

# SILVERTOWN TUNNEL

## 7.5 Charging Statement

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April 2016

Silvertown Tunnel

Charging Statement

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## Silvertown Tunnel

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# Charging Statement

## 7.5

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Planning Act 2008

Infrastructure Planning

The Infrastructure Planning (Applications: Prescribed Forms and Procedure)  
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## List of Abbreviations

CC	Congestion Charge
CIL	Community Infrastructure Levy
DCO	Development Consent Order
DVLA	Driver and Vehicle Licensing Agency
GLA	Greater London Authority
HGV	Heavy Goods Vehicle
LEZ	Low Emission Zone
LGV	Light Goods Vehicle
MTS	Mayor's Transport Strategy
NN NPS	National Networks National Policy Statement
NRMM	Non-road mobile machinery
PCN	Penalty Charge Notice
PHV	Private Hire Vehicles
PPP	Public Private Partnership
SRN	Strategic Road Network
TfL	Transport for London

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TLRN	Transport for London Road Network
ULEZ	Ultra Low Emission Zone
VRM	Vehicle Registration Mark

## Glossary of Terms

Account holder	User of the tunnels who has registered their vehicle and payment details with TfL
AM Peak	The morning peak hours when traffic is busiest. In the context of the Silvertown Tunnel scheme this applies to the hours between 6:00 and 10:00 in the northbound direction.
Assessed case	Scenario adopted for assessment of likely effects of the proposed scheme, in the context of central forecasts of transport conditions and with user charges set so as to balance the Scheme's traffic, environmental, socio-economic and financial objectives.
Blackwall Tunnel	An existing road tunnel underneath the River Thames in east London, linking the London Borough of Tower Hamlets with the Royal Borough of Greenwich, comprising two bores each with two lanes of traffic.
Charging period	For the purposes of the Assessed Case this has been defined as 6am to 10pm every day.
Heavy Goods Vehicle (HGV)	European Union term for any vehicle with a gross combination mass of over 3500kg.
Host boroughs	The Royal Borough of Greenwich, and the London Boroughs of Newham and Tower Hamlets where the existing

	Blackwall Tunnel and proposed Silvertown Tunnel are situated.
Induced demand	The effect that after supply increases, more of a good is consumed. In relation to transport schemes, this means that demand for the network will increase if extra capacity is added.
Induced traffic	A change to the road network that has the potential to generate additional traffic on the improved section if new users respond by, for example, diverting from other routes, changing their origin or destination (trip locations), or switching from other transport modes. This additional traffic is often referred to as induced traffic.
Inter-peak	The time period between the AM peak and the PM peak when traffic levels are lower. In the context of the Silvertown Tunnel scheme this refers to the hours between 10:00 and 16:00.
PM Peak	The evening peak hours when traffic is busiest. In the context of the Silvertown Tunnel scheme this applies to the hours between 16:00 and 19:00 in the southbound direction.
Silvertown Tunnel	Proposed new twin-bore road tunnels under the River Thames from the A1020 in Silvertown to the A102 on Greenwich Peninsula, East London.
Transport for London Road Network	The network of 580km of London's main roads for which TfL is the highways and traffic authority.

## SUMMARY

### **S.1 Purpose of this Charging Statement**

S.1.1 This Charging Statement sets out why a user charge is a critical part of TfL's proposals for the Silvertown Tunnel scheme ('the Scheme') and how TfL will use the power to set and vary the user charges as a way of managing the traffic and environmental effects of the Scheme in the long term. It shows how the Assessed Case has been developed to demonstrate the effects of a particular set of user charges as described in the Environmental Statement (Document Reference: 6.1) and the Transport Assessment (Document Reference: 6.5).

S.1.2 The Charging Statement provides context for the Charging Policy (Document Reference: 7.11), the Monitoring Strategy (Document Reference: 7.6) and the Traffic Impacts Mitigation Strategy (Document Reference: 7.7). Referring to these documents, it describes the policy and procedure for setting and varying the user charges and how local boroughs and other stakeholders will be involved in this process; and how monitoring will inform this approach.

### **S.2 Policy support for user charging**

S.2.1 There is support for road user charging as a means of managing demand and paying for new infrastructure at national policy level (the NN NPS) and at local policy level (the MTS).

### **S.3 The purpose of user charging**

S.3.1 The primary function of the user charges is to enable the management of traffic demand for the river crossing. By managing this traffic demand, the other effects of the Scheme can be effectively managed and the Project Objectives met. A secondary reason for the user charge is to provide a means of helping to pay for the design and construction and operation of the Scheme.

S.3.2 The user charges help to achieve the Project Objectives and, because TfL has the power to set the initial charges and to make variations in future, the user charges remain a powerful tool in the long-term to manage demand for the river crossing. The user charges need to be applied at both Blackwall and Silvertown Tunnels to realise the Scheme benefits.

S.3.3 TfL has modelled a possible 'no charge' scenario and it does not fulfil the Project Objectives and has adverse effects on traffic. Alternative approaches to paying for the Scheme are unlikely to be available or to be sufficient; and in any case, even if alternative funding methods were used, a user charge would still be required to achieve the demand management effect.

#### **S.4 The Assessed Case**

S.4.1 Throughout the DCO application documents, TfL has presented an 'Assessed Case', which includes a particular set of user charges. This Assessed Case has enabled TfL to assess the likely effects of the Scheme on traffic and the environment.

S.4.2 The Assessed Case user charges (including the charge levels, the hours to which the charge applies, the vehicles charged and other criteria relating to user charging) are indicative of the charges that are likely to apply when the Scheme opens and may be varied in future. Chapter 4 of this document provides a summary rationale for each component of the Assessed Case.

#### **S.5 Setting the initial user charges and varying the user charges**

S.5.1 In setting the initial user charges prior to Scheme opening, and in making subsequent variations, TfL must adhere to certain principles and procedures. These are set out in the Charging Policy (Document Reference: 7.11). For mitigating local traffic and traffic-related impacts of the Scheme, a set of potential measures are set out in the TIMS.

S.5.2 A new governance process will be set up to oversee charge-setting and traffic mitigations: the Silvertown Tunnel Implementation Group (STIG), comprising representatives from TfL, local boroughs and other stakeholders. Monitoring data will be available to inform the work of STIG.

S.5.3 In addition to charge variations, the user charges will increase from time to time to account for inflation. TfL will issue a Statement of Charges in advance of the initial user charges taking effect, and in advance of any future variations.

#### **S.6 Collection and enforcement**

S.6.1 The Scheme will implement free-flow user charging at the Blackwall and Silvertown Tunnels. This means that it will be necessary to have a collection and enforcement process. It is assumed for now that this will be

similar to that used for the central London Congestion Charge (i.e. cameras will record vehicles as they enter the tunnels and check whether the correct payment has been made). However, it is not appropriate to commit to the approach at this stage; TfL will confirm this nearer to Scheme opening, having regard to technological advances, cost and user acceptability.

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# 1. INTRODUCTION

## 1.1 Overview

- 1.1.1 The Silvertown Tunnel scheme ('the Scheme') includes the introduction of charges for vehicles using the Silvertown Tunnel and the existing Blackwall Tunnel. This Charging Statement explains the function of user charging and describes the fundamental role which the charges play in delivering the Scheme's objectives.
- 1.1.2 The primary function of the user charges is to enable the management of traffic demand for the river crossing. A secondary reason for the user charge is to provide a means of helping to pay for the design and construction and operation of the Scheme.
- 1.1.3 The DCO confers a general power on TfL to impose user charges at the Blackwall and Silvertown Tunnels. The power provides scope to set all aspects of the user charges including the charge levels and stipulating the hours during which the charge shall apply, the vehicles charged, the discounts and exemptions granted and other criteria relating to user charging in the Scheme. This flexibility ensures that user charging remains a powerful and effective tool for managing the effects of the Scheme in the long-term.
- 1.1.4 The DCO specifies that the charging power must be exercised in accordance with the Charging Policy (Document Reference: 7.11). The Charging Policy has been developed in consultation with the local authorities and sets out that the achievement of the Project Objectives is a consideration in setting and varying the user charges. It also lists the factors that TfL must have regard to when setting the initial user charges and in making subsequent variations. It also explains the procedures and governance arrangements that apply when charges are set and varied. The DCO provides a mechanism for changing the Charging Policy.
- 1.1.5 The DCO also places upon TfL an obligation to set out the user charges, including the charge levels, the charging hours, the discounts and exemptions available and other factors related to charging in a 'Statement of Charges'. An example is appended to the Charging Policy (Document Reference: 7.11).
- 1.1.6 For the purpose of assessing the likely effects of the Scheme at the DCO application stage, TfL has used what it considers would be the most

appropriate charges based on its current forecasts of the conditions that will exist when the Silvertown Tunnel opens. The charges that have been used for the assessments are referred to throughout the application documents as 'the Assessed Case charges'. These are set out in Appendix A of this document.

1.1.7 The Assessed Case demonstrates that user charging can be deployed to result in a particular set of traffic and environmental effects which are described in the Environmental Statement and the Transport Assessment. In this way TfL can demonstrate that its power to set and vary the charge can be used as a way to manage demand and thereby achieve particular outcomes. This long-term flexibility is important if the user charge is to remain effective in the rapidly-growing and transforming east and southeast sub-region of London.

1.1.8 The user charges in the Assessed Case are indicative of the likely charges that will apply at the time of Scheme opening. As stated above, TfL will have the power to set the initial charge and make subsequent variations. However, as set out in Chapter 5, the initial user charges must be set by TfL at a level that is assessed to result in effects that are not materially worse than those predicted in the relation to the Assessed Case.

1.1.9 The flexible user charge is itself the most important mitigation measure for the operational effects of the Scheme: by directly controlling traffic effects the user charge will manage consequential environmental and other effects and so provides assurance about the continued effectiveness of the Scheme. TfL anticipates that charging would be a long-term measure, continuing at least for as long as its traffic management effects were required<sup>1</sup>.

## **1.2 Purpose of the Charging Statement**

1.2.1 This Charging Statement explains why a user charge is critical to the Scheme and how TfL has developed the user charging element of the Scheme. It describes how a set of user charges has been developed and used in the Assessed Case, and how, guided by the Charging Policy

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<sup>1</sup> In this respect, user charges differ from tolls (which are set in order to pay for infrastructure and so have a fixed end date).

(Document Reference: 7.11), the user charges will be set for the opening year and how subsequent variations will be made. It describes how monitoring of the Scheme effects will be used to inform these decisions and the role of the Silvertown Tunnel Implementation Group (STIG). Finally it describes the proposed approach to collection and enforcement.

1.2.2 This Charging Statement provides context for a number of documents which govern the implementation of the Scheme:

- the Charging Policy (Document Reference: 7.11);
- the Traffic Impacts Mitigation Strategy (TIMS) (Document Reference: 7.7); and
- the Monitoring Strategy (Document Reference: 7.6).

### **1.3 Development of user charging in the Scheme**

1.3.1 TfL's approach to user charging been developed over time and has been informed by non-statutory and statutory consultation and TfL's engagement with the host boroughs of the London Boroughs of Newham and Tower Hamlets and the Royal Borough of Greenwich.

1.3.2 The statutory consultation on the Scheme (which ran from 5 October to 29 November 2015) provided an opportunity for the public and stakeholders to comment on the Assessed Case user charges. A range of comments were made with regard to the charge levels, the charging hours and the discounts and exemptions set out. This consultation also included a Preliminary Monitoring and Mitigation Strategy<sup>2</sup>, which was a draft version of the documents which are now the Monitoring Strategy (Document Reference: 7.6).and the TIMS (Document Reference: 7.7) .

1.3.3 TfL has considered these comments and provided its response in the Consultation Report (Document Reference: 5.1). No changes to the user charges in the Assessed Case have been made as a result, although TfL has undertaken further sensitivity testing, as described in chapter 0. Assessed Case user charges are indicative of the user charges that are likely to apply at opening year and may be varied over the operating life of the Scheme.

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<sup>2</sup> At Appendix C of the Preliminary Case for the Scheme

1.3.4 Following the statutory consultation, TfL has engaged with the local boroughs (including the host boroughs of the London Borough of Newham, the London Borough of Tower Hamlets and the Royal Borough of Greenwich) in developing the Charging Policy (Document Reference: 7.11), the Monitoring Strategy (Document Reference: 7.6) and the TIMS (Document Reference: 7.7). Respectively, these documents will govern how the user charge is set and varied; how traffic and traffic-related effects of the Scheme will be mitigated (other than by variations to the user charges) and the data collection which will inform these approaches. As part of this development, TfL has also worked with the local boroughs on the role of a new governance body, the Silvertown Tunnel Implementation Group (STIG). These documents and the role of STIG are described in Chapter 5.

1.3.5 Summarised below are the main documents related to the development of the user charges.

#### **Outline Strategy for User Charging (October 2014)**

1.3.6 The non-statutory consultation on the Silvertown Tunnel that was held from October to December 2014 set out the following key principles for developing the user charging strategy:

- (a) *The impact of the system upon individual road users should be seen as fair;*
- (b) *The charging structure should be transparent – the charging method and associated responsibilities for the user should be clear and readily understood;*
- (c) *Prices should be predictable and readily ascertainable by road users before they embark upon a journey;*
- (d) *The charge system and tariff should be easy to understand;*
- (e) *The charge system should be reasonably free from the possibility of fraud and evasion, both deliberate and unintentional;*
- (f) *The charge scheme should be cost effective - with the charging method delivering the expected outcomes while also providing value for money; and*
- (g) *Charges should as far as possible relate to the amount of use made of the scarce road space and promote the wider goals of the Transport Strategy.*

- 1.3.7 These principles have been used to develop the approach set out in the Charging Policy (Document Reference: 7.11). Information on how they have been applied in the Assessed Case user charges is given in Chapter 0.

#### **Preliminary Charging Report (PCR) (October 2015)**

- 1.3.8 The PCR was made available at the statutory consultation on the draft DCO application documents, which ran from October to November 2015. It summarised the policy context and the reasons for the user charge: managing demand and paying for the Scheme. It set out the key considerations for setting and varying the charge - traffic and transport management; protection of the environment; accommodating population and economic growth; and paying for the scheme, and set out indicative charges and a charge structure for the Scheme using the Assessed Case.
- 1.3.9 It included a summary (at Appendix A) of the sensitivity testing undertaken for the Assessed Case. This can now be found in the Traffic Forecasting Report - Sensitivity Testing (Document Reference: 7.9).

### **1.4 Structure of this document**

- 1.4.1 This Charging Statement is structured as follows:
- Chapter 2 describes the national and local policies in respect of road user charging.
  - Chapter 3 explains the role that the charges play in delivering the Scheme's objectives and how these objectives are secured in the Charging Policy (Document Reference: 7.11).
  - Chapter 4 explains the rationale for the illustrative charges that TfL has used to carry out the assessments which support the DCO application. This is known as the Assessed Case.
  - Chapter 5 provides an overview of how the initial user charges will be set and how future variations can be made and how monitoring will be used to inform this.
  - Chapter 6 explains how the charges will be collected and how payment will be enforced.

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## 2. NATIONAL AND LOCAL POLICES RELEVANT TO USER CHARGING

### 2.1 The National Networks National Policy Statement and the Mayor's Transport Statement support road user charging

2.1.1 This chapter summarises the main national and local policies relevant to road user charging. The Planning Policy Compliance Statement (Document Reference: 7.2) provides a comprehensive assessment of the Silvertown Tunnel application proposals against the requirements of planning policy.

2.1.2 There is a clear policy basis for the introduction of a user charge. Proposal 130 of the Mayor's Transport Strategy ('MTS')<sup>3</sup> sets out the circumstances in which the Mayor may consider pricing incentives to manage demand. Charges or tolls to support specific infrastructure improvements, such as river crossings, are specifically referenced.

#### *Proposal 130*

*The Mayor, through TfL, and working with the London boroughs and other stakeholders, if other measures are deemed insufficient to meet the strategy's goals, may consider managing the demand for travel through pricing incentives (such as parking charges or road user charging schemes). This would depend upon there being a reasonable balance between the objectives of any scheme and its costs and other impacts. Any scheme would need to take account of local conditions, as well as the impact on surrounding regions, and to be fair and flexible relating charges to the external costs of travel with sensitivity to time of day, and with scope for discounts or exemptions for specific user groups. The Mayor will also consider imposing charges or tolls to support specific infrastructure improvements, such as river crossings.*

2.1.3 For the reasons set out in Chapter 3 of this report, road user charging at both the Blackwall and Silvertown Tunnels is required to manage traffic demand and ensure the environmental impacts of the Scheme are properly managed. TfL will implement a charge that will be varied by

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<sup>3</sup> GLA, (2010), Mayor's Transport Strategy

reference to time of day and for different classes of user. The charging mechanism will allow for changes to the charge and have scope for discounts and exemptions for specific users and/or vehicles. TfL therefore considers that the proposals for user charging accord with the principles of the MTS Proposal 130.

2.1.4 The National Networks National Policy Statement (NN NPS)<sup>4</sup> is the principal policy document against which the Silvertown Tunnel DCO application will be examined and determined.

2.1.5 The NN NPS sets out the Government's policy on road tolling and charging as follows:

*Strategic Road Network*

*3.24 The Government will consider tolling as a means of funding new road capacity on the Strategic Road Network. New road capacity would include entirely new roads and existing roads where they are transformed by an improvement scheme.*

*3.25 River and estuarial crossings will normally be funded by tolls or road user charges.*

*Other roads*

*3.26 Proposals for tolling or user charging to fund new capacity and/or manage demand on roads or proposed roads that do not form part of the Government's Strategic Road Network are a matter for local and other traffic authorities.*

*3.27 Where tolls or road user charges are proposed as part of a highways project that is the subject of a direction given under section 35 of the Planning Act 2008, the Government will expect the applicant to demonstrate that the proposals are consistent with this NPS, the relevant development plan and relevant statutory transport strategies and plans.*

2.1.6 The introduction of road user charging at the Blackwall and Silvertown Tunnels aligns with the objectives of the NN NPS set out above.

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<sup>4</sup> Department for Transport, (2014), National Networks National Policy Statement (NN NPS)

- 2.1.7 Paragraphs 3.26 and 3.27 are directly relevant to the Silvertown Tunnel which will not form part of the Strategic Road Network but is being treated as a nationally significant project by virtue of a section 35 direction made in respect of the Scheme in 2012<sup>5</sup>. TfL is the strategic traffic authority for London and the user charge for the Scheme is being introduced in accordance with MTS policy.

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<sup>5</sup> Letter from the Secretary of State to the Mayor of London, June 2012

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## 3. THE PURPOSE OF USER CHARGING

### 3.1 User charging and the Project Objectives

3.1.1 In order to understand the role of user charging, it is necessary to briefly reiterate the overall purpose of the Scheme.

3.1.2 The Scheme is proposed in response to the need to address three significant transport problems which exist at the Blackwall Tunnel crossing: continuing congestion, frequent closures and incidents, and a lack of resilience to traffic disruption and delay caused by incidents at the Tunnel.

3.1.3 User charging both the Blackwall and the Silvertown tunnels is necessary to achieve the Project Objectives, which are as follows:

- PO1: to improve the resilience of the river crossings in the highway network in east and southeast London to cope with planned and unplanned events and incidents;
- PO2: to improve the road network performance of the Blackwall Tunnel and its approach roads;
- PO3: to support economic and population growth, in particular in east and southeast London by providing improved cross-river transport links;
- PO4: to integrate with local and strategic land use policies;
- PO5: to minimise any adverse impacts of any proposals on communities, health, safety and the environment;
- PO6: to ensure where possible that any proposals are acceptable in principle to key stakeholders, including affected boroughs;
- PO7: to achieve value for money and, through road user charging, to manage congestion.

### 3.2 How user charging achieves the Project Objectives

3.2.1 Without a user charge, the benefits of additional capacity put in place by the new tunnel would be short-lived, owing to an effect known as 'induced traffic' in which the increased convenience of driving (owing to reduced

journey times, for example) attracts additional traffic to the point where queues initially relieved return to their former levels.

3.2.2 This would lead to there still being significant delay at the crossing and to continued adverse impacts on the wider road network in terms of congestion, journey time and journey time reliability. This in turn would undermine the resilience benefits brought about by having an additional tunnel. The imposition of a user charge for both tunnels is, accordingly, directly related to the achievement of PO1 and PO2 and PO7; and instrumental in the achievement of objectives PO3 to PO6.

3.2.3 The threat of induced traffic can be managed effectively through the imposition of the user charge, which will act to suppress demand and is thereby a powerful and flexible tool to ensure the benefits of the additional crossing capacity delivered by the Scheme are secured. In this way, the user charges act as an 'embedded mitigation' measure for adverse traffic and associated environmental impacts that the Scheme might otherwise give rise to.

3.2.4 Setting a charge means that drivers (and potential drivers) must decide if they are willing to pay to make this journey and if not, respond by switching to another mode, changing the time or route of their journey or not making the journey at all.

3.2.5 If no charge were applied, the Scheme would give rise to secondary adverse impacts in terms of the economy, environment and public transport (PO3). Businesses would continue to experience journey time delay and unreliability with regard to their use of the crossing. The opportunity to run more and better public transport would be lost if demand is not managed at the Silvertown and Blackwall Tunnels, as certainty about journey times is paramount if bus and coach services are to operate effectively and attract customers.

3.2.6 The user charges are the principal means by which mitigation of the adverse environmental impacts of the Scheme can be delivered (PO5). If not properly managed, traffic can have adverse air quality, noise and other environmental impacts. By controlling traffic demand via the user charges, these can be mitigated. The user charges not only control the level of demand but can help to incentivise the use of less-polluting vehicles, for example.

3.2.7 The charge is also necessary in that it generates revenue to help to meet the costs of construction and operation of the Silvertown Tunnel (PO7).

Suitable alternative means of paying for the Scheme are not available and, crucially, would not incorporate achieve the demand management effect of the user charge.

### **3.3 The impacts of the Assessed Case**

- 3.3.1 Managing traffic demand is the principal reason for applying a user charge. This has the effect of locking in the benefits of the Scheme for the long term and, by virtue of its flexibility, ensuring that the environmental effects of the Scheme can always be controlled. The range of environmental effects associated with the Scheme are, by and large, a direct consequence of traffic demand. Therefore, by managing this demand, the user charge can manage the environmental effects of the Scheme.
- 3.3.2 In order to demonstrate the effects of the Scheme, TfL has produced an Assessed Case for 2021 (see Appendix A) which includes a user charge at both Blackwall and Silvertown Tunnels. The likely significant effects of the Assessed Case user charges are set out in the Environmental Statement (Document Reference: 6.1) and the Transport Assessment (Document Reference: 6.5).
- 3.3.3 TfL has also undertaken sensitivity testing to provide assurance that the user charge will remain sufficiently powerful as a means to control the effects of the Scheme over time. Although the Assessed Case represents TfL's best estimate of conditions that will exist in the opening year, it is possible that circumstances will be different to those predicted and it is important that the charge can be responsive to such changes. This is also important for the longer-term, when conditions are even less certain. The sensitivity testing demonstrates that the flexibility of the user charge will enable TfL to control the effects of the Scheme in a very wide range of possible conditions.
- 3.3.4 The main effects of the Assessed Case on transport and the environment are summarised below. These are set out in full in the TA and ES. The provision of a new tunnel and user charges at the Blackwall Tunnel and Silvertown Tunnel will:
- effectively eliminate the severe congestion which currently routinely affects the Blackwall Tunnel and which is forecast to worsen in future;
  - facilitate a significant increase in the share of trips made through the tunnels using buses or coaches by enabling a significant increase in bus provision;

- by adding an additional crossing built to modern design standards, the Silvertown Tunnel reduces the number of closures of the Blackwall Tunnel and greatly reduces the impact of remaining closures when they do occur;
- through reducing congestion, the Scheme would also significantly reduce day-to-day journey time variability;
- all highway users (including private cars, vans, and lorries, as well as buses and coaches) would benefit from shorter journey times to cross the River Thames as a result of the scheme, with average journey time savings on the immediate approaches to the tunnels of up to 20 minutes in peak periods (excluding any additional reliability benefits);
- because of the effect of the user charge, the Scheme is not expected to lead to any significant overall increase in highway travel demand; and
- the Scheme will not result in a significant effect on air quality.

### **3.4 The Scheme without a user charge**

- 3.4.1 As set out in section 3.2 above, the user charge is necessary to avoid induced demand, which would undermine the achievement of the Project Objectives. TfL has tested this assumption in its strategic model. A 'no charge scenario' - a new tunnel at Silvertown without a user charge at both Blackwall and Silvertown Tunnels - has been created and its effects assessed. This is set out in the Traffic Forecasting Report - Sensitivity Testing (Document Reference: 7.9).
- 3.4.2 The results confirm expectations in terms of inducing traffic demand. In the absence of user charging, there would be a significant increase in demand at the Blackwall and Silvertown Tunnels and consequential negative impacts on the surrounding road network in terms of additional traffic generated and continued long queues in the peak periods.
- 3.4.3 Under the 'no charge' scenario, there would be a substantial increase in demand at the Blackwall and Silvertown Tunnels in both the peak and off-peak periods. This suggests that without a user charge in place the additional capacity provided by the Silvertown Tunnel would attract additional traffic. In the context of the highly constrained road network in London, this would not represent a sustainable solution. With a user charge, as demonstrated by the Assessed Case, the Scheme has the potential to increase the throughput of traffic in this area without causing

overall increases in demand, through a combination of new capacity and demand management.

### **3.5 Delay**

3.5.1 Delay at the tunnel portals is another important metric to consider. It would be expected that an increase in traffic and demand would result in continued delay at the crossings. This is backed up by the transport model tests which show that while the implementation of a tunnel at Silvertown without a user charge would reduce delays against the Reference Case, a significant amount of delay in crossing the river here would remain (this largely reflects the increase in demand referred to above). In the Assessed Case delay would be effectively eliminated.

### **3.6 Wider network impacts**

3.6.1 It is not only the traffic conditions experienced by those using the crossing that would be worse under a no charge scenario. The effects of conditions at the Blackwall Tunnel (and in future the Silvertown Tunnel as well) would be felt across the wider network and would affect even those who do not use the crossing as the increase in demand would have a knock-on impact on the wider road network.

3.6.2 There would also be negative secondary impacts in terms of the economy, environment and public transport if no charge is applied. Businesses would continue to experience journey time delay and unreliability. The opportunity to run more and better public transport would be lost if demand is not managed at the Silvertown and Blackwall Tunnels, as certainty about journey times is needed in order to run bus and coach services effectively and attract customers.

### **3.7 A flexible user charge remains effective in the long-term**

3.7.1 As already described, user charging is an effective tool for managing demand. A further dimension of this is the multiple ways in which the user charge can be varied: the charge level, the type of vehicle and time and direction of travel, and by introducing (or discontinuing) particular discounts and exemptions. There is also the potential to apply different charges at each tunnel and to set a zero rate charge.

3.7.2 These variations have a direct and measurable effect on the vehicles using the Blackwall and Silvertown crossings and on the consequent environmental effects.

- 3.7.3 In this way the Scheme is 'future-proofed' so that its benefits can be long lasting. The charge can be varied in accordance with the procedures and requirements of the Charging Policy in order to continue to meet the Project Objectives. These include for example the need to raise revenue to pay for the new tunnel and to manage the traffic on the wider network.
- 3.7.4 The user charge can also be used to manage displacement effects at adjacent crossings should these arise in future.
- 3.7.5 Overall, the user charging power will be used by TfL in line accordance with its wider road network management duty under the Traffic Management Act 2004 and other legal obligations. TfL's network management duty under the Traffic Management Act 2004 requires it to make sure road networks are managed effectively to minimise congestion and disruption to vehicles and pedestrians.

### **3.8 Charging both Blackwall and Silvertown Tunnels**

- 3.8.1 In the Assessed Case, the same user charges apply at both Blackwall and Silvertown Tunnels. It is considered necessary to charge both tunnels in order to manage demand effectively. Given the close proximity of the tunnels, drivers would be very likely to opt for an uncharged tunnel if one were available. This would mean that the additional capacity and resilience added by the new tunnel would not be fully realised. In this scenario, a situation similar to the existing problems of the Blackwall Tunnel (congestion, delay and unreliable journey times) would persist and the Scheme's objectives would not be realised.
- 3.8.2 This effect could even be exacerbated with a charge at only one tunnel. The tunnels share an approach road on the south side and traffic queuing for the uncharged tunnel could hamper access to the charged tunnel. As is currently the case (uncharged Blackwall Tunnel), the adverse congestion and environmental effects would be experienced across the wider network.
- 3.8.3 TfL has tested a scenario with only the Silvertown Tunnel charged (and the Blackwall Tunnel continuing uncharged), as set out in the Traffic Forecasting Report - Sensitivity Testing (Document Reference: 7.9). This work indicates that the volume of traffic likely to use the charged Silvertown Tunnel (assuming charges at the same levels as in the Assessed Case) if the Blackwall Tunnel remained uncharged would be significantly lower compared to a situation in which both tunnels are charged.

- 3.8.4 At the same time, the volume of traffic seeking to use the uncharged Blackwall Tunnel in that scenario would be far greater than in the Assessed Case, and indeed it would be largely the same as in the Reference Case. Finally, the overall level of demand for the two crossings would be significantly greater than in both the Reference Case and the Assessed Case.
- 3.8.5 The Assessed Case assumes the same approach to charges applies at both tunnels. This has advantages in terms of being comprehensible to users and in ensuring that the decision on which tunnel to use is related to factors other than cost. It would not be desirable from a traffic management or environmental perspective to have drivers undertaking longer journeys or waiting in traffic queues in order to avoid a higher charge. However TfL has the power to set differential charges at the two tunnels should this be desirable in order to better meet the Scheme objectives in future.

### **3.9 Alternatives to user charging**

- 3.9.1 Controlling traffic demand and the consequent environmental effects is the main reason for the user charge. A secondary reason for the user charge is to provide a means of helping to pay for the design and construction and operation of the Scheme.
- 3.9.2 Revenue from user charging is the single most important source of funding for the Scheme. Without this revenue stream the Scheme is not viable.
- 3.9.3 Charging users would also ensure that those who benefit most directly from the Scheme would help to fund it in return. Charging users generates a relatively stable long-term source of revenue that can support both the servicing and repayment of construction finance (either publically or privately raised) and ongoing operation and maintenance costs. It is an approach that has been adopted on "crossing" schemes around the world and there is an established market for financing on this basis (Mersey Gateway Bridge is a recent UK example).
- 3.9.4 It will be important that demand management can be used for as long as it is needed to ensure the ongoing delivery of the Scheme's objectives. This means that the user charges will continue once the capital costs of construction costs have been recouped. Additionally, operational and maintenance costs for the tunnels will be ongoing and will be met in part from charge revenue. For these reasons the user charge will continue as

a long-term measure, continuing for as long as the traffic management effects are required (which is envisaged to be indefinite). The user charge thus differs from a toll, which only applies for the duration of the period of paying for the scheme.

3.9.5 TfL has considered the potential to use other sources of funding. These include those within the Mayor/TfL's remit such as a Mayoral Community Infrastructure Levy (CIL) or a Business Rate Supplement, both of which have been used to pay for Crossrail, a London-wide project. It would be unlikely that the application of a CIL would be justified for the Silvertown Tunnel, which is a local scheme, albeit one with widespread benefits to London and the UK.

3.9.6 The Silvertown Tunnel is not directly linked to any specific development (unlike, for example, the Northern Line extension) which means there is no opportunity to use a Borough CIL or developer contributions mechanism. It is possible that some funding could be achieved from commercial streams, such as sponsorship, and these will be explored. However, this approach would not be sufficient on its own to meet the Scheme costs.

3.9.7 Crucially, none of these alternative funding options would manage demand and since this is the most important function of the charge, the Scheme still require a user charge to apply in addition to any other funding.

### **3.10 How revenue will be used**

3.10.1 The income from user charging will vary depending on the parameters set out in the Statement of Charges. TfL will use the revenue generated from the user charge to help pay for the Scheme. It is proposing to deliver the new tunnel through a Public Private Partnership (PPP).

3.10.2 Under these arrangements, the PPP Project Company (private sector) will be responsible for raising the finance for the design, construction and maintenance of the Silvertown Tunnel and once the tunnel is open will, in return, receive payments from TfL for a period of 25 years. The payments will be linked to the availability of the tunnel for safe use by traffic.

3.10.3 TfL will be responsible for setting and collecting the user charge at both the Blackwall and Silvertown tunnels and will use the revenue from user charge to offset the payments made to the PPP Project Company.

3.10.4 TfL therefore expects that the revenues from user charging at both the Blackwall and Silvertown Tunnels will, over time, cover the cost of the Scheme. As charging is anticipated to be a long term measure which is required to manage traffic demand at the tunnels for the foreseeable future, the revenue from user charging may also play a part in funding other future transport investments in London once the Scheme costs have been met.

### **3.11 Other road user charging schemes**

3.11.1 The Greater London Authority Act 1999 (the GLA Act) gives TfL the power to create road user charging schemes in Greater London. The Congestion Charging scheme is operated under these powers, as is the Low Emission Zone (LEZ). From September 2020, an Ultra Low Emission Zone (ULEZ) will also apply in central London and require vehicles to meet specified emissions standards in order to drive in the charging zone without paying a daily charge. These powers remain available to TfL should further schemes be developed and endorsed by the Mayor following the specified statutory processes.

Silvertown Tunnel

Charging Statement

Document Reference: 7.5

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## 4. THE ASSESSED CASE

### 4.1 The role of the Assessed Case in the DCO application

- 4.1.1 The DCO powers for which TfL is applying would give it the power to set the charges prior to the Scheme opening and to make subsequent variations to the charges when deemed necessary by TfL. The user charge could be varied in order to maintain traffic and environmental outcomes over time, in the context of a rapidly changing east London.
- 4.1.2 In order to assess the effects of the Scheme for the DCO application, TfL has therefore developed an Assessed Case based on a set assumptions around future travel conditions and indicative user charges (including the charge levels, the hours to which the charge applies, the vehicles charged and other criteria relating to user charging). Appendix A is a table of the Assessed Case user charges.
- 4.1.3 Having this set of assumptions has enabled TfL to assess the effects of a specific set of user charges with regard to traffic, environmental (in its broadest sense), affordability and other effects.
- 4.1.4 The Assessed Case takes into account forecast conditions in future years, such as levels of car ownership, changes to highway public transport networks, changes in population, changes in land use and others. TfL has considered and modelled a range of different scenarios in order to understand how effectively they could deliver the objectives of the Scheme. The Assessed Case user charges set out here represent - at the time of application – the optimal approach for achieving the Scheme objectives.
- 4.1.5 The Assessed Case has been used to prepare the Transport Assessment and the Environmental Statement submitted as part of the DCO application. These set out in detail the likely effects of the Scheme on a very wide range of areas: traffic flows at the tunnels and on the wider network and consequent impacts on air quality, noise and socio-economic and equalities impacts in London. These assessments demonstrate the relationship between user charging and wider effects and, more importantly, that TfL can manage these effects by varying the user charges as required in future.
- 4.1.6 It should be reiterated here that the Assessed Case user charges are indicative of the charges that are likely to apply when the Scheme opens

and may be varied in future. When setting the initial charges, TfL must ensure that the likely assessed effects of these user charges are not materially worse than those predicted for the Assessed Case charges. These effects are set out in the Environmental Statement (Document Reference: 6.1). This approach is described in Chapter 5 and in the Charging Policy (Document Reference: 7.11).

## **4.2 Sensitivity testing**

4.2.1 There is inevitably some uncertainty about the future and having a flexible user charge is an important way of ensuring that charging remains an effective way to manage the Scheme in response to changing conditions. In addition, TfL has undertaken sensitivity testing of various potential future scenarios to ascertain whether the flexible user charge would continue to be effective.

4.2.2 These sensitivity tests are set out in the Traffic Forecasting Report – Sensitivity Testing (Document Reference: 7.9). This includes scenarios with both higher and lower growth (and traffic demand) than that envisaged in the Assessed Case. It also includes tests of higher and lower charges. The results demonstrate that a flexible user charge acts as an effective tool in influencing traffic levels in the long term, in the context of different circumstances. The sensitivity tests show that in scenarios of higher or lower growth<sup>6</sup>, higher or lower user charges respectively would produce an overall similar effect to the charges in the Assessed Case in terms of crossing flows at the Blackwall and Silvertown Tunnels and adjacent crossings and journey times via the Blackwall Tunnel and Dartford Crossing. Detailed results of these tests are reported in Traffic Forecasting Report – Sensitivity Testing (Document Reference: 7.9).

## **4.3 Assessed Case User Charges**

4.3.1 There are a number of parameters around which applicable charges may be calculated. These include:

- where charging applies;
- the hours during which charges apply;

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<sup>6</sup> Compared to the most likely growth forecasts included in the Assessed Case

- the vehicle types in scope for charging;
- the rates for different vehicle types;
- the rates for travelling in different directions and at different times of day;
- charging levels for account-holders and non account-holders; and
- discounts and exemptions.

4.3.2 In the following section, the characteristics of the user charges in the Assessed Case with regard to these (and other parameters) are set out. Each section starts with a description of the parameters as defined in the Assessed Case, followed by the rationale for each aspect.

#### **4.4 Scope of charging (where charging applies)**

4.4.1 In the Assessed Case, the user charge applies at both the Blackwall Tunnel and the Silvertown Tunnel.

##### **Rationale**

4.4.2 The principal reason for the user charge is to act as a demand management measure, which has consequent environmental and other effects. Secondly, it acts as a means of raising revenue to pay for tunnel construction and operation.

4.4.3 With both tunnels charged, as in the Assessed Case, TfL's modelling suggests that overall between three quarters and two thirds of the total traffic at both crossings would continue to use the Blackwall Tunnel – this principally reflects the existing crossing's strong onward connectivity via the principal route network. Abstracting the remaining portion of traffic to the Silvertown Tunnel is sufficient to ensure that both tunnels operate with effectively no delay during the peak periods.

4.4.4 If the Blackwall Tunnel was not charged then queues would continue to build up on the approach roads as is the current situation, inhibiting access to the new Silvertown Tunnel. This would mean the decongestion benefits of the Scheme would not fully realised, and would have a further adverse effect on other benefits such as the opportunity for enhanced bus services. This is supported by transport modelling outputs of tests where only one tunnel is charged. These are presented in detail in Traffic Forecasting Report – Sensitivity Testing (Document Reference: 7.9).

- 4.4.5 Furthermore, the scenario of charging at the Silvertown Tunnel only (as was suggested by some consultees during the statutory consultation) would lead to far less usage of the Silvertown Tunnel.
- 4.4.6 Given the close proximity of the two tunnels, if only the new tunnel was charged, the benefit of paying to use the charged crossing would be low because there would be little scope to save time, and it would be expected that fewer users would choose to do so.
- 4.4.7 TfL has assessed this scenario using the same modelling tools used for the Assessed Case. This work indicates that the volume of traffic likely to use the charged Silvertown Tunnel (assuming charges at the same levels as in the Assessed Case) if the Blackwall Tunnel remained uncharged would be approximately halved in the AM peak and inter-peak compared to a situation in which both tunnels are charged.
- 4.4.8 At the same time, the volume of traffic seeking to use the uncharged Blackwall Tunnel in that scenario would be far greater than in the Assessed Case (between 10% and 50%), and indeed it would not be lower than in the Reference Case. Finally, the overall level of demand for the two crossings would be significantly greater than in both the Reference Case and the Assessed Case. Details of these tests are reported in Traffic Forecasting Report – Sensitivity Testing (Document Reference: 7.9).

#### **4.5 The same charges apply to both tunnels**

- 4.5.1 The same Statement of Charges applies to both the Blackwall and Silvertown tunnels.

##### **Rationale**

- 4.5.2 Applying the same charge levels, discounts and exemptions and payment and enforcement processes will help to achieve the Scheme's objectives as well as make the process more easily understandable for the user. This is also a fair approach given the proximity of the two tunnels.
- 4.5.3 TfL considers that the best traffic outcomes would be achieved in the conditions expected in the Assessed Case by charging identically for both crossings, allowing respective advantages in terms of connectivity to ensure that most drivers use the most appropriate tunnel for their particular journey.

- 4.5.4 Charging on this basis ensures that the Scheme can be easily understood by those who use it.
- 4.5.5 This approach also ensures that the charge can be implemented and operated in a cost-effective way. Administering separate charging systems could double the number of types of charges to be processed.
- 4.5.6 A stated objective (PO1) of the Scheme is to add resilience to the Blackwall Tunnel and having the same charges in place helps to maintain this. Either tunnel could act as an alternative when one tunnel is closed or congested. Having the same charge structure at both tunnels helps to optimise this quality of having a realistic alternative option – there is no difference in the cost to drivers.

#### 4.6 The vehicles to be charged

- 4.6.1 All of the vehicles set out in Table 4-1 are in scope for the user charge<sup>7</sup> in the Assessed Case.

**Table 4-1: Vehicles in scope for user charging**

<b>Vehicle class for Blackwall and Silvertown Tunnels</b>	<b>Description</b>	<b>Vehicle type approval<sup>8</sup></b>
Motorcycle, moped	Any motorcycle, moped, tricycle or quadricycle	L
Car and small van	A passenger vehicle with no more than 8 seats in addition to the drivers seat and a goods vehicle with weight less than 1205 kg	M1 N1 (i)
Large van	Goods vehicle with a gross weight of 3.5 tonnes or less	N1 (ii,iii)
HGVs	Lorries and Specialist vehicles of more than 3.5 tonnes gross vehicle weight	N2, N3
Bus ,Coach and	Passenger vehicles with more than 8 passenger seats of more than 5 tonnes gross	M3 , M2

<sup>7</sup> For discounts and exemptions, please see sections 4.10 and 4.11

<sup>8</sup> <http://www.dft.gov.uk/vca/vehicletype/definition-of-vehicle-categories.asp>

<b>Vehicle class for Blackwall and Silvertown Tunnels</b>	<b>Description</b>	<b>Vehicle type approval<sup>8</sup></b>
minibus	vehicle weight	

### **Rationale**

- 4.6.2 A key objective of the user charge is to manage demand and thereby lock in the benefits of additional capacity and, importantly, manage the effects of traffic on the environment. In order to fully realise these objectives, it is important to have in scope for charging all of the vehicles which could use the Tunnel and so contribute to congestion and which also have an environmental impact. It is recognised that the magnitude of this impact varies by vehicle – for example although motorcycles contribute less to congestion than cars, they still contribute to congestion – and the charge has been scaled in part on this basis.
- 4.6.3 User charging is a means of ensuring that those using the tunnel address the full external costs of their travel.
- 4.6.4 Additionally, all types of vehicle lead to wear and tear on the road. As well as managing demand, the user charge will help to pay for the costs of construction of the Silvertown Tunnel as well as its ongoing maintenance and operating costs. It is fair that all users contribute to this cost and the different level of impact of different vehicles – HGVs contribute more to wear and tear than cars, for example – has been reflected in the charging structure.
- 4.6.5 As set out above, managing demand is the principal reason for user charging and the main way that TfL can control the environmental effects. It is also the principal means of paying for the Scheme. In this context it is incumbent upon TfL to charge vehicles unless there is a strong policy reason not to (as is the case for discounts and exemptions).
- 4.6.6 All of the drivers using the Scheme will benefit from reduced congestion, shorter and more reliable journey times and being able to travel at the time of the driver’s choosing, rather than having to time journeys to avoid congestion. It is therefore fair that all types of vehicles are charged to use the tunnel.

4.6.7 Finally, the use of existing vehicle categories is helpful in terms of operating the Scheme cost-effectively and making it comprehensible to users. This type of vehicle classification is set out by the European Commission and is widely-adopted and understood. It will also be used by TfL in the implementation of the Ultra Low Emission Zone (ULEZ), which was confirmed by the Mayor in March 2015<sup>9</sup> and will take effect in central London from September 2020. Adopting a vehicle classification approach common to the ULEZ scheme enables TfL to operate the schemes using shared systems and infrastructure. This approach also has benefits for the user in terms of clarity.

#### **4.7 How the charge is calculated**

4.7.1 In the Assessed Case, the charge applies per trip made during charging hours. No capping or 'season ticket'-style charges (e.g. weekly or yearly tickets) are included.

##### **Rationale**

4.7.2 The approach adopted here is fair: users pay in proportion to their usage of the crossing. Every journey produces wear and tear on the roads and has an environmental impact and it is right to recognise this.

4.7.3 As already indicated, it is important to ensure that charges are comprehensible to users. Where a charged area has a clearly-defined start and finish point, such as at a bridge or tunnel, it is appropriate to charge per trip. The user can easily understand where the liability for the charge arises and it is straightforward to administer the enforcement process. Although there will be no tollbooths for either tunnel and drivers will not be able to make payments at the site, the charged area will be clearly signed on the approach roads and in the immediate approach. It is highly unlikely that any user will be in any doubt as to whether they have entered the tunnel or not.

4.7.4 Payment per trip is easy to understand and allows for tailoring of the charge to reflect the time and direction of the crossing, as set out in the following section.

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<sup>9</sup> <https://www.london.gov.uk/press-releases/mayoral/ultra-low-emission-zone>

4.7.5 The pay-per-trip approach can help to achieve the project objectives and other TfL/Mayoral objectives. By encouraging users to think about the cost of their journeys, there may be retiming and reduction of vehicle trips, which would help to achieve PO2 (improved road network performance) and PO5 (minimising adverse impacts on the environment). More widely, encouraging the use of more sustainable modes such as public transport, walking and cycling is important, and London has been successful in achieving this type of mode shift.<sup>10</sup>

4.7.6 It is not considered appropriate to have a capping or 'season ticket' approach or similar for vehicles using the tunnels. These approaches are suitable for public transport, which is a sustainable mode, and TfL has made capping available on the pay as you go Oyster card and on contactless card payments<sup>11</sup> on London's transport network, which may have contributed towards mode shift away from private transport and improving people's access to transport.

4.7.7 At the Blackwall and Silvertown tunnels, it is important to ensure that the impacts of trips on congestion and the environment are managed, and a user charge is an effective way of doing this. A cap would not incentivise users to reduce or re-time journeys to less busy times since there would be no opportunity to reduce costs by doing so. Nor would it encourage users to shift to more sustainable modes such as buses. Similarly a season ticket approach would not help to reduce vehicle use overall and indeed may act as a disincentive to reduce the number or trips made in a vehicle.

#### **4.8 Charges for account-holders and non account-holders**

4.8.1 The Assessed Case assumes differential charging for users with and without accounts. Because there are cost advantages to being an account-holder, the majority of users are assumed to be in this category.

4.8.2 The maximum charge per trip for any vehicle type in scope is known as 'the headline charge'. This applies to non-account holders. Although it

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<sup>10</sup> Since 2000, London has achieved a net shift in mode share (at the journey stage level) of 11 per cent away from private transport, principally the car, towards public transport, walking and cycling. A journey stage is a part of a trip made on a specific mode of transport. (TfL, Travel in London 8, 2015)

<sup>11</sup> For contactless payments, capping is available where the same card is used for all journeys

varies by vehicle type, it does not vary by time of day or direction of travel and applies at all the times there is a charge.

- 4.8.3 Account-holders benefit from lower charges: in the peak periods they get a discount on the headline charge and during the off-peak they benefit from further reductions.
- 4.8.4 The precise details of accounts would be decided nearer the time but it is assumed that by registering for an account, users pay via an automated payment system which automatically records the number of times a registered vehicle travels through the tunnel each month (and the time and direction of travel) and bills the account holder accordingly. Account holders will still pay for every trip they make through the tunnels; in that sense an account differs from a season ticket or capping approach which has been ruled out (see Section 4.6.7).

#### **Rationale**

- 4.8.5 Account-based systems are cost-effective to operate, which means that less revenue is taken up in scheme administration. To optimise this benefit to TfL, it is therefore useful to incentivise account registration by means of offering a reduction on the headline charge.
- 4.8.6 As well as cost-savings for users, registering for an account brings benefits to the user in terms of removing the liability for a penalty charge as a consequence of forgetting to pay the charge.
- 4.8.7 It would also be impractical to offer a range of charges (for example peak and off-peak) to non account-holders. These users would have to actively pay the charge each time they travelled (either before travel or within a specified period following) and for this reason require certainty as to the charge payable. Having a single headline charge means that this certainty always exists and there is no risk of the user paying the wrong charge.

#### **4.9 Charging days, hours, and variable charge levels by time and direction of travel**

- 4.9.1 In the Assessed Case, charging applies every day of the week including weekends and Bank Holidays. The charge applies between 6am and 10pm and the charge at night-time (10pm to 6am) is zero. This applies equally to both account and non-account holders.
- 4.9.2 For non-account holders, as described above, a single headline charge applies during all charging hours. For account-holders, the charge is set at

different levels according to the time of day and direction of travel. Differential charging is applied for peak and off-peak travel. Peak and off-peak periods are identified by time of day and also the direction of travel.

**Table 4-2: charges for non account-holders in the Assessed Case**

Time of travel	Travelling northbound		Travelling southbound	
	Monday to Friday	Weekend	Monday to Friday	Weekend
6am - 10 am	Headline charge	Headline charge	Headline charge	Headline charge
10 am - 4 pm				
4 pm - 7 pm				
7 pm - 10 pm				
10 pm - 6 am	Zero charge	Zero charge	Zero charge	Zero charge

**Table 4-3: charges for account-holders in the Assessed Case**

Time of travel	Travelling northbound		Travelling southbound	
	Monday to Friday	Weekend	Monday to Friday	Weekend
6am - 10 am	Peak	Off -peak	Off -peak	Off -peak
10 am - 4 pm	Off -peak	Off -peak	Off -peak	Off -peak
4 pm - 7 pm	Off -peak	Off -peak	Peak	Off -peak
7 pm - 10 pm	Off -peak	Off -peak	Off -peak	Off -peak
10 pm - 6 am	Zero charge	Zero charge	Zero charge	Zero charge

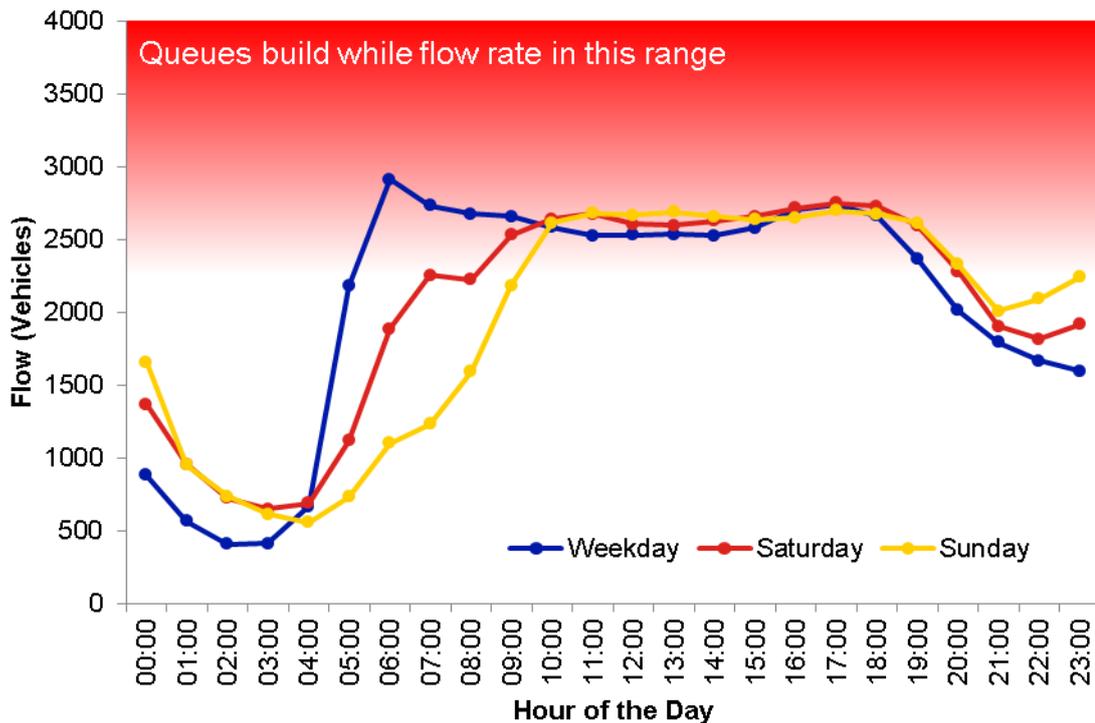
**Rationale**

4.9.3 As set out in Chapter 3, the principal purpose of the user charge is to manage demand effectively. Therefore in developing the user charges in the Assessed Case it has been important to consider the current patterns of demand for the Blackwall Tunnel, and the forecast demand for it and the Silvertown Tunnel in the future. The Assessed Case applies

differential charges, peak and off-peak, to reflect factors including demand.

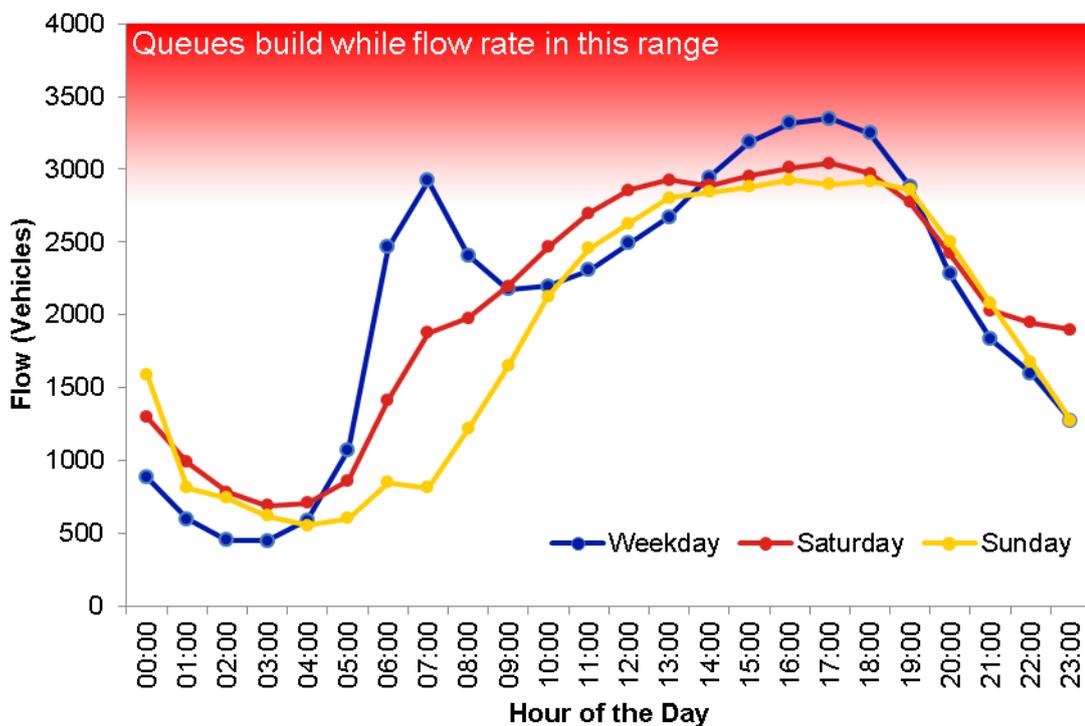
4.9.4 Figure 4-1 and Figure 4-2 show that demand reaches its highest at different points in the day for each bore of the Tunnel. For the northbound tunnel, there is a four-hour period in AM peak on weekdays when traffic flows greatly exceed the capacity of the tunnel – this imbalance routinely gives rise to congestion. There is an equivalent three hour period for the southbound tunnel during which traffic flow routinely leads to intense congestion. In the Assessed Case, these are the times at which the peak charge applies. This peak charge is a response to these conditions and serves to maximise the deterrent effect of charging when it is most needed, thereby ensuring minimal delay at all times. Greater detail on the traffic patterns at the Blackwall Tunnel is set out in the Transport Assessment (Document Reference: 6.5).

Figure 4-1: Blackwall Tunnel northbound average hourly flows (2013-2015) by day<sup>12</sup>



<sup>12</sup> Blackwall Tunnel Flows, 11/01/2013 to 31/08/2015

Figure 4-2: Blackwall Tunnel southbound average hourly flows (2013-2015) by day<sup>13</sup>



4.9.5 The peak charging periods reflect the times when there is most demand for the Blackwall Tunnel and when there is most congestion at the tunnel and on the surrounding road network. There are clear patterns around the morning peak northbound and the afternoon peak southbound. Congestion is less of a problem during the inter-peak, however at all times users of the two tunnels will benefit not only from reduced congestion but also added resilience and journey time reliability from the additional capacity.

4.9.6 For the northbound tunnel in particular, at the weekend traffic volumes remain only marginally below the level at which queues rapidly build. While the weekends lack the pronounced peaks seen during weekdays, demand remains high across the day, reaching similar levels to the weekday inter-peak period. During the night-time demand is low. In these circumstances it is appropriate that charges apply all day, including during the weekend.

<sup>13</sup> Blackwall Tunnel Flows, 11/01/2013 to 31/08/2015

- 4.9.7 Demand, and delay resulting from an imbalance in demand and capacity are important, but they are not the only factors. Also important for the Assessed Case is a consideration of social and economic impacts of charges. During weekday peak periods, most travel is for work or commercial purposes. Commercial users typically have high values of time<sup>14</sup> and will benefit greatly from improved journey time reliability and faster journeys.
- 4.9.8 Outside peak periods, including at weekends, travel is more likely to be made for non-work trips such as shopping, family visits and leisure. Whereas the work commute is most often made by public transport (rail was the most popular mode, 40% and 31% in a car), trips for other purposes are more likely to be made in a car as driver or passenger (50% for shopping and 39% for entertainment)<sup>15</sup>. Respondents to the 2015 consultation also indicated support for a lower or zero weekend charge.
- 4.9.9 Accordingly, the Assessed Case applies off-peak charges at these less busy times. This is in the counter-peak direction, the inter-peak and at weekends (all day, both directions).
- 4.9.10 The off-peak charges reflect the fact that there is less congestion at these times, and that (particularly at the weekend) there could be adverse impacts from a peak charge. However, as set out above there is still high demand for the crossing at these times and therefore it remains important to have a user charge at this time in order to managing demand and its consequential environmental effects and to contribute to paying for the Scheme. It is also important that all users contribute to the cost of construction and ongoing maintenance and operational costs of the tunnels.
- 4.9.11 There is less demand for travel at night and it is desirable to encourage re-timing of journeys to this period so no charge applies from 10pm to 6am. This is also the situation at the Dartford crossing. TfL already works with the freight industry to encourage the re-timing of deliveries: the variable charge by time of day, direction and vehicle type will also support this approach. In the commercial sector particularly, opportunities to

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<sup>14</sup> Value of Time (VoT) is the amount a traveller would be willing to pay in order to save time on their journey.

<sup>15</sup> River Crossings Residents Survey, Accent Market Research for TfL, 2015

reduce costs are considered as part of planning and may lead to more consolidation of loads, better planning of journeys and so less impact. There are likely to be other environmental benefits (including safety) of encouraging heavy vehicles to travel at night.

4.9.12 It is also important to reiterate the adverse impacts of traffic on the environment and the stated objective of user charging which is to help to manage these impacts. A charge helps to encourage users to examine whether journeys could be reduced or switched to other more sustainable modes.

4.9.13 Revenue from user charges is the single most important source of funding for the Scheme and without this income stream the Scheme will not be implemented. Hence, as well as fulfilling the Policy’s demand management requirement, this charging regime would ensure the viability of the scheme. The Funding Statement (Document Reference: 4.2) sets out the forecast revenue from the Scheme using the Assessed Case charges.

#### **4.10 Exemptions**

4.10.1 For the Assessed Case, it was assumed that a relatively small number of users and vehicle types will be exempted from the user charge.

4.10.2 The vehicles listed in Table 4-4 below have been assumed to be exempt from the user charge in the Assessed Case.

**Table 4-4: Exemptions in the Assessed Case**

<b>Exemptions</b>
<b>Emergency services vehicles</b>
<b>NHS vehicles exempt from vehicle tax</b>
<b>Vehicles in the disabled tax class</b>
<b>Military vehicles</b>

## **Rationale**

- 4.10.3 Emergency services vehicles include ambulances, fire engines and police vehicles. Disabled tax class vehicles include specially-adapted cars and passenger vehicles. These vehicles are already exempt from vehicle tax (under the tax class 'Emergency Vehicles'<sup>16</sup>).
- 4.10.4 A characteristic these vehicles share is that there is little or no choice about the usage of these vehicles: unlike many other trips, these could not be shifted to other modes and it is assumed that their usage of the tunnels is unavoidable. For this reason, and because of the vital social function that they perform they are exempted.
- 4.10.5 An exemption will also be given to vehicles adapted for disability needs according to vehicle tax class ('disabled' and/or 'disabled passenger vehicles'). This latter category includes for example Dial-a-Ride vehicles. It is important that the Scheme does not make it more expensive for disabled people to travel in London.
- 4.10.6 Using tax classes as the criteria for exemptions ensures that they are well-understood and TfL has no need to create a new set of criteria. This makes the exemptions understandable for users and relatively easy for TfL to implement.
- 4.10.7 Military vehicles used for operational purposes will be exempt. Again it is assumed that movements made in these vehicles are not discretionary.

## **4.11 Discounts**

**For the Assessed Case, it was assumed that a relatively small number of users and vehicle types will receive a discount on the user charge, as set out in**

- 4.11.1 Table 4-5. The rationale for each discount is set out below.

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<sup>16</sup> <https://www.gov.uk/vehicle-exempt-from-vehicle-tax>

**Table 4-5: Discounts and other concessions in the Assessed Case**

<b>100% Discount</b>
<b>Recovery and accredited breakdown vehicles</b>
<b>Buses, coaches and minibuses</b>
<b>Blue Badge holders</b>
<b>Low emission vehicles</b>
<b>Selected Partner vehicles</b>
<b>Taxis and Private Hire Vehicles</b>
<b>NHS patient reimbursement</b>

**Rationale**

*Accredited breakdown and recovery vehicles*

4.11.2 Vehicle breakdowns and incidents can have significant adverse effects on the network, but these can be reduced by timely recovery. Recovery and breakdown vehicles fulfil an important role in this.

4.11.3 For this reason it is considered appropriate to provide a 100 per cent discount to these vehicles. To be eligible, vehicles must be constructed, adapted or equipped to provide roadside assistance or recovery services; and are operated by an ‘accredited recovery organisation’ and meet specific criteria.

*Buses, coaches and minibuses*

4.11.4 Buses, coaches and minibuses will be eligible for a 100 per cent discount owing to the important role they play in sustainable transport and helping to reduce the need for car use. In addition these forms of transport have an important social function in providing a generally cheaper form of transport than rail or private car use. Minibuses and coaches are also important for supporting community, education and charity trips. As already stated in 4.6.7, London has an excellent track record in achieving

substantial mode shift from private to public transport, accompanied by a fall in car mode share. An important part of this story has been the increase in bus capacity and service quality, meaning that since 2000, there has been a 75 per cent growth in bus journey stages<sup>17</sup>.

- 4.11.5 Coaches also perform an important role in sustainable transport and several commuter services operate through the Blackwall Tunnel. There is evidence that operators' current ability to run reliable services is constrained by the problems at the Blackwall Tunnel; the additional capacity and enhanced resilience brought about by the Scheme should help to enable more and better services.
- 4.11.6 Unlike the other vehicles which will be discounted or exempted under the Scheme, it is expected that the proportion of buses and coaches making river crossings will be much greater with the Scheme. An important benefit of the Scheme is the potential to increase and improve bus and coach services by providing a crossing that can be used by double deck buses and by the overall improvements to journey times and journey time reliability. This opportunity is enhanced by the provision of a dedicated heavy vehicles lane in the Silvertown Tunnel. The discount policy complements this approach and helps to optimise the public transport benefits of the Scheme.

*Blue Badge holders*

- 4.11.7 The Blue Badge scheme is a parking permit scheme administered by local authorities in the UK for mobility-impaired people who find it difficult to use public transport. Given the lack of alternative options to private car use for this group, it is considered appropriate to offer a 100 per cent discount.
- 4.11.8 The Blue Badge itself is not linked to any particular vehicle. In registering for this discount, the holder will be able to nominate up to two vehicles for which the discount applies. This discount will apply only when the named vehicle is being used in the course of a journey made by the Blue Badge holder.

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<sup>17</sup> Drivers of Demand for Travel in London, TfL, 2014

*Low emission vehicles*

- 4.11.9 Project Objective 5 states that TfL will seek to minimise adverse impacts on the environment. Incentivising the use of low emission vehicles is in line with this objective. The benefits of reduced pollution from these vehicles are spread more widely than the immediate vicinity of the Blackwall and Silvertown Tunnels as they will be used for journeys more generally.
- 4.11.10 However it is important to set the criteria for this discount at the right level so that the number of eligible vehicles is controlled and other Project Objectives, such as reducing congestion and emissions on the wider road network, are not undermined. It is also helpful to retain consistency with the Ultra Low Emission Discount (ULED) which is currently available for the Congestion Charge (CC). This makes it easier for users to understand and provides a clear message on what constitutes this type of vehicle.
- 4.11.11 At present, the ULED criteria for the CC discount is as follows: cars or vans (not exceeding 3.5 tonnes gross vehicle weight) which emit 75g/km or less of CO<sub>2</sub> and that meet the Euro 5 standard for air quality. However, improvements to vehicle technology mean that it is almost inevitable that these criteria will have been tightened by the time the Scheme is operational<sup>18</sup>. It is likely that the ULED discount for the Blackwall and Silvertown tunnels will reflect whatever the current CC ULED discount is.
- 4.11.12 It should also be noted that the CC criteria is in turn linked to the Office for Low Emission Vehicles (OLEV) criteria for the Plug-in Car Grant<sup>19</sup>. In April 2015 this criteria was changed by OLEV so that there are now different mileage criteria for vehicles emitting less than 50g CO<sub>2</sub>/km and those emitting between 50-75g CO<sub>2</sub>/km. This is a rapidly-developing policy area and it is likely that the OLEV criteria will be changed or superseded in future.

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<sup>18</sup> For CC, the 'emissions discount' has been redefined and the criteria tightened over time, helping to ensure that it remains an effective incentive while maintaining decongestion benefits. The original Alternative Fuel Discount (AFD) was replaced in 2010 with a Greener Vehicle Discount (GVD), which in turn was superseded by the present ULED.

<sup>19</sup> <https://www.gov.uk/government/publications/plug-in-car-grant/plug-in-car-grant-vehicles>

- 4.11.13 At present there is not an equivalent discount available for heavy vehicles under the CC. This is because low emission technologies are not currently widely available in the commercial vehicles sector. However it may be appropriate to incentivise these vehicles once this is the case, which is likely to be within the timeframe of the Scheme opening.

*Selected Partner Vehicles*

- 4.11.14 This category encompasses vehicles which are unavoidably used by or on behalf of public authorities in the course of their work. Both the function being carried out and the need to use a vehicle are critical. A good example of this is a refuse collection vehicle.
- 4.11.15 TfL would produce criteria and examine applications from eligible bodies on a case-by-case basis.
- 4.11.16 The application of this discount would need to be tightly-controlled in order not to undermine the objectives of the Scheme. It could, for example, apply only to the three host boroughs of LB Newham, LB Tower Hamlets and RB Greenwich, and to borough vehicles carrying out operational functions in accordance with Boroughs' statutory duties and powers.
- 4.11.17 In addition it could apply to other public sector bodies such as the police which need to operate vehicles in order to fulfil their function. TfL would set up a registration process for eligible vehicles.

*Taxis and Private Hire Vehicles*

- 4.11.18 Taxis and private hire vehicles (PHVs) provide a vital range of services as part of the overall transport network in London. In some respects they are part of the public transport network. The Assessed Case assumes that a discount is applied to these vehicles.
- 4.11.19 These vehicles may also provide an alternative to car ownership for some people and in this way contribute to lower vehicle usage. Both PHVs and taxis can fulfil important social roles in transport for people who are less able to use public transport.
- 4.11.20 TfL is responsible for the licensing regime in London and in this way can set regulations for both industries and help to integrate the services into the transport system.
- 4.11.21 All taxis are wheelchair accessible and PHVs undertake a range of functions including, for example, special needs transport. From 2018 all

newly-licensed taxis will be zero-emission capable (ZEC) and from 2020 the same will apply for newly-licensed PHVs: in this way by 2030 all of the vehicles in both taxi and PHV fleets will be ZEC. By the time the Scheme opens in 2022/23, good progress will have been made towards this conversion. Age limits and emissions standards are already in place for these vehicles.

- 4.11.22 It is assumed that the taxi discount applies to vehicles licensed by TfL only. The PHV discount applies where the operator, vehicle and driver are licensed under the London licensing system, and when the vehicle has been hired.

#### *NHS Patient reimbursement*

- 4.11.23 Under the Congestion Charging scheme, a reimbursement scheme is available for trips made by certain patients in order to access NHS services. There are specific eligibility criteria for this scheme related to a patient's need to travel by car, and it is administered by the NHS trusts themselves rather than TfL.
- 4.11.24 In the years prior to the Scheme opening TfL will work with NHS trusts to put in place a similar reimbursement scheme for the user charges applied at the Blackwall and Silvertown Tunnel. As for the Congestion Charge, patients will be required to meet strict criteria in order to be eligible for the reimbursement. The number of affected trips is likely to be very small.

## **4.12 Consideration of a residents discount**

- 4.12.1 For some user charging schemes, such as the central London Congestion Charge, a residents discount is available to local people to mitigate what would otherwise be unfair impacts of the scheme. In the case of the Congestion Charging scheme, which covers a large area in which people actually live, the discount reflects the fact that those living inside the charging zone have no choice but to incur the charge if they wish to use their cars during the charging day.
- 4.12.2 The charges for the Blackwall and Silvertown Tunnel would apply to a relatively confined stretch of highway where there are no residential dwellings, and therefore all users of the Scheme have an equal choice whether or not to use the charged roads. Their choice would not be limited to using or not using the newly charged roads, but could also include a change of mode, a change of destination, a change of journey time, or simply a change of route to an uncharged crossing. While TfL recognises that all of these could potentially entail some inconvenience for the user, it

is important to emphasise that alternatives exist and no user will be prevented by charges from travelling across the river. For this reason the Assessed Case does not include a discount for residents. The main reasons are set out below.

- 4.12.3 Firstly, a residents discount would be highly likely to significantly undermine the demand management objective of user charging, and in turn mean that the project objectives are not achieved, or would require the burden of charging to be borne disproportionately by those who did not benefit from a discount.
- 4.12.4 With the new Silvertown Tunnel in place, and a user charge at both it and the Blackwall Tunnel, there will be journey time benefits for users, added resilience and journey time reliability. Without the user charge, the benefits of the Scheme would quickly be undermined by induced demand. This effect would be exacerbated if a discounted rate were available to residents.
- 4.12.5 With no discount, residents (like other users) would have to consider the benefits and costs of using a car to cross the river before making a decision. With a discounted user charge, the costs are minimised. There would be a risk of inducing traffic (people who currently do not drive switching from other modes), with associated adverse traffic and environmental impacts on the wider road network. These impacts could be experienced by other local people (many of whom will not be using the Tunnel) in terms of air pollution and noise.
- 4.12.6 The potential impact of a residents discount (assuming that appropriate area-based criteria could be defined - see below), can be gauged from the current usage of the Blackwall Tunnel by local drivers. A significant proportion of Blackwall Tunnel users are from the local area - in the AM peak northbound, for example, 31% of trips have an origin in RB Greenwich<sup>20</sup>. However, this needs to be understood in the broader context of both overall travel patterns for local people and the strategic objectives of the Scheme.
- 4.12.7 Although there are a lot of 'locals' using the Blackwall Tunnel, these account for a very small proportion of the local population overall, and a

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<sup>20</sup> Road side interviews, TfL, 2008.

local discount would therefore be a very inefficient way of providing a benefit to those users. Fifteen per cent of east London residents say they never cross the river<sup>21</sup>. For travel to work in the three host boroughs only one in five workers (21%) crosses the river and only 14% of these trips are made by car<sup>22</sup>. This means that just under three per cent of all travel to work from these three boroughs is a cross-river car driver trip<sup>23</sup>

- 4.12.8 Public transport is the most frequent mode where people cross the river to get to work. This suggests that the impact of the user charge on local people is mitigated by their strong propensity to use public transport rather than private car to cross the river. Furthermore, it also demonstrates that there is a good range of public transport alternatives to private vehicle use available. This offer will be enhanced by the Scheme as additional bus services would be run through the Silvertown Tunnel, and coaches will also benefit.
- 4.12.9 A third factor is the need to define an appropriate boundary for a residents discount. Consultation respondents have suggested a range of approaches, including all three host boroughs, those within a certain radius of the tunnels, all of east London or specific boroughs only. Unlike the CC zone, where residents inside the zone qualify for a discount, there is no obvious pre-defined area for BWT/ST residents and any boundary defined for this scheme would be entirely arbitrary.
- 4.12.10 It should also be remembered that the CC zone, although it has a very high daytime and night-time population, has a relatively low number of residents (and a low proportion with private vehicles). If the three host boroughs are considered the 'zone' for BWT/ST then the eligible population is very large, with higher car ownership. Even a relatively small radius results in a fairly large population, undermining the traffic management objective of the Scheme if more residents choose to drive in the tunnels as a result. Including all three host boroughs within a residents discount would produce an eligible population of at least half a million people. Additionally, when the radius approach is considered, other

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<sup>21</sup> WSP for TfL, 2015, Residents Survey

<sup>22</sup> 2011 Census JTW data (8,400 of 61,700 cross-river trips)

<sup>23</sup> Just over two per cent (2.4%) of Greenwich residents make a cross-river trip by car on a given day: 2.1% in Newham and 0.5% in Tower Hamlets (LTDS 2011/12-2013/14)

boroughs such as Lewisham are brought into the catchment, meaning that the pool of eligible people is even greater

- 4.12.11 A further issue is that of equity: a discount based on place of residence does not distinguish between groups of people other than by whether they are on one side of a boundary or another. Other important criteria such as hardship caused by the charge or a need to drive are not taken into account. While it might in theory be possible to devise tests to ascertain need (i.e. means-testing), administering such a scheme would be a large and complex task, with high administration costs. It could also be highly intrusive to potential users.
- 4.12.12 Because usage of, or dependence on, the Blackwall Tunnel is not dictated by a driver's home address, it is inevitable that some people outside the boundary would be more adversely affected than some inside the boundary.
- 4.12.13 Finally, the revenue from user charging is necessary in order to construct, operate and maintain the Scheme. Reducing the revenue available by implementing a discount which would potentially have a high uptake (in the absence of a strong justification) could undermine the viability of the Scheme.
- 4.12.14 For further information on this and other possible discounts suggested in the consultation, please see the Consultation Report (Document Reference: 5.1).

Silvertown Tunnel

Charging Statement

Document Reference: 7.5

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## 5. SETTING AND VARYING THE USER CHARGES

### 5.1 Implementing the user charges

5.1.1 The DCO confers a general power on TfL to impose charges on vehicles using the Silvertown Tunnel and the Blackwall Tunnel. The power allows TfL to:

- set the initial user charges prior to the Scheme opening to traffic;<sup>24</sup>
- keep the charges under review; and
- vary the charges having regard to the Project Objectives and the traffic and environmental factors set out in this Charging Policy.

5.1.2 The exercise of the user charging powers and the monitoring and mitigation of the Scheme's operational impacts is regulated by the following three documents:

- Charging Policy (Document Reference: 7.11) –sets out the principles according to which TfL must set and vary the user charges and the procedures that apply when doing so;
- Traffic Impacts Mitigation Strategy (TIMS) (Document Reference: 7.7) - sets out the process for determining and implementing appropriate mitigation for any localised traffic and traffic-related impacts which arise as a result of the Scheme; and
- Monitoring Strategy (Document Reference: 7.6) – sets out the scope of monitoring that TfL proposes to undertake in respect of traffic, air quality (including carbon), noise and socio-economic impacts of the operation of the Scheme.

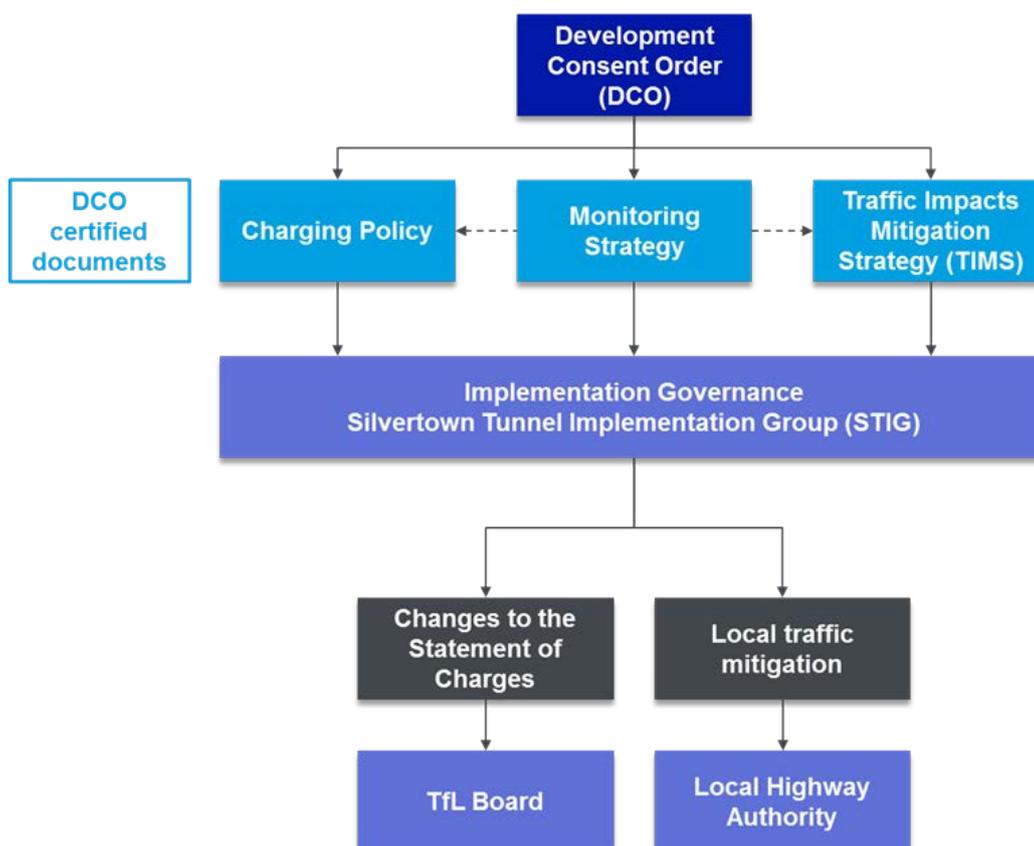
5.1.3 A new governance organisation, the Silvertown Tunnel Implementation Group (STIG) - containing representatives from local authorities - will be established to play a role in the governance of these arrangements.

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<sup>24</sup> This is the date when the Silvertown Tunnel opens. From this time user charges would apply at both it and the Blackwall Tunnel.

5.1.4 The relationship between these documents and the governance for the process is summarised in Figure 5-1 below.

**Figure 5-1: documents and governance for user charging**



## 5.2 Setting and varying the user charges

5.2.1 The Charging Policy (Document Reference: 7.11) sets out the principles and procedures that will apply in setting the charges for the initial year and for any subsequent variations to the user charges. In both instances, the extent to which the user charges contribute to achieving the Project Objectives will be a material consideration.

5.2.2 The DCO requires TfL to publish a Statement of Charges no less than 56 days before it comes into effect. TfL will endeavour to provide more notice than specified by this minimum period, and may publish a Statement of Charges up to six months in advance of the initial charges taking effect.

5.2.3 Subsequently, TfL will keep the user charges under review and may make variations where these are considered necessary. Again, TfL will endeavour to provide more notice than specified by this minimum period and may publish a Statement of Charges up to three months prior to the date on which any subsequent variations to the user charges take effect. Data from the Monitoring Strategy (Document Reference: 7.6) (described below) will help to inform potential variations.

5.2.4 With regard to the initial user charges, the Charging Policy (Document Reference: 7.11) states that:

In setting the initial charge, TfL will have regard to the Environmental Statement (ES) (Document Reference: 6.1) and shall set the charge at a level and subject to conditions so that the Scheme in operation is not likely to give rise to significant environment effects which are materially worse than those reported in the ES. In this TfL will have regard to:

- *traffic*
- *the environment*
- *population, economy and growth.*

5.2.5 These topics have been selected because they are the areas likely to be directly affected by the user charge. Other ES topics (heritage, for example) are not likely to be directly affected in this way.

5.2.6 In order to determine the likely effects of the initial user charges, TfL will re-run the strategic traffic model, using data from the monitoring that has been implemented prior to the Scheme opening (see below). The initial charges will be considered by STIG, which can make recommendations to TfL. The TfL Board will decide whether to approve on the initial user charges to implement in accordance with the principles set out in the Charging Policy and having regard to STIG's recommendation.

5.2.7 For subsequent variations to the charge, TfL will continue to have regard to the likely impacts on traffic, the environment and population, economy and growth. This will need to take account of changes in the sub-region, and other environmental, technological or legislative developments. Over the lifetime of the Scheme, there could also be significant changes in the fleet profile and travel behaviour (for example) and potentially to legislation (for example with regard to air quality or vehicle licensing).

- 5.2.8 It should be noted in this context that TfL has an overall responsibility for the management of the TLRN and has a statutory network management duty under the Traffic Management Act 2004<sup>25</sup>. The management of the Blackwall and Silvertown Tunnels and the exercise of user charging power will be carried out by TfL in accordance with this statutory duty and its wider network management role. In setting and varying the user charge, TfL must also comply with applicable legislation (for example the Mayor's duties with regard to air quality) and policies (for example the MTS).
- 5.2.9 Beyond the opening year, there is no set timetable or 'trigger point' for varying the charge. Rather, TfL will from time to time decide whether to instigate variations and these potential variations will have to meet the requirements set out in the Charging Policy (Document Reference: 7.11) before they can be approved by the TfL Board. Data from the Monitoring Strategy (Document Reference: 7.6) (described below) will help to inform potential variations.
- 5.2.10 The approach to charge-setting has been informed by engagement with the local boroughs and it is important that they remain involved in this process. TfL will consult with the Silvertown Tunnel Implementation Group (STIG) (see section 5.1 below) prior to the TfL Board making a decision on the user charges; STIG can also make recommendations as to potential variations.

### **5.3 Informing people about the user charges**

- 5.3.1 It is important that users and potential users are aware in advance of the user charges that would be incurred for the Blackwall and Silvertown Tunnels.
- 5.3.2 The charges (including the charge levels, the hours charged, the vehicles charges, discounts and exemptions and other factors related to user charging) that apply will be set out in a document known as the Statement of Charges that will be published by TfL whenever the charges are set or varied. The Statement of Charges will be in a prescribed form, which is appended to the Charging Policy (Document Reference: 7.11).

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<sup>25</sup> TfL's network management duty under the Traffic Management Act 2004 requires it to make sure road networks are managed effectively to minimise congestion and disruption to vehicles and pedestrians

5.3.3 Separately from the Statement of Charges, drivers would be alerted to the Scheme by signage on the approach roads to the tunnels on both sides of the river. These would be positioned so that drivers would be given an opportunity to divert away if they chose not to use the tunnel as a consequence of the charge.

#### **5.4 Variations for inflation**

5.4.1 In addition to charge variations, there will be increases to the user charges – and to related charges including registration fees and penalty charges – for inflation. This ensures that the user charges remain effective in managing demand, and that revenue from user charging can continue to help to pay for the Scheme.

5.4.2 This increase will use the Retail Price Index (RPI) and will take place from time to time as decided by TfL. This change will not be subject to consultation with STIG.

#### **5.5 The Monitoring Strategy, the Traffic Impacts Mitigation Strategy (TIMS) and the Silvertown Tunnel Implementation Group (STIG)**

5.5.1 It will be important for TfL and local boroughs to have access to information about the impacts of the Scheme at a strategic and local level so that appropriate action can be taken to mitigate any adverse effects of the Scheme, and ensure that it continues to fulfil the Project Objectives.

5.5.2 As outlined above, variations to the user charge are available in the long-term as a means to address the *strategic* impacts of the Scheme. It is also necessary to have in place a mechanism for dealing with *localised* traffic and traffic-related impacts, which may arise (as a direct result of the Scheme) in the period after Scheme opening. The STIG has a role in implementing both these approaches.

5.5.3 The Monitoring Strategy (Document Reference: 7.6) is the principal means of collecting data on the local and strategic impacts of the Scheme over time, and will be used to inform decisions about potential variations to the charge and potential traffic mitigation measures. While the Charging Policy (Document Reference: 7.11) provides a framework for the user charge variations, the TIMS provides a framework for the identification and implementation of traffic-related mitigation measures. More information on each of these elements is provided in the following sections.

## **5.6 The Silvertown Tunnel Implementation Group (STIG)**

- 5.6.1 The continued involvement of local boroughs in the implementation of user charging is important for the success of the Scheme, and an approach has been developed in consultation with them. The DCO provides for the establishment of a Silvertown Tunnel Implementation Group (STIG) comprising representatives from the local boroughs<sup>26</sup>, other stakeholders and TfL officers will be set up around three years in advance of the Scheme opening date.
- 5.6.2 It will have a range of roles including reviewing the Annual Monitoring Report, making recommendations for setting and varying the Charging Regime (in line with the Charging Policy) and considering the implementation of any potential mitigations arising from the TIMS. The final decision on setting and varying the user charges will lie with the TfL Board.
- 5.6.3 An important benefit of the Scheme is the opportunity it provides to enhance cross-river bus services and local boroughs have expressed a wish to be involved in the planning of these. For this reason, STIG will also have a role in reviewing and making recommendations to TfL on the cross-river bus network for the duration of the Monitoring Strategy.

## **5.7 The Monitoring Strategy (MS)**

- 5.7.1 The MS (Document Reference: 7.6) sets out how TfL will monitor the impacts arising from the operation of the Scheme. It contains detailed monitoring plans for those topics which have been identified as being directly affected by the Scheme:
- traffic and transport;
  - air quality and carbon;
  - noise; and
  - socio-economics.

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<sup>26</sup> LB Barking & Dagenham; LB Bexley; LB Bromley; City of London; RB Greenwich (Host Borough); LB Hackney; LB Lewisham; LB Newham (Host Borough); LB Redbridge; LB Southwark; LB Tower Hamlets (Host Borough); LB Waltham Forest.

- 5.7.2 These monitoring plans can be updated over time and STIG will be able to make recommendations for these changes.
- 5.7.3 This monitoring will commence three years before Scheme opening. Monitoring of the Scheme effects will then continue for a further three years (and may be extended for a further two years). The data collected in the years prior to Scheme opening will be used to update the comparison baseline in the traffic model, constituting the 'without Scheme' baseline. This will be used in setting the initial user charges, as set out above.
- 5.7.4 Monitoring traffic flows and changes in flows is fundamental to the overall monitoring of the Scheme because it provides the means of understanding any localised delays or network performance issues which may arise from its operation (and any consequential adverse air quality, noise and/or socio-economic impacts).
- 5.7.5 The outputs of monitoring will be reported in an Annual Monitoring Report, which will be available on TfL's website. Additional interim reporting may also be used.
- 5.7.6 Beyond the period of the MS (Document Reference: 7.6), TfL will continue to have access to monitoring data related to the Scheme's impacts in its role as the strategic highway authority in London. Additionally, it may use third-party datasets which are already available (for example, data on employment) or commission research into specific topics.
- 5.8 The Traffic Impact Mitigation Strategy (TIMS)**
- 5.8.1 As well as making variations to the user charge, other mitigation measures (beyond those already embedded in the Scheme) could be taken if necessary in response to localised traffic and traffic related impacts on the network. The process for identifying and implementing these localised mitigation measures is set out in the TIMS (Document Reference: 7.7). They include for example changes to signal timings or the provision of noise barriers at certain locations. The TIMS has the same lifetime as the MS.
- 5.8.2 Here, traffic and traffic-related impacts refer to a wide range of impacts which are a direct result of traffic. This not only includes impacts such as congestion or delay but wider traffic-related impacts such as road safety, severance, noise and emissions.
- 5.8.3 The annual monitoring reports produced by TfL will be reviewed by STIG to identify whether a significant level of change in traffic conditions

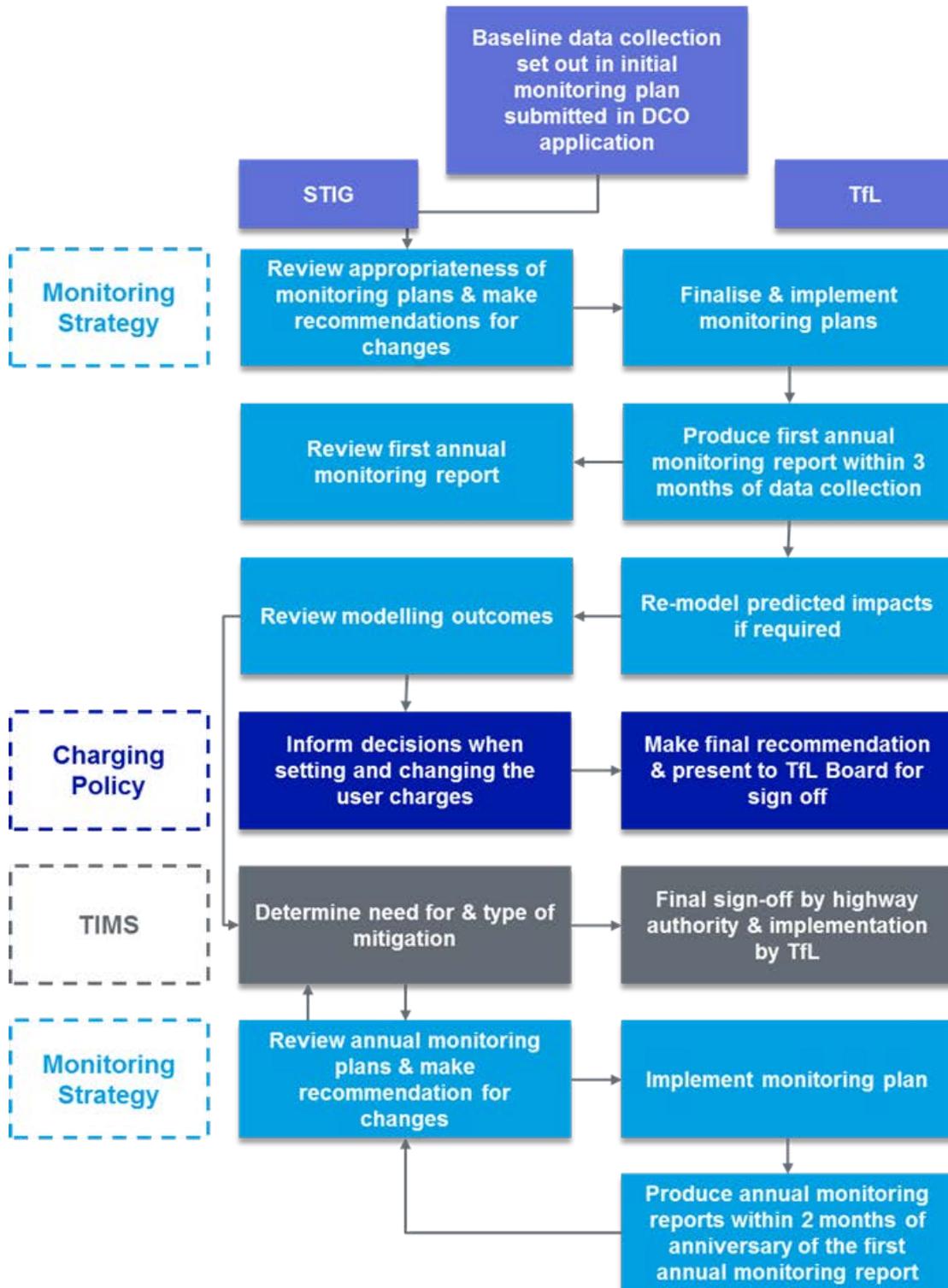
compared to the baseline has been demonstrated. If there is, and certain conditions have been met, local mitigations may be required.

- 5.8.4 In the annual monitoring reports, a traffic light rating system based on a red-amber-green (RAG) summary of the annual monitoring report locations will be adopted to identify the 'trigger points' to be considered further by STIG. In making a decision on any further investigation of any adverse effects detected, TfL must have regard to STIG's recommendations.
- 5.8.5 In determining whether a particular mitigation measure is required, TfL will consider if the effect is attributable to the Scheme, if it is a long-term effect and if other committed interventions (by boroughs, TfL or developers) will resolve the issue. TfL will implement appropriate, reasonable and necessary mitigation measures in discussion with STIG. The final sign off on funding will be the responsibility of TfL.
- 5.8.6 These interventions may be identified for the TLRN or on borough roads<sup>27</sup>. On the TLRN, TfL has other tools at its disposal in the form of Traffic Regulation Orders (TROs) (for example) and its road network management duties that it may be more appropriate to deploy for the management of local effects. In the early years of the Scheme, local measures such as changes to signal timings, may be a more appropriate solution to manage any adverse effect than varying the user charge.
- 5.8.7 Figure 5-2 below summarises how the Monitoring Strategy (Document Reference: 7.6), the Charging Policy (Document Reference: 7.11) and the TIMS (Document Reference: 7.7) enable the setting and varying of the user charges and the implementation of local mitigation measures.

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<sup>27</sup> Both the Blackwall and Silvertown Tunnels are part of the TLRN.

Figure 5-2: The roles of the Monitoring Strategy, the Charging Policy and the TMS



## **5.9 TfL's experience of road user charging**

- 5.9.1 This chapter has summarised the procedures and requirements for setting the initial user charges and making subsequent variations, which are set out in the Charging Policy (Document Reference: 7.11). Although this will be a Scheme-specific approach, it is worth noting that, as set out in 3.11 above, TfL has extensive experience of developing and operating road user charging which it can draw upon in the implementation of the Scheme.
- 5.9.2 Although the Scheme and the central London Congestion Charging scheme have different objectives and are governed by different legal frameworks, it is still useful to consider examples of how changes have been made to the Congestion Charge over time. This will help to demonstrate that such changes are important to maintain a scheme's effectiveness and can be made with regard to potential impacts.
- 5.9.3 The first example concerns increases to the charge. As is proposed for the Scheme user charges (see 5.4), the Congestion Charge is increased from time to time in order to maintain its demand management effect<sup>28</sup>. For the Congestion Charge, the level of the charge must be specified in the Scheme Order<sup>29</sup>. TfL monitors the levels of congestion in central London and this informs the decision to propose a charge increase. In its consideration of the proposed change, TfL undertakes an impact assessment and this is published on its website.
- 5.9.4 The most recent Congestion Charge increase (from £10 to £11.50 per day) took effect in June 2014. The charge has been raised twice before: in 2005 when it was raised from the original £5 charge to £8, and then again

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<sup>28</sup> Since its introduction in 2003, the Congestion Charge has delivered a significant reduction in traffic and helped to manage congestion by using the charging mechanism as a deterrent to driving into the central London area. The introduction of the scheme led to an initial fall in congestion in the Congestion Charging zone of some 30 per cent. Traffic in central London has been falling over the last decade. However while traffic volumes have been falling, traffic speeds have also been getting progressively slower, most likely due to interventions that have reduced the capacity of the road network. In recent years the trend toward slower traffic movements has ceased and although congestion in central London is close to pre-charging levels, without the Congestion Charge the situation would be worse.

<sup>29</sup> The GLA Act stipulates that this charging scheme must be contained in a Scheme Order, as specified in Schedule 23 of the GLA Act

in 2011 when it was raised to the present level of £10<sup>30</sup>. While inflation continues to rise between price increases it is not reflected in an annual charge increase; TfL puts forward the proposal to increase the charge from time to time.

- 5.9.5 The second example is of a change to the criteria for the discount offered under the Congestion Charge for low emission vehicles. The requirements for this discount have progressively been tightened over time in order to maintain the effect of incentivising those who choose to drive in the zone to use the least-polluting vehicles available at the time.
- 5.9.6 In the early phase of the Congestion Charge, the Alternative Fuel Discount and the Electric Vehicle Discount were offered to encourage the use of alternatively fuelled vehicles (such as LPG, provided they met certain criteria). That discount was removed in 2010, to be replaced by the Greener Vehicle Discount (also 100%). This required that cars had average CO<sub>2</sub> emissions of 100 g/km or less. Currently there is a 100% Ultra Low Emission Discount (ULED), with a requirement that cars have CO<sub>2</sub> emissions of 75 g/km or less and be Euro 5 type approved.
- 5.9.7 Alongside other measures, this discount has been instrumental in encouraging the development and take-up of cleaner vehicles in London. As for increases to the Congestion Charge, these changes were subject to an impact assessment.

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<sup>30</sup> These are the headline daily charges; the price increase was reflected across all payment types.

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## 6. COLLECTION AND ENFORCEMENT

### 6.1 Vehicle detection

6.1.1 The Scheme will implement free-flow charging at both tunnels. There will not be any booths or barriers at the tunnel entrance to pay the charges. Instead, the charges will be collected by means of automatic detection of a vehicle's use of the tunnels. At the Dartford Crossing, this approach has resulted in a reduction in delay compared to the pre-November 2014 situation where payment was made at toll booths.

6.1.2 The charges will apply to non-UK registered vehicles as well as those registered in the UK.

6.1.3 Automatic Number Plate Recognition (ANPR) technology is currently being used for the CC & LEZ schemes and it is likely that this system will also be adopted for the Blackwall and Silvertown Tunnels. The type of technology to be used for vehicle detection will be determined at a later date to enable flexibility and the adoption of the most efficient and reliable system available in the market at the time.

### 6.2 Payment channels

6.2.1 Most users are expected to be account-holders owing to the advantages of this channel. Users will be able to register for an account with TfL which means that they can choose to pay the charge automatically rather than each time they use the tunnels<sup>31</sup>. The total charge payment is automatically calculated on a monthly basis and the amount owed deducted from the account-holder's credit or debit card. Users will receive a monthly bill.

6.2.2 Drivers registered for automatic payment with TfL will avoid penalty charges for forgetting to pay the charge. An annual registration charge

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<sup>31</sup> For the Congestion Charge, payments made via accounts (CC Auto Pay and Fleet Auto Pay) account for the highest proportion of all payment types, at over 80 per cent of all transactions, a proportion which continues to increase.

per vehicle may apply, and an option to register more than one vehicle on the same account may be available.

6.2.3 For TfL, payment by accounts also helps to reduce the administration costs associated with more resource-intensive payment channels (such as payments by phone). For both the user and TfL accounts provide a level of certainty about expenditure and income respectively which helps with financial planning.

6.2.4 It may be possible to make payments for different TfL schemes through a single account: the Blackwall and Silvertown Tunnels, the Congestion Charge, the Ultra Low Emission Zone and Low Emission Zone. However it is unlikely to be possible to pay for schemes not operated by TfL, such as the DART Charge.

6.2.5 For users who choose not to register for an account, other payment channels will be available. The full list of channels will be confirmed closer to Scheme opening, however it is assumed that these will include:

- Online via TfL's website; and
- Using an app on smartphone or tablet.

6.2.6 There will be no retail, post or SMS channels. These are relatively costly to administer and have increasingly been phased out by service providers (such as utilities). Over ninety per cent of Londoners have access to the internet<sup>32</sup> and by the time the Scheme is operational in 2022/23, this figure is likely to have increased. However a non-online channel is expected to be available, such as payment by phone.

6.2.7 Payments will only be accepted via authorised channels i.e. TfL or its authorised agents.

6.2.8 TfL will keep these payment options under review to ensure that it offers best value for its customers as well as being cost-effective to operate.

### **6.3 Administration**

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<sup>32</sup> Ninety-one per cent of Londoners have access to the internet. Three-quarters of Londoners use the TfL website (Future Thinking Digital Monitor for TfL, June 2015)

6.3.1 The process for administering exemptions and discounts is expected to be similar to the CC. For most vehicles that are exempt from the charge, no action will be required by the vehicle owner as the exemption will be picked up through the tax class i.e. as recorded by the DVLA and shown in the vehicle logbook (V5C). In order to be entitled to a discount, users will need to register as account holders and then complete a registration for the applicable discount otherwise the relevant headline charge will need to be paid in full. Information on how to register a vehicle for a discount will be provided nearer the time of scheme implementation.

6.3.2 Where possible, TfL will seek to make any account system and payment channels inter-operable with other TfL schemes such as CC and LEZ. This will offer both users and TfL a number of benefits such as a single point for customer interface and reduced collection costs. Efforts will be made to make the process as easy as possible for users.

#### **6.4 Enforcement**

6.4.1 TfL will aim to ensure that all drivers, including non-UK drivers, are aware of the charges and find it easy and convenient to pay the relevant charge. However, as with any free-flow charging scheme, there will need to be an enforcement process to ensure compliance.

6.4.2 Given that technology is changing rapidly, it is not appropriate to commit to a specific means of enforcement at this time. The enforcement process will be a similar approach to that used for existing road user charging schemes in London, as described below.

6.4.3 TfL owns and maintains a number of different camera networks. Automatic Number Plate Recognition (ANPR) cameras are used to enforce compliance with the Congestion Charging and Low Emission Zone schemes with PCNs generated automatically.

6.4.4 Cameras positioned at the tunnel portals will capture images of vehicles' registration plates. The Vehicle Registration Mark (VRM) is compared to the list of vehicles for which the charge has been paid correctly charge within the acceptable time period. This is an automated process. Where it appears not to have been paid correctly, a manual check is carried out before a PCN is issued to the registered keeper of the vehicle (using information from the DVLA database).

6.4.5 The enforcement provisions will be similar to those in the existing CC scheme. A penalty charge notice (PCN) would be issued to the vehicle's

registered keeper if the appropriate charge has not been paid within the time limit for using Blackwall or Silvertown tunnels and there are no applicable exemptions or pre-registration for discounts.

- 6.4.6 The penalty charge payable will be determined before charging commences and will be set out in the Statement of Charges. The penalty charges will be adjusted from time to time to ensure that the level of the penalty charge is an effective deterrent and covers the costs of enforcement. It is not possible to say now, some six years in advance of scheme opening, exactly what the enforcement regime will look like. However it may be useful to briefly describe the CC regime which could serve as a model.
- 6.4.7 Under the current regime for CC, the penalty payable for non-payment of the charge is currently £130. There are 28 days to pay this or make a challenge; the level of the penalty is reduced however if it is paid within 14 days. Currently<sup>33</sup>, the PCN is £130, which can be reduced to £65 if paid within a fortnight. The amount of the penalty follows the charge set for moving traffic offences and parking offences which is set by London Councils it is adjusted from time to time and may be different by the time the Scheme is in operation.
- 6.4.8 If the penalty charge is not paid within 28 days, then the enforcement process escalates. A Charge Certificate is issued and the penalty increases by 50 per cent. If this is not paid within 14 days, then an Order of Recovery is issued, with a 21-day payment period. If this is not paid, then TfL may pass the debt on to an enforcement agent, once it has gained a Warrant of Control. There are statutory processes available to the registered keeper to make a challenge or appeal during this enforcement process, up to the point where a Charge Certificate is issued.
- 6.4.9 Revenue from penalty charges will be used in the same way as revenue from the user charges, which is to pay for the Scheme construction and operation. Any revenue surplus to this will be used to pay for transport projects in London.
- 6.4.10 Within its power to enforce charges, TfL will have the power of mitigation which allows it to waive charges under certain circumstances. An example

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<sup>33</sup> April 2016

of this is when traffic is diverted to the tunnels in order to avoid a traffic incident; other circumstances would be set out in the Business Rules.

- 6.4.11 By using a process which is already tried and tested for both Congestion Charging and LEZ, TfL could put in place a system which works well for the customer and incurs lower implementation costs. However it is recognised that technology with regard to payment systems and camera enforcement is likely to develop rapidly in the years between the DCO application and go-live of the charging scheme (for example, the move to automated payments will continue). For this reason, although the CC process is set out here as an illustrative example, a different approach may be used for the Scheme. TfL will publicise the process well in advance of Scheme opening.

## **6.5 Non-UK registered vehicles**

- 6.5.1 The charges apply to non-UK registered vehicles as well as those registered in the UK. As set out above, TfL would take action in advance of the introduction of the charge to ensure that foreign drivers are aware of their responsibility to pay the charge and how to do so. It is likely that commercial operators will be a large proportion of this group and these can be reached by various channels including specialist press and stakeholder organisations. TfL has extensive experience of working with foreign operators to operate London road user charges from the LEZ.
- 6.5.2 Where a charge has not been paid for a foreign-registered vehicle, TfL uses a European debt recovery agency for enforcement. In order to issue a PCN, it is necessary to have access to details about the owner of the vehicle (name and address), and this is available from the vehicle licensing authorities. Where the agency is able to access this (for some countries there is no access), the penalty is issued and followed up. The recovery rate for CC is around 50 per cent of all PCNs issued, which should be compared with some 75 per cent for domestic PCNs.

Silvertown Tunnel

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## Appendix A. USER CHARGES IN THE ASSESSED CASE

### A.1 Overview

A.1.1 Set out below are the user charges and other elements related to user charging used in the Assessed Case. This approach applies at both Blackwall and Silvertown Tunnels.

**Table A-1: Charges shown by user, time of day and vehicle type**

<b>Charge per trip in 2015 prices (during charging hours: 6 am to 10 pm)</b>			
User type	Account holder		Non account holder
Charge rates	Off peak charge	Peak charge	Headline charge
Time	Weekdays <b>outside of peak</b> period and all times on weekend	Weekday <b>peak periods</b> between 6-10am going Northbound <b>and</b> 4-7 pm going Southbound	At all times
Motorcycle, moped, motor tricycle	£1.00	£2.00	£3.00
Car and small van	£1.00	£3.00	£4.00
Large van	£1.65	£5.00	£6.00
HGVs	£4.00	£7.50	£8.50
Bus ,Coach and minibus	Zero charge (100% discount)		

**Table A-2: Discounts from the Blackwall Tunnel and Silvertown Tunnel user charges**

<b>100% Discount</b>
<b>Recovery and accredited breakdown vehicles</b>
<b>Buses, coaches and minibuses</b>
<b>Blue Badge holders</b>
<b>Low emission vehicles</b>
<b>Selected Partner vehicles</b>
<b>Taxis and Private Hire Vehicles</b>

**Table A-3: Vehicles exempt from the Blackwall Tunnel and Silvertown Tunnel user charges**

<b>Exemptions</b>
<b>Emergency services vehicles</b>
<b>NHS vehicles exempt from vehicle tax</b>
<b>Vehicles in the disabled tax class</b>
<b>Military vehicles</b>

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