Railway and the Great Western Main Line;
 - 5.3 Amendments to accommodate the requirements of landowners and occupiers in the London Boroughs of Brent and Ealing; and
 - 5.4 Amendments to accommodate changes to the design of the works authorised by the Bill in the London Boroughs of Ealing, Hammersmith and Fulham, Hillingdon and the Royal Borough of Kensington and Chelsea.
6. The Additional Provision is accompanied by a Supplementary Environmental Statement and an Additional Provision 2 Environmental Statement which have been produced as one combined volume, hereinafter referred to as "the ES Addendum". The ES Addendum reports on both:

- 6.1 the likely significant environmental effects of updated environmental information, changes to the scheme assumptions and changes within the existing powers and limits of the Bill; and
- 6.2 the likely significant environmental effects of the amendments in the Additional Provision.

YOUR PETITIONER

7. 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.
8. 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 Barclays 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.
9. Your Petitioner, its subsidiaries and their respective rights, interests and property are injuriously affected by the Additional Provision, particularly the new works and

changes referred to above, to which your Petitioner, acting on its own behalf and on behalf of its subsidiaries, objects for reasons amongst others, hereinafter appearing.

10. Your Petitioner petitioned against the Bill in May 2014 ("the original petition") and this petition is further and supplemental to the original petition.

THE MAYOR

11. The Mayor, acting on behalf of the Greater London Authority ("the Authority"), also intends to petition against the Additional Provision in respect of the Authority's strategic role in London's economy, housing and regeneration, policing, transport, planning, environment, culture and health improvement.

YOUR PETITIONER'S CONCERNS

12. Your Petitioner has been engaged in detailed discussions with the Promoter in respect of the issues raised in the original petition and, as reported to the Select Committee by Counsel for the Promoter, your Petitioner has agreed the content of undertakings in respect of proposals (contained within the original Bill) affecting Old Oak Common and Crossrail
13. Your Petitioner has also deferred a number of issues raised in the original petition pending the publication of further additional provisions by the Promoter, including issues relating to Euston and the Code of Construction Practice to apply to the carrying out of works under the Bill. These issues remain outstanding.
14. While progress has been made in discussions with the Promoter, your Petitioner is concerned about a number of items in the Additional Provision (as set out below). These items highlight the need for additional commitments from the Promoter in respect of both new and existing issues.
15. Some of the changes in the Additional Provision are already covered in part by the undertakings which the Promoter has agreed to enter into. Your Petitioner is therefore

hopeful that the execution of the undertakings will address some of your Petitioner's concerns in respect of the Additional Provision.

HS2-HS1 Link Removal

16. Further to the comments made in your Petitioner's original petition, your Petitioner welcomes the Promoter's decision to remove the original surface rail link between HS2 and the existing HS1 as conceived in the Bill, as this link had unacceptable impacts on other passenger services across London.
17. As set out in the original petition, however, your Petitioner remains strongly supportive of provision for an alternative future HS2-HS1 Link and considers that the Bill should, at the very least, include passive provision for such a HS2-HS1 Link. Your Petitioner therefore strongly objects to the proposed removal of the tunnel portal at Old Oak Common, which Your Petitioner feels is premature or, worse, indicative that the Promoter rejects the prospect of providing the HS2-HS1 Link at any time in the future.
18. Failure to provide the portal (or equivalent provision for a future tunnel link) now would render the future provision of a tunnelled link between HS1 and HS2 extremely difficult. Even if future provision of the Link is physically possible, it would require significant interference with, and the possible suspension of, HS2 (and possibly HS1) services for extended periods. The Promoter has made no commitment that the Link will be provided at a later stage, nor has the Promoter demonstrated within the Additional Provision that it would be possible to provide the Link in the future if the portal is removed. Your Petitioner is deeply concerned that the Promoter has removed the portal before publishing the findings of two studies being undertaken by the Promoter to consider options for the HS2-HS1 Link, and indeed has made no reference to these studies at all.
19. Your Petitioner does not agree with the conclusion in the ES Addendum that the prevention of an HS2-HS1 Link in this way will have no impacts. Your Petitioner considers that the HS2-HS1 Link would play an important role in managing

interchange demand at Euston and Old Oak Common and in supporting long-term demand for inter-city and London wide travel. Your Petitioner submits that it is important in this regard to acknowledge that the HS2-HS1 Link is important not only in respect of the provision of direct links from Birmingham to the continent, but also to facilitate cross-London connections to east London and onwards into Kent.

20. It is for these reasons that your Petitioner seeks a commitment from the Promoter that the HS1-HS2 Link will be provided at a later stage and that the Bill will provide, by its design and construction, the provision for delivery of such a Link in the future.

21. Given the implications for travel across (and to and from) London, your Petitioner also seeks a commitment that the Promoter will agree the design and provision of the Link with your Petitioner.

Highway Construction Impacts

22. The significant increase in HGV traffic reported in the ES Addendum and the resulting impact on the local and strategic road network throughout London is of major concern for your Petitioner.

23. The use of a larger number of local roads is a particular concern, as these routes are not designed to accommodate this volume and frequency of HGV traffic. Your Petitioner is also concerned about the cumulative impact that London-wide HS2 worksites will have on the A40 and other strategic routes, via which large volumes of materials and spoil are to be transported and which your Petitioner considers have not been adequately assessed or provided for.

24. Your Petitioner believes that that Promoter has failed adequately to consider what can be done to reduce the London-wide implications of this volume of traffic. For example, the Promoter has made no firm commitment to transport materials or spoil by water, rail or designated construction haul road in order to alleviate pressure on the road network, and Your Petitioner is therefore concerned about the lack of resilience in the Promoter's traffic management proposal. Your Petitioner's experience from delivering

the Crossrail project is that managing impacts on the strategic road network from a large number of disparate worksites can be challenging, even for projects (such as Crossrail) which benefited from the movement of materials and spoil by rail, river, canal and haul road.

25. A predicted increase in the amount of inert waste produced by the Scheme, as reported in the ES Addendum, exacerbates your Petitioner's concerns in this regard. The ES Addendum gives no clear indication as to what the impacts of this increase will be on traffic, noise and any disposal sites required.
26. To alleviate this problem, as set out in the original petition, your Petitioner considers that the Promoter should commit to transfer a proportion of materials and waste off public roads and onto rail, water (river and canal) and designated haul roads. Similar commitments have been provided by Promoters for other recent, large London infrastructure projects, including the Northern Line Extension and the Thames Tideway Tunnel.
27. In addition to the need for a strategic review of HGV use throughout London by the Promoter, your Petitioner has particular concerns about impacts in the areas set out below.

The Colne Valley and Ruislip to Ickenham

28. In the Colne Valley and Ruislip to Ickenham areas, impacts on the A40 are now predicted to increase from 6 months (in the Original Environmental Statement accompanying the Bill) to one year, meaning that very high impacts from construction traffic (up to 1460 two-way daily movements) will now last twice as long. Most of the HGVs will travel via the A40, Swakeleys Roundabout and Swakeleys Road, which will be under significant pressure.
29. Your Petitioner is concerned that this extended use will have significant impacts on:
 - (a) highway network performance;

- (b) road safety;
- (c) air quality;
- (d) noise; and
- (e) community life,

in this area.

30. Your Petitioner is concerned that the ES Addendum does not consider, on top of this HGV traffic generated by HS2 activities in the local area, the HS2 construction traffic from Euston, Old Oak Common or other HS2 worksites (such as Greenpark Way) which must travel along the A40 past Swakeleys Roundabout. Your Petitioner is concerned that impacts of London-wide traffic on this area has been underplayed in modelling by the Promoter, and that sufficient strategic modelling of the cumulative traffic impacts has not taken place.
31. Further to the Committee Statement dated 13 July 2015 requesting the Promoter and Transport for London to work together to review the use of the Harvil Road construction site, your Petitioner considers that as part of that process the Promoter must revisit the assessment and mitigation of construction traffic impacts in these areas, including:
- 31.1 reviewing, with your Petitioner, the use of the local rail network, including Ruislip Depot by HS2 to maximise the amount of construction materials and spoil which can be moved by train rather than road leading to a reduction in highway impacts and, if agreed, commencing the necessary works to the rail network to ensure it is ready ahead of construction commencing;
 - 31.2 a commitment to revisit strategic modelling so that it accounts for cumulative flows in this area;
 - 31.3 a commitment to undertake detailed local highway modelling to provide robust assessment of knock-on effects on A40 junctions and adjoining roads; and

31.4 a detailed commitment to provide the mitigation needed to offset residual impacts along the A40.

32. Without a significant review of the approach to construction traffic in this area, such as use of the Ruislip Depot, your Petitioner considers there is a significant risk that the road network in this area will not cope with the HGV volumes predicted by the Promoter.

Old Oak Common

33. At Old Oak Common changes to construction routes have redirected HGV movements onto some residential and busy local routes. For example, your Petitioner is particularly concerned that:

33.1 over five times as many HGVs per hour will exit the HS2 station site at Old Oak Common onto and along Old Oak Common Lane between the HS2 station site and the Atlas Road compound site, requiring conversion of the current Atlas Road/Victoria Road/Old Oak Common Lane roundabout to a signalised junction. These changes will have impacts on:

33.1.1 noise, vibration and air quality for residents near Old Oak Common Lane;

33.1.2 the performance of Atlas Road Junction and access to bus garages there;

33.1.3 road safety impacts at the Old Oak Common Lane Site Access and the Atlas Road Junction; and

33.1.4 increased congestion as a result of removing the Atlas Road/Victoria Road/Old Oak Common Lane roundabout.

33.2 the ES Addendum reports a doubling of the number of HGVs joining and leaving the A40 at Gypsy Corner;

33.3 the Promoter has only strategically assessed the impact of the proposed 12 month Old Oak Common Lane closure (assumed to take place in 2023) against the early (2017-

2020) HGV movements required to remove the material generated by site clearance/preparation. Your Petitioner is concerned that the HGV volumes and routings will differ in 2023 when the HS2 infrastructure is being built and, with Old Oak Common Lane being closed, could have larger impacts on parts of the network (such as Victoria Road and Gypsy Corner) than have currently been identified;

33.4 the Promoter has failed to accurately assess the impact of the proposed Old Oak Common Lane closure on planned HGV flows and routing in the 2023 construction scenario, which will in turn affect traffic flows on surrounding roads, including Victoria Road;

33.5 the Promoter has failed to adequately mitigate the impacts of traffic diverted as a result of the Old Oak Common Lane closure, including impacts on surrounding roads and junctions;

33.6 pressures on the A40 (see paragraph 28 above) will in turn have a significant impact on junctions onto the A40 in the Old Oak Common area; and

33.7 construction traffic will no longer use a haul road to access the satellite compounds close to Midland Terrace, and will instead use the already busy Old Oak Common Lane and Atlas Road junction.

Highway Impacts - Your Petitioner's Requests

34. Your Petitioner considers that the Promoter must review the worksites in these particularly badly-affected areas (Colne Valley, Ruislip to Ickenham and Old Oak Common) and should:

34.1 consider alternative means of access (e.g. by canal, dedicated haul-road and rail) to provide a solution that reduces the total numbers of HGVs using the public road network to acceptable levels;

34.2 reconfigure vehicular access routes to minimise transport distances;

- 34.3 commit to avoiding the use of local and residential routes for construction traffic and consider alternative options;
- 34.4 consider the early construction of the 'shell' of the subway which the Promoter has recently committed to your Petitioner and Transport for London to provide for use as a pedestrian and cycle access to the HS2 station at Old Oak Common (known as the "Western Pedestrian Connection"). The Western Pedestrian Connection will run between the proposed Old Oak Common Station and the Victoria Road HS2 construction site and, if constructed in advance of the main works, prior to its subsequent conversion to the pedestrian and cycle use could act as a temporary construction haul road between the worksites, largely removing the need to use Old Oak Common Lane and Victoria Road for construction traffic;
- 34.5 commit to fund junction improvement works at Gypsy Corner;
- 34.6 configure the Atlas Road Junction and signal timings in order to minimise delays to traffic and provide for safe through transit of pedestrians and cyclists;
- 34.7 redesign the HS2 site access junctions to prioritise road safety;
- 34.8 where impacts cannot be reduced, commit to adequate mitigation to minimise the disruption and effects on local residents and businesses, including further mitigation of noise and air quality impacts; and
- 34.9 revise the Code of Construction Practice to meet the standards established in final Code of Construction Practice used for Crossrail as well as proposed Codes of Construction Practice for the Northern line Extension and Thames Tideway Tunnel, and to incorporate the changes and improvements suggested by your Petitioner in the original petition.

Crossrail

35. Your Petitioner remains anxious to ensure Crossrail operations are not adversely affected by the Bill. The Additional Provision authorises further works in and around the Crossrail Depot, in particular the construction and use of a logistics tunnel running directly underneath the Crossrail Depot and the carrying out of sewer works at Scrubs Lane in the vicinity of the Crossrail Depot. Your Petitioner is concerned in particular at possible settlement impacts of the logistics tunnel.

36. As explained at paragraph 15, the Promoter has committed to enter into undertakings on matters raised in the original petition, including the Crossrail Depot. Your Petitioner believes that the impacts of the Additional Provision can be adequately dealt with by the undertaking on the Crossrail Depot, with the necessary adjustments. Failing which, your Petitioner considers that the Promoter should engage with your Petitioner to determine whether additional safeguards are required in respect of the works authorised by the Additional Provision.

CONCLUSION

37. For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended as proposed above, the Additional Provision, so far affecting your Petitioner, should not be allowed to pass into law.
38. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and its rights and interests and for which no adequate provision is made to protect your Petitioner.

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 Petitioner 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.

PINSENT MASONS LLP

Parliamentary Agents

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PETITION

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Against, the Bill – On Merits –

Praying to be heard by Counsel, &c.

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