

# TRANSPORT FOR LONDON

## THE LONDON RESORT – PROCEDURAL DEADLINE A SUBMISSION

15 MARCH 2022

### **I. Introduction**

- I.1 This document is Transport for London's (TfL's) submission at Procedural Deadline A of the Examination of the draft Development Consent Order (DCO) for the London Resort scheme. This submission is made alongside TfL's Preliminary Meetings and Early Hearings Involvement Form.
- I.2 This response is structured in alignment with the information requests made by the Examining Authority (ExA) for which Interested Parties are asked to provide responses at Procedural Deadline A:
- Section 2 of this response covers examination timing and procedure, specifically providing an update on engagement with the Applicant as requested in the ExA's Procedural Decision of 1 February 2022 (examination reference AS-014);
  - Section 3 notes TfL's position on the use of virtual events;
  - Section 4 covers TfL's request to be heard orally at the Preliminary Meeting for the Examination; and
  - Section 5 covers TfL's request to be heard orally at Issue Specific Hearing 1.

### **2. Examination timing and procedure**

- 2.1 This section is relevant to Agenda Item 3 of the Preliminary Meeting.
- 2.2 TfL's position on Examination timing was set out in its Additional Submission of 10 January 2022 (AS-104). In summary, TfL's view is that if the Applicant has demonstrated sufficient progress on the further assessment required to update the DCO documents, then a delay to the Examination would be appropriate to allow a more meaningful assessment of the draft DCO by the ExA. We consider that the ExA will need to have the confidence that the Applicant will commit the resources necessary, in the required timescales, for the further uncertainty that a continued delay would give to Interested Parties to be justified.
- 2.3 Given the position above, TfL is therefore concerned about the lack of progress that has been made between 1 February and 10 March 2022. In its Procedural Decision of 1 February 2022 (AS-014), the ExA requested that Interested Parties submit a list of consultation and meetings with the Applicant during this period.
- 2.4 The Applicant had not contacted TfL by late February, so TfL and Network Rail decided to send a joint letter to the Applicant on 25 February to express their concerns about the lack of engagement that was taking place and the lack of evidence of the further work considered to be necessary being undertaken. This letter prompted a response from the Applicant on 28 February agreeing to a meeting, and a virtual meeting was subsequently arranged for 10 March 2022. The meeting was attended by TfL, Network Rail, HSI Ltd, Govia Thameslink Railway, SE Trains Ltd and the Department for Transport.
- 2.5 The purpose of this meeting was for the Applicant to provide an update on its plans for the DCO examination, and discussions to be held on the approach to modelling of impacts on

the rail network, potential improvements required at Swanscombe station, other rail issues and potential Statements of Common Ground.

- 2.6 At the meeting, the Applicant again committed to undertaking much of the work that TfL considers will be necessary for the impacts of the London Resort scheme on the rail network and mitigation that may be required to be understood. This included making use of TfL's Railplan model using assumptions and scenarios for testing to be agreed with rail industry partners. The Applicant reported that it was preparing a technical note on the modelling approach which was expected to be shared within around two weeks of the meeting. The Applicant also said it would undertake further work to assess enhancements to St Pancras International station that may be required, and assessment of a direct link from Swanscombe station to the Proposed Development.
- 2.7 TfL welcomes these commitments to additional assessment which TfL considers are necessary. However, we remain concerned that there has seemingly not yet been any progress in actually undertaking the necessary assessment. Given the scope of assessment that TfL considers is required, this raises serious doubts about whether the work could be completed in time for an Examination starting in June or July 2022. At present, the Applicant has still not paid the license fee to be able to start to use TfL's Railplan model.
- 2.8 Nevertheless, TfL repeated its commitment at the meeting to work with the Applicant to undertake the work that is necessary to support its DCO application.
- 2.9 At the meeting, the Applicant also stated its intention to develop a Statement of Common Ground (SoCG) with TfL. TfL looks forward to receiving the first draft of a SoCG with the Applicant and, assuming it is received sufficiently in advance and contains adequate information for meaningful engagement, will respond in a timely manner to enable it to be submitted by the Applicant when required by the ExA.
- 2.10 The 10 March meeting was focused on the rail network, so TfL did not have any engagement with the Applicant on any of the other issues TfL has raised in its representations. There has therefore been no discussion between 1 February and 10 March 2022 on TfL's concerns about the impacts on the highway network, the feasibility and use of river services, the resilience of the highway network, rail and river services, how a sustainable mode share will be secured, or the transport mitigation that is required and how its delivery will be triggered.

### **3. Use of and participation in virtual events**

- 3.1 TfL has no concerns about Examination hearings and meetings being held virtually.

### **4. Request to be heard orally at the Preliminary Meeting**

- 4.1 TfL has submitted the Preliminary Meetings and Early Hearings Involvement Form and has requested to be heard orally at the Preliminary Meeting. The form includes full details on the issues on which TfL may wish to make oral representations and these are summarised as follows:

- progress on discussions with the Applicant on the assessment of transport impacts which may influence the ExA's decision about whether to proceed to an immediate Examination;
- the ExA's Initial Assessment of Principal Issues and TfL's view that the impact on the National Rail network needs to be considered more prominently alongside any secondary impacts on London Underground, Elizabeth line and other public transport services in London;

- the Examination timetable and specifically the arrangements for review of the ExA's preferred draft DCO towards the end of the Examination period;
- the proposal to potentially curtail the Examination after the mid-point of the six-month period if there is no prospect of the ExA being able to make a recommendation for approval of the DCO at the end of the Examination; and
- the need for an Issue Specific Hearing on rail, road and river access to the Proposed Development; a summarised list of the transport issues that TfL considers should be covered was set out in section 2 of TfL's Additional Submission of 10 January 2022 (AS-104).

## **5. Provisional request to be heard at Issue Specific Hearing I**

- 5.1 TfL wishes to make oral representations at Issue Specific Hearing I. TfL considers that the scale of transport impacts, once fully assessed, is likely to result in changes to the Application being required. This is particularly likely to be the case for the rail network, where extra rail services are likely to be necessary to accommodate the generated demand. This in turn will likely require further enhancements to stations, namely at St Pancras International but potentially also at other locations, and enhancements to train stabling and maintenance facilities. If the rail strategy is shown to not be deliverable, this could put additional pressure on the road network, potentially requiring further changes to the Application.
- 5.2 TfL is also aware that there is some uncertainty over the deliverability of the parking and pier facilities at Tilbury for the 'park and glide' service. Should this not prove deliverable, there will be additional impacts on the road network and rail services which could again drive the need for changes to the Application.
- 5.3 The Proposed Development does not have any direct impact on TfL property. However, land that is safeguarded for a future Crossrail extension to Ebbsfleet is included within the DCO boundary. It has not yet been possible to identify whether this results in the Proposed Development hindering the ability to deliver the Crossrail extension. While this issue needs to be resolved, TfL does not consider it necessary for it to make oral representations at Compulsory Acquisition Hearing I.