

PETITION AGAINST A PRIVATE BILL IN THE HOUSE OF LORDS

PETITION IN RELATION TO THE TRANSPORT FOR LONDON BILL [HL] 2010 - 2011 SESSION

PETITION FROM THE WEST LONDON LINE GROUP

SESSION 2010-11

TRANSPORT FOR LONDON BILL [HL]

Petition against the Bill - on merits - Praying to be heard by Counsel Etc.

To the Right Honourable the Lords Spiritual and Temporal of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled

The humble petition of THE WEST LONDON LINE GROUP

SHEWETH as follows:

1.

A Bill (hereinafter referred to as "the Bill") has been introduced and is now pending in your Right Honourable House intituled "A Bill to confer further powers upon Transport for London; and for related purposes."

2.

The Bill is promoted by Transport for London

The Preamble to the Bill recites *inter alia* that whereas-

1. It is expedient that the powers of Transport for London should be extended and amended as provided in this Act:
2. It is expedient that provision be made in relation to the restriction under section 163 of the Greater London Authority Act 1999 (c.29) on Transport for London's powers to dispose of certain land:

Relevant Clauses of the Bill

3.

The West London Line Group objects to the inclusion of Clause 4 "Restrictions on disposal of land" and wishes it to be removed in its entirety from the Bill.

Your petitioner

4.

Your Petitioner is a passenger support group representing the travel interests of rail and Underground users, primarily at all stations on the West London Line between Clapham Junction and Willesden Junction, but also on the extended corridors between Brighton and Birmingham and the North London Line between Willesden Junction and Stratford. As such, we believe that as a body we sufficiently represent the travel interests of those whose interests will be affected to a material extent by the provisions contained in the Bill as under Standing Order 117 (2).

Your Petitioner's concerns

5.

The West London Line Group (referred to below as, "the Group") specifically objects to Clause 4 of the Bill. The Group objects to this provision because, were it to be enacted:-

- (a) it would allow the loss, with no external notification, scrutiny or consent, of operational land (e.g., Lillie Bridge Depot and approaches) and/or other property holdings (e.g., Ashfield House) owned by Transport for London that could be used to create a fully-integrated rail and underground facility within the Earls Court and West Kensington Opportunity Area, through which the West London Line runs. Such a summary loss would be detrimental to the users whose interests the Group represents.

This facility would be a strategic transport hub that would be, first, a new station for existing local residents and the new large residential and business populations expected within the Opportunity Area, many of who would be current or future users of the West London Line.

Second, this hub would also be a key interchange between the West London Line and the District and Piccadilly Lines, which would significantly improve connectivity between London's rail and tube networks. The Group continues to identify and secure for the passengers it represents opportunities for increased connectivity such as this, especially with key lines within the London Underground network and particularly the District and Piccadilly Lines.

- (b) it would result in the potential denial or impairment of the ability of the Group or the users whose interests it represents to exercise democratic rights to:-

- (i) comment on or object to the disposals of the Transport for London property holdings in the Opportunity Area and/or elsewhere, and/or
- (ii) raise concomitant issues with their elected representatives. Transport for London's networks include the Underground, DLR, Tramlink and Crossrail, plus any sections of the London Overground network that have been or may be transferred to them from the Network Rail network (referred to below as, "London's metro systems");

- (c) it would result in the anomalous situation in the disposal arrangements for existing Transport for London and Network Rail property holdings side-by-side within the Opportunity Area. It would be against the interests of the Group and the users it represents to have to deal with a second regime, especially if that to be adopted by Transport for London was to be more opaque to scrutiny and comment than that which presently exists for Network Rail;

- (d) it could also result in the total loss or impairment, without consideration, of the existing facilities that, possibly with some modification, could ensure that as much material as possible is transported from and to the Opportunity Area by rail and/or tube. Loss or impairment of such facilities could lead, during the imminent and lengthy period of re-development, to additional lorry congestion and pollution in inner west central London. This would be to the detriment of *inter alia* West London Line's users in the areas surrounding the Opportunity Area;

- (e) no indication is given of any restriction of the scale of such a disposal or disposals. Potentially, the ownership of large, presumably discrete, parts of any or all of London's metro systems could pass to private and/or foreign hands. The Group understands that an American consortium already owns two heritage railway lines in the UK. Sizeable injections of funds from other sources may be particularly appealing, especially in such times as the present financial crisis.

However, this may lead to expensive on-going leaseback terms, inflated maintenance costs and thus presumably higher fares, different operating regimes on different parts of what are now homogenous networks, as well as the loss of physical control of parts of London's public transport, possibly at little or no notice. Many of these outcomes would be detrimental to the interests of passengers represented by the Group, and they may have no opportunity to alert their elected representatives to such concerns;

- (f) it would remain unclear how the provision is to be effective, i.e., who exactly within Transport for London would be able to exercise this new power of disposal without the consent of the Secretary of State. The retention of the second half of Section 163(1) of the Greater London Authority (1999) Act would still oblige elected members of the Greater London Authority, including the Mayor of London, to seek consent from the Secretary of State. The Mayor of London is Chairman

of the Board of Transport for London. The Group is assuming that matters such as planned disposals of property would be made known to all of Transport for London's Board members, and thus its Chairman. Therefore, the Group would submit, that, since the latter as Mayor is part of the Greater London Authority, it would still be necessary for Transport for London to refer all such disposals to the Secretary of State;

- (g) it would appear that it is intended that disposals of such publicly-owned property would be undertaken by Transport for London officials, without the knowledge of the Board or the elected members of the London Assembly. This would (i) undermine or short-circuit usual democratic accountability in relation to publicly-owned assets and (ii) introduce confusion in relation to whom objections, comments and representations concerning such disposals should be made. Neither of these results would be in the interests of the Group or the passengers whose interests it represents;
- (h) Transport for London appears to have poor appreciation of the potential utility of its own assets.

This can be seen most immediately in two key instances in relation to the London 2012 Olympics Volleyball Competition in the Earls Court Exhibition Centre, which lies between Earl's Court and West Brompton stations. Here Transport for London has decided to disregard two long-established key transportation elements designed for attendees at events at the Exhibition Centre, namely (i) the pedestrian tunnel between Earl's Court station and the venue, and (ii) the National Rail platforms at West Brompton that by 2012 are to be served by no less than eight of Transport for London's own capacious 4-car London Overground trains per hour.

As an illustration of the possible consequences of such solely internal assessment, the lack of proper consideration above, along with the other flawed arrangements as proposed, are expected to cause during the Games :-

- i) excessive pressure (and possibly physical conflicts) on Earl's Court station and the surrounding area;
- ii) needless disruption and distress to the local host community; and
- iii) avoidable inconvenience and physical dangers to the 820,000 spectators anticipated from around the world.

The Group continues to deplore oversights such as these in assessing the future use of Transport for London's property with no outside scrutiny.

Indeed, – rather than discounting its assets at West Brompton - Transport for London, in concert with the Olympic Delivery Authority, Network Rail and EDF (a top-tier 2012 sponsor) should now be arranging for the platform extensions and other minor modifications to the station, (i) to the benefit of these Olympic spectators, and (ii) as a public transport Olympic Legacy – as promised by the UK Government in its bid for the Games.

The need and cost-effectiveness of these extensions are underlined by Network Rail's recent comments in its draft London & South East Route Utilisation Strategy on the present high levels of commuter overcrowding with its Benefit/Cost Ratio assessment of 4.2 (an unusually high figure in such a context) for these and other such extensions on the West London Line, with the verdict, "This.....represents very good value for money".

- (i) The Group also notes that this provision, if it were enacted, could also become a precedent for similar requests for flexibility in other transport or public utility concerns.

YOUR PETITIONER therefore humbly prays to Your Honourable House that the Bill may not pass into law as it now stands and that it may be heard by its Agent against the Preamble of the Bill and if the same do pass against all the clauses and provisions in the Bill which relate to or affect its property rights and interests and in support of other clauses and provisions for the protection and benefit of your Petitioner and its property rights and interests and that it may have such other relief as Your Honourable House may deem meet.

AND YOUR PETITIONER will ever pray, etc.

Signature

MARK BALAAM
Chairman

2 February 2011