

Riverside Energy Park

Applicant's response to Arriva London Deadline 5 Submission

VOLUME NUMBER:

08

PLANNING INSPECTORATE REFERENCE NUMBER:

EN010093

DOCUMENT REFERENCE:

8.02.69

September 2019 | Revision 0 (Deadline 7) | APFP Regulation 5(2)(q)

Planning Act 2008 | Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

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1 Applicant's Response to Arriva London Deadline 5 Submissions

1.1 Purpose of Document

1.1.1 This document provides a response to Arriva London's submission at Deadline 5. Arriva London sets out comments on the installation of the Electrical Connection and the potential interface that those temporary works would have with their local bus services.

1.1.2 The following paragraphs respond to the points raised in Arriva London's submission.

1.2 Applicant's Response

Overview

1.2.1 The Applicant has engaged with Arriva London, TfL and London Borough of Bexley (LBB) on the transport and travel effects of the construction, operation, and decommissioning of REP and the associated Electrical Connection, with informal engagement starting with TfL early in 2018 following the initial scoping exercise with the Planning Inspectorate in November 2017. Meetings and correspondence with TfL and LBB have been set against the background of the Transport Assessment scoping provided in March 2018 and the Preliminary Environment Information Report in June 2018. Details of this correspondence is included in **Appendix C and L** of the **Consultation Report (5.1, APP-023 and APP-032)** and **Appendix C** of the **draft Statement of Common Ground between the Applicant and TfL (8.01.10, REP5-012)**.

1.2.2 The Applicant's submissions to the Examination setting out the assessment of transport effects have included **Chapter 6 Transport** of the **ES (6.1, REP2-017)** and **Appendix B.1**, the **Transport Assessment** to the **ES (6.3, APP-066)**. Further evidence on transport effects has been submitted to the Examination in supplementary consideration of specific effects, generally relating to the interface between the construction works of the Electrical Connection and the road network, as provided within **Appendices F and G** of the **Applicant's Response to Relevant Representations (8.02.03, REP2-054)**, and with amendments to the **Outline Construction Traffic Management Plan (REP5-008)** having a focus on the interface with local bus services.

1.2.3 Regarding construction effects, the Applicant notes that Arriva London's concern relate solely to the installation of the Electrical Connection, which is a temporary and "rolling" construction impact and raises no concerns in respect of REP itself. The Applicant is committing to suitable management and mitigation measures to minimise the effects of the installation of the Electrical Connection. Of course, as is the case with any infrastructure project of this nature that requires works to the highway, there will always be some residual

disruption to the highway network no matter what mitigation measures are put in place and that has to be recognised. The Applicant's proposals are reasonable and justified.

- 1.2.4 Regarding operational effects of the Proposed Development on the transport network, it is noted that Arriva London has no concerns over the operation of the Proposed Development.

Financial Compensation

- 1.2.5 Arriva London comments on the possibility of the provision of financial contributions or compensation to off-set delays and disruption at the start and end of their submission.
- 1.2.6 In their first paragraph, Arriva London confirms the meeting with the Applicant on 02 July 2019 and that constructive dialogue occurred. The response notes that the Applicant advised that *“there is no legal obligation for the Applicant to compensate bus companies for disruption during the installation of the electrical connection route”*.
- 1.2.7 The closing paragraph of the submission refers to the GLA/TfL submission at Deadline 4 (**REP4-024**) in which the GLA proposes a section 106 contribution to off-set delays and disruption to local bus services.
- 1.2.8 The Applicant maintains its position with regards to financial compensation. The installation of the Electrical Connection is temporary and will be installed as part of a Grid Connection Agreement with UKPN, a statutory undertaker for the distribution of electricity under the Electricity Act 1989. There is no entitlement to compensation if a business, including bus services, is affected by road works undertaken by statutory undertakers or the highway authority. The mitigation measures proposed by the Applicant will reduce as far as is practicable the impact on the bus services, for example by: using carriageways where the peak period flow is less (typically in the southbound direction along A206) or pursuing available parallel routes where practicable. UKPN has committed to construct the Electrical Connection using a ducted cable solution – which will allow the more rapid installation of ducting. These matters are included within the **Outline Construction Traffic Management Plan (CTMP) (REP5-008)** and would be secured through the final CTMP at **Requirement 13** of the **draft Development Consent Order (dDCO)** for the works (**3.1, REP5-003**).
- 1.2.9 In addition, the Applicant has already reduced the impact on bus services by choosing the single route for the Electrical Connection as set out at Deadline 2. The route chosen will minimise disruption, compared to the options that were included at the point of submission of the Application, as set out below at paragraphs 1.2.15 to 1.2.17 of this document.

Statement of Common Ground

- 1.2.10 Arriva London makes a second point that the Applicant is not currently seeking a Statement of Common Ground (SoCG) with them.
- 1.2.11 Arriva London submitted a Relevant Representation (**RR-055**) to which the Applicant provided its response in the **Applicant's responses to Relevant Representations (8.02.03, REP2-054)**. Arriva London did not submit a Written Representation and the Examining Authority did not request a SoCG from Arriva London, therefore the Applicant did not consider it necessary or appropriate to start the preparation of a SoCG with them. The Applicant did, however, continue to engage with Arriva London as noted by the respondent. The Applicant will continue to engage with Arriva London during the preparation of the final CTMP (secured through **Requirement 13** of the **dDCO (3.1, REP5-003)**) and through UKPN (or its agents) who would notify Arriva London of the road work phases – in accordance with the processes set out in the New Roads and Street Works Act (as supplemented by the provisions of the **dDCO (3.1, REP5-003)**) and the street works notifications processes for LBB and TfL.
- 1.2.12 The Applicant does not therefore propose to prepare a SoCG with Arriva London at this late stage in the Examination process. Furthermore, the Applicant considers that TfL is the most appropriate body with whom to agree a SoCG (and Arriva London in its letter refers to TfL as its "client") and the Applicant is actively pursuing such an agreement with TfL.

Disruption to Bus Services

- 1.2.13 Arriva London states its "*great concern*" at the anticipated level of disruption to local bus services during the construction of the Electrical Connection and the need for rescheduling or diversions.
- 1.2.14 One of the considerations of the Applicant in selecting the chosen route of the Electrical Connection, was to minimise the interface between the installation works and local bus services which would otherwise occur along single carriageway local roads – as indicated within the initial **Works Plans** submitted to the Examination (**2.2, APP-008**). This has reduced the length over which the Electrical Connection interfaces with local bus services and helps to mitigate the disruption to affected services. The Applicant, and UKPN (UKPN worked with the Applicant in devising the Electrical Connection route), could not have devised an acceptable route that completely avoided interaction with local bus services. However, the chosen route minimises that interface as far as is practicable whilst also taking into account other environmental and engineering constraints such as proximity to residential and retail environments, the challenges of delivery in narrow single carriageway streets and the likely proliferation of other statutory undertakers equipment and engineering obstacles.
- 1.2.15 The selected cable route follows roads with dual carriageways and primarily two-lanes in each direction of traffic flow. Where the route does interface with

bus routes, the road works associated with the installation of the Electrical Connection would directly affect buses in only one direction, significantly reducing the potential for bus route diversions or frequency changes.

1.2.16 Furthermore, UKPN and the Applicant have sought to take opportunities to align the road works such that interfaces with bus services are minimised; or to follow the carriageway where traffic loads are lightest; or to pursue available parallel routes where practicable – such as at Erith Station. UKPN has committed to construct the Electrical Connection using a ducted cable solution – which will allow the more rapid installation of ducting prior to subsequent drawing of cables between widely spaced draw pits. Where off-peak and night time working is practicable and necessary for the duct laying or the cable draws, UKPN and the Applicant will consider this and agree the works with the local highway authority. This would further minimise effects on local bus services but could require short term diversions to night-time services where localised road or lane closures are used to expedite the works. These commitments are secured in the **Outline Construction Traffic Management Plan (REP4-008)**, which itself is secured through **Requirement 13** of the **dDCO (3.1, REP5-003)**

1.2.17 In line with the above, the Applicant continues to promote processes to manage the implementation of the Electrical Connection which would minimise the effects on the road network. The processes are identified in the **Outline CTMP** provided to the Examination (**REP5-008**) and would be agreed through the final CTMP(s) which is secured through **Requirement 13** of the **dDCO (3.1, REP5-003)**.

Understanding of Effects

1.2.18 Arriva London refers to the GLA / TfL position relating to a method to understand the effects on bus services “*to assist its decisions on route frequency and diversions*”.

1.2.19 The Applicant has provided to the Examination an assessment of the effects of the construction process of REP and the Electrical Connection on the road network and has concluded that there would be Negligible to Minor Adverse impacts which would be Not Significant and that the effects on local bus services would be temporary and transient.

1.2.20 As justified by the following paragraphs, the Applicant does not consider it necessary or appropriate to carry out any further assessment of the transport effects of the essential temporary roadworks required for the installation of the Electrical Connection. Further assessment would not alter the method of construction or alter the programme or inform any further mitigation than has been included thus far.

1.2.21 The **Outline CTMP** submitted to the Examination at Deadline 5 (**REP5-008**) includes a method to manage and minimise effects of the installation of the Electrical Connection on local bus services. The key mitigation and management processes are set out at **Paragraph 1.2.16**. The Applicant and

UKPN will continue to work with TfL, LBB and Arriva London to detail the construction phases for the Electrical Connection and include the methodology of construction and the management of the works which would help to minimise the disruption to local bus services.

- 1.2.22 Through initial scoping and on-going engagement with TfL, the Applicant has responded to the specific points raised by TfL relating to network effects – including the primary assessment work within **Chapter 6 Transport** of the **ES (6.1, REP2-017)** and **Appendix B.1, the Transport Assessment** to the **ES (6.3, APP-066)** and in subsequent supplementary evidence submitted to the Examination. During the Examination, the GLA / TfL has subsequently extended its focus on road network impacts – to include areas on the network further south than James Watt Way. Where reasonable, the Applicant has responded to the points raised. Whilst area micro-simulation modelling was raised by TfL for the network at Bexely Road / Bronze Age Way roundabout and the James Watt Way / Queens Road traffic signals, TfL subsequently confirmed by e-mail on 12 June 2018, at the beginning of the Examination, that such modelling would not be required. Further to this no specific requests for local traffic modelling of junctions or the network south of James Watt Way have been made by TfL or LBB either during pre-application or pre-Examination phases.
- 1.2.23 Evidence submitted to the Examination has shown that the road network has reserve capacity outside of the peak period to derive minimal impacts from the Electrical Connection construction works on network operations. During the busier peak periods, the Applicant and UKPN will do what is reasonable, economic and efficient to minimise effects, whilst continuing to deliver the Electrical Connection safely and as quickly as possible (in itself a mitigation measure). Any further modelling, which would not alter the processes or method of construction or the mitigation measures being proposed, would be disproportionate and unreasonable given the temporary nature of the works. The temporary nature of the effects would not merit physical mitigation to the road network and the transient works would affect different bus services and junctions for relatively short periods of time as they move along the corridor.
- 1.2.24 The commercial terms agreed between TfL and Arriva London is commercially confidential to those parties. The Applicant is not privy to them. In turn agreement on any commercial implications between Arriva London and TfL relating to key contractual performance indicators are not a matter for the Applicant or UKPN. The construction of the Electrical Connection is no different to the installation of other strategic utility connections which could be delivered by statutory undertakers under its existing powers, which TfL and Arriva London would need to manage and accommodate as a regular occurrence across London and which their commercial agreement no doubt deals with. The focus for the Applicant is to minimise and mitigate any potential impacts on all road users including bus operators like Arriva London.

Summary

- 1.2.25 The Applicant has responded to the points raised by Arriva London, TfL and LBB regarding the potential temporary effects on local bus services during the installation of the Electrical Connection. One of the considerations of the Applicant in selecting the chosen route of the Electrical Connection, was to minimise the interface between the installation works and local bus services which would otherwise occur along single carriageway local roads.
- 1.2.26 Assessments have been provided to the Examination which are appropriate and proportionate to the effects and conclude that, with mitigation measures agreed through the final **CTMP** secured by **Requirement 13** of the **dDCO (3.1, REP5-003)**, the effects are **Negligible** to **Minor Adverse** and would be **Not Significant**. The works are to be carried out by UKPN as a statutory undertaker (or their agent) and the Applicant has proposed reasonable measures to manage and mitigate the effects of the construction of the Electrical Connection which are set out in the **Outline CTMP** provided to the Examination at Deadline 5 (**REP5-008**) and would be detailed within a final CTMP, secured by **Requirement 13** of the **dDCO (3.1, REP5-003)**.