ANNEX 1

Silvertown Tunnel

Local Impact Report

15th November 2016

Executive Summary

This purpose of this Local Impact Report ("LIR") is to outline the anticipated impacts of the Silvertown Tunnel (the Scheme) pertaining to the London Borough of Newham ("the Council") in light of the Principal Issues identified by the Examining Authority ("ExA") in its letter dated 13th September 2016.

The London Borough of Newham expects to amplify the matters of concern set out in this Local Impact Report in due course.

The matters of concern raised by the Council are also considered to be matter(s), outside of the scope of their being presented in an LIR, that are both "important" and "relevant" pursuant to the determination of the Secretary of State under the Planning Act 2008. Therefore, they fall to be considered as such by the Examining Authority in the formulation of its recommendation, and by the Secretary of State in due course.

Broadly, the Council has concerns that uncertainties in the Transport for London (TfL) promoted case prevent confident and detailed assessment of the impacts of the Proposal.

At the heart of these concerns, the *traffic model* which underpins the highway and air quality impacts and also forms the basis of much of the various particular assessments in the Environmental Impact Assessment is considered to be fundamentally flawed in its assumed value of time and also its assumed behavioural response of drivers.

In addition, the Council lacks any confidence that the *elasticity of demand* across various user groups has been correctly evaluated, and that the prediction of the actual numbers of vehicles at different charging points are accurate.

It is the view of the Council that these patent uncertainties add very significant weight to the importance of identifying clear monitoring and mitigation strategies to be built into the proposed Scheme but which remain absent. It is of concern that a robust monitoring and mitigation strategy for intended and non-intended impacts is not secured within the current iteration of proposed draft Development Consent Order.

The Council is concerned about the potential for detrimental local environmental impacts from noise and from air pollution. These impacts are likely to both jeopardise the health of Newham residents and impede regeneration and growth opportunities in the area inhibiting the achievement of Convergence of the Borough which is currently the 23rd most deprived Borough in England which is seeking to maintain and realise the benefits of the 2012 Olympics. It remains important that these aspirations are not prejudiced by TfL's current proposed Scheme for a pair of (unspecified) charging tunnels between Newham and Greenwich Boroughs by which TfL can improve its particular purse.

There are also significant social implications which, in the view of the Council, have not been properly or at all addressed. The Council understands that TfL has not applied for a toll for each tunnel but to seek power to impose and maintain a user charge on an existing and a proposed tunnel. While the principle of introducing user charging to manage demand is understood for example, on public transport, or London wide by the Mayor, the appropriateness of reducing free cross river access to and from areas of deprivation and replacing them with (unspecified) charges in perpetuity is a particularly serious concern. Assuming that the proposed TfL Scheme is lawful (and this is not accepted) the Council requires necessary local discounts for all Newham residents, as is the case, for example, for residents local to the existing Dartford Crossing.

The Council consider that the Scheme could, subject to resolution of the Council's concerns, have the potential to benefit the Borough in terms of facilitating growth in the provision and use of sustainable transport modes cross river.

To that end, the Mayor of London's intention to commit to Silvertown Tunnel bus services, as well as concession fare(s) for local residents through the TfL Business Plan is welcomed. While it is acknowledged that proposals for a "turn up and go" shuttle service for cyclists are yet to be presented, the Council's view is that pedestrian and cyclist connectivity could be consolidated and enhanced through the existing Emirates Air Line cable car, via reductions in its pricing structure.

It is clear that the potentially materially damaging socio-economic and environmental

impacts, if not resolved, places the proposed Scheme at fundamental odds with the London Borough of Newham's overriding Convergence agenda.

As such, the Council anticipates making further representations through the Examination Hearing process, to seek the most favourable resolution for Newham residents and businesses in anticipation of its concerns being resolved. If not, the Council will maintain its objections to the current formulation of the Scheme.

Contents	

1.0 Introduction

The Silvertown Tunnel Scheme was designated as a nationally significant infrastructure project by Direction given by the Secretary of State for Transport under Section 35 of the Planning Act 2008 (as amended) on the 25th of June 2012. This directed that the Silvertown Tunnel, as well as any associated matters, be treated as development for which development consent is required.

Transport for London (TfL) has submitted an application to the Secretary of State (via the Planning Inspectorate) under Section 37 of the Planning Act 2008 for a Development Consent Order ("DCO").

The application was accepted by the Planning Inspectorate for examination on the 31st of May 2016. On the 13th of September 2016, the Planning Inspectorate gave notice to the London Borough of Newham that the examination period is to commence with a Preliminary Meeting on Tuesday 11th of October 2016 (concluding on 11th April 2017), and invited the submission of a Local Impact Report (LIR).

The purpose of this Local Impact Report is to outline the expected impacts of the scheme pertaining to the London Borough of Newham in respect to the proposed Scheme as it stands at 15th November 2016.

London Borough of Newham anticipates amplifying the matters of concern set out in this Local Impact Report to the extent that TfL further articulates its current Scheme, and its concerns, in due course because the matters are both "important" and "relevant" to the determination of the Secretary of State under the Planning Act 2008.

2.0 The Scheme

The Application seeks development consent from the Secretary of State for Transport for the construction, operation and maintenance of a twin bore road tunnel beneath the river Thames known as the Silvertown Tunnel ("the Scheme").

The Scheme is identified as being within the area outlined in red by TfL in its application for a Development Consent Order (DCO). The Council does not consider that the area covered by the DCO can extend beyond the red line drawn by TfL.

The Scheme is located in the London Borough of Newham and Royal Borough of Greenwich and includes the following elements:

- twin road tunnels approximately 1.4km long under the river Thames linking the A102 Blackwall Tunnel Approach on the Greenwich Peninsula to the A1020 Tidal Basin Roundabout in the Royal Docks area;
- a tunnel approach road on the north side of the river Thames to connect the new tunnels to Tidal Basin Roundabout, which would be altered to create a new signal-controlled roundabout linking the A1020 Silvertown Way, Dock Road and the A1020 Lower Lea Crossing;
- widening of the A102 Blackwall Tunnel Approach on the south side of the river Thames to create new free-flow slip-road links to the Silvertown Tunnel;
- a new flyover to take southbound traffic exiting the Blackwall Tunnel over the northbound approach to the Silvertown Tunnel;
- replacement of the Boord Street footbridge over the A102 with a new pedestrian and cycle bridge;
- the introduction of road user charging for the Silvertown Tunnel and the Blackwall Tunnel;
- tunnel service buildings and plant rooms at each tunnel portal;
- modifications to the local road network including changes to Dock Road, Tunnel Avenue, Pavilion Way, Dreadnought Street and Boord Street; and
- works to facilitate the construction of the elements described above, including:
    - creation of construction sites and accesses from the public highway;
    - construction of a temporary jetty and associated works in the river Thames at

Thames Wharf to be used for the import and export of materials from the construction sites;

- provision of new utilities and services and diversion of existing utilities; and
- provision of drainage, lighting, noise and visual screens, and hard and soft landscaping.

The Scheme includes the compulsory acquisition of interests in and rights over land, the temporary use of land and the overriding of easements and other rights. The Council has expressed its views of the acquisition Scheme by its property advisors in Relevant Representations.

3.0 Description of the Site

The Scheme includes a new twin bore road tunnel which is proposed to have a vehicular mouth at its southern and northern ends. Entry and egress at the northern end occurs in the Council's area.

The part of the site within the London Borough of Newham would be located in Silvertown, and would ultimately comprise the Northern Portal of the tunnel. The Northern Portal would be located adjacent to Silvertown Way, opposite to the Siemens Crystal, in the area shown on Sheet 5, 6 and 7 of the Land Plans (Document 2.3, dated 29th of April 2016)

During construction stage, the Northern Portal Site ("the Site") would have a significant footprint, occupying a portion of land located to the south-west of Silvertown Way and Royal Victoria Dock beyond. This area is primarily industrial, and is occupied for such uses as concrete batching and waste sorting and recycling. The South-Eastern most branch of the DLR, which connects Woolwich Arsenal to Canning Town and beyond runs through the site. The Emirates Cable Car also flies over the site, and two of its supporting structures are located within it. The site also includes the Thames Wharf.

The area surrounding the site, incorporating the Lower Lea Valley, Royal Docks and Canning Town is undergoing significant regeneration with a number of major development proposals either under construction or having received planning permission. These include the Hoola Towers, The Pump House, Caxton Works, Hallsville Quarter, Royal Wharf and Silvertown Quays within the London Borough of Newham, as well as London City Island within the London Borough of Tower Hamlets. Generally speaking, these schemes are for residential led, mixed use developments.

4.0 Planning Policy Context

4.1 The Local Development Plan:

The statutory development plan (for the purposes of the Town and Country Planning Act 1990)(as amended) for the Council's area comprises the following policy documents:

- the London Plan (the spatial development strategy for London consolidated with alterations since 2011 and published March 2016); and
- The London Borough of Newham Local Plan: Core Strategy 2012; and
- The London Borough of Newham Local Plan: Detailed Sites and Policies Development Plan Document (Adopted 20th October 2016); and
- The London Borough of Newham Local Plan: Policies Map (2016) consolidated with the Local Plan Proposals Map (2012); and
- Joint Waste Development Plan for the East London Waste Authority Boroughs (adopted 27th February 2012)

4.2 Relevant Designations

The following Designations of, or near to, the North Portal Site are relevant:

- Silvertown Crossing safeguarding
- Crossrail safeguarding
- Thames Wharf safeguarding
- Thames Wharf DLR Station safeguarding
- Strategic Industrial Location
- Arc of Opportunity (Core Strategy 2012)
- Strategic Site S08 Thames Wharf (Core Strategy 2012)
- Air Quality Management Area
- Site of Importance for Nature Conservation

4.3 Primary Policy Considerations:

The application site for the North Portal is subject to a safeguarding direction from 2001 for a potential river crossing.

Thames Wharf is also the subject of a safeguarding direction and is afforded protection by Policy 7.26 of the London Plan.

Similarly, the site is designated as a Strategic Industrial Location (SIL) and benefits from protection from Policy 2.17 of the London Plan. Notwithstanding its current SIL designation, the Northern Portal site is located within the Thames Wharf Strategic Site (S08) which is proposed through Policy S3 of the Core Strategy (2012) for SIL release incorporating new employment, leisure/tourism and residential uses around a potential new DLR station.

Part of the site to the south of the Lower Lea Crossing is also designated as a Site of Importance for Nature Conservation, and is protected by Policy SC4 of the Core Strategy.

A tunnel at Silvertown is supported by London Plan Policy 6.1, which sets out that the Mayor of London will work with *all* relevant partners to encourage the closer integration of transport and development.

Similarly, at a Borough level, Policy INF1 Strategic Transport supports ongoing investment to strategic transport proposals that will contribute towards Newham's regeneration, economic and physical development. The policy supports the development of safeguarded river crossing routes at both West Silvertown and Gallions Reach subject to satisfactory assessment, in line with the criteria set out within London Plan Policy 6.12. These criteria include the contribution to London's sustainable development and regeneration, net benefit to London's environment, as well as extent of additional traffic impact on the locality and to which congestion can be reduced.

The London Borough of Newham's Core Strategy (2012) sets out through Policy S1 the Borough's overriding priority is to build communities that work, and ensure that growth

contributes to achieving convergence. The policy promotes convergence and growth through improved connectivity through strategic investment which includes new river crossings. Policy SP1 sets out an expectation for high quality development, which respects, takes advantage of, and enhances the positive elements and distinctive features of the Borough, contributing to a well-connected and integrated series of successful and distinctive places, that together help to transform the Borough and its attractiveness as somewhere to live, work and stay. Policy SP1 supports proposals which reduce 'edges' and severance between the Borough and neighbouring areas, and seeks an appropriate balance of infrastructure, homes and jobs, which ensure new and existing community needs are met, in line with other thematic policies.

Policy SP2 of the Core Strategy seeks to promote healthy lifestyles, reduce health inequalities and create healthier neighbourhoods. All development proposals are expected to respond to the need to improve Newham's air quality, reduce exposure to airborne pollutants and secure the implementation of the Air Quality Action Plan, having regard to both national and international obligations. The Core Strategy also requires that development should demonstrate that it will respond positively to the need to improve employment levels and reduce poverty, whilst attending to the environmental impacts of economic development including community/public safety, noise, vibrations and odour and the legacy of contaminated land. This requirement must be considered against the background as a strategic regeneration area.

Policy SP8 of the Detailed Sites and Policies Development Plan Document (2016) (DPD) requires all development to achieve neighbourliness throughout the lifetime of the development. The achievement of neighbourliness seeks to ensure that the benefits of development and regeneration spread beyond the context of individual development proposals, in accordance with convergence aims. To that end, and in particular relevance to the Silvertown Tunnel, proposals must demonstrate to the Councils satisfaction that exposure to noise, dust, vibration or other health impacting pollutants is minimised, in accordance with Core Strategy Policy SP2. Further, Policy SP9 of the DPD requires development proposals to demonstrate that such proposed development avoids creating or adding to problematic cumulative impact, helping instead to engender health, successful places, and create sustainable development. In particular SP9 requires that within

specified Air Quality Management Areas an increase in specified pollutants must be avoided, or appropriately mitigated in accordance with Core Strategy Policy SP2.

Policies SC1-SC4 of the Newham Core Strategy and SC5 of the Detailed Sites and Policies DPD outline the Council's expectations from new development in terms of Sustainability and Climate Change. These policies outline the Borough's expectations in terms of waste reduction, sustainable urban drainage and flood mitigation, energy efficiency, land contamination, biodiversity and pollution control.

4.4 Conclusion

The Council considers that while the local development plan supports the principle of a river crossing in Silvertown, it does so on the balance of acceptability of material considerations. These considerations include the socio-economic, health and environmental implications of the proposals, mindful of Council's overriding priority to build and grow communities to achieve convergence. The current Scheme does not demonstrate that these considerations achieve the required balance.

5.0 Concerns and Uncertainties

Prior to detailing any perceived impacts of the Silvertown Tunnel scheme, it is necessary to highlight areas where there is uncertainty in the case promoted by TfL. In many instances, uncertainties in the promoted case prevent the Council from making confident and accurate assessment as to the impact of the proposed Scheme, as well as making an assessment of the scope and requirement for mitigation measures.

The local impacts reported in the subsequent sections of this LIR document are therefore caveated accordingly.

5.1 Traffic Modelling

The traffic model in particular is an area of concern for the Council as it forms the basis from which transport and environmental assessments have been derived. The London Borough of Newham understands many of these concerns are also shared by the Royal Borough of Greenwich and the London Borough of Tower Hamlets (the host Boroughs).

5.1.1 Base Model

The base model has been independently audited on behalf of the host boroughs by consultants Steer Davies Gleave (funded by TfL) and has been subsequently agreed as fit for purpose by this Council. The model replicates observed flows well for a large strategic model of this sort under 'normal' conditions, although it was noted that it's modelling of the effect of incidents was less representative of reality. However, it is acknowledged that SATURN does not deal with the modelling of short term incidents on the network well, due to the 'proxy' coding required to represent incidents and because it does not assign trips in the way that driver route choice decisions are made in the event of an incident on the network.

5.1.2 Reference Case Model

Following the base model audit, the reference model has been independently audited on

behalf of the host boroughs by consultants Steer Davies Gleave (funded by TfL) and has been subsequently agreed as fit for purpose by the Council. While the Council may have some issues regarding the exact growth assumptions built into the 2021 reference case, sufficient uncertainty exists over the delivery of regeneration schemes over the next five years for the reference case assumptions to be considered as adequate for traffic modelling purposes.

5.1.3 Assessed Case Model

The assessed case model is not agreed by this Council, nor we understand, by the Royal Borough of Greenwich or the London Borough of Tower Hamlets. Despite a similar audit process to the base and reference case models having been undertaken, there remains a lack of confidence in the model outputs for a number of reasons as set out below and to be developed in further representations.

There are a number of inconsistencies and apparent contradictions in the reporting of modelling assumptions and outputs running through the submitted documentation. For example, varying percentages of local trips from the host boroughs are quoted in different sections of the Traffic Assessment, and in addition, these percentages appear to be entirely at odds with graphs of average tunnel trip lengths, which show much smaller numbers of trips of <10km. There are a number of examples of where these inconsistencies and contradictions (which do not belong in this report, but will be highlighted in due course) combine to suggest inexplicable checking and referencing which in turn undermine, and hence results in no confidence in both the overall coherence and credibility of the highway and environmental impact reporting.

The *value of time* used in the model to determine the traffic assignment according to the generalised cost of available routes is an average figure, and does not reflect the specific socio-economic characteristics of the East London sub-region, where indices of deprivation are well above the national average.

The *behavioural response* of drivers to user charging cannot be validated. While it is acknowledged that the assessed case model behaves 'as expected', in that an increase in

tolls results in a reduction in demand, and vice-versa, the Council cannot be confident that the *elasticity of demand* across various user groups has been correctly evaluated, and that the prediction of the actual numbers of vehicles at different levels of toll are accurate. No stated preference or similar surveys across socio-economic and road user groups have been undertaken by TfL to calibrate these varying behavioural responses to different tolling levels suggested by the model, so the assessed case model cannot be validated in the same way as the base and reference case models.

By the TfL's own admission, predicting the behavioural response of different highway network user groups to the introduction of a road user or toll charge is an inexact science - especially when only a traffic model (i.e. without a behavioural sub-model) is used.

In a statement in the host borough's issues tracker (a document which tracks the key issues raised by the host boroughs and the TfL response to these) it states "...TfL acknowledges that there remains an *inherent challenge* in forecasting this kind of response and it remains possible that elasticities (willingness to pay) has (*sic*) the potential to be *higher or lower than assumed* in the assessed case. This is a key argument for the proposed flexible charging power, to ensure that the scheme can respond effectively to circumstances which *can never be conclusively modelled*..."(italicisation added for emphasis).

In light of this admission by the TfL, and in order to demonstrate due diligence on behalf of its residents and businesses who may be affected by the scheme, the Council has no option but to view the highway and environmental impacts as presented in the DCO submission documents with little confidence. In addition, the Council and ExA must consider a 'what if' scenario, where the impacts presented are actually worse in reality, and what mitigation measures would be available to address these.

5.1.4 Strategic versus Local Modelling

The assessment of the impacts as presented in the transport and environmental assessment submissions is "...predominantly based on projections derived from TfL's suite of strategic models, notably the LoRDM, the RXHAM and Railplan".

The use of the RXHAM strategic model (utilising the SATURN software) produces results which suggest that no mitigation measures at any junctions in the study area would be *essential* and consequently none are proposed, although it is acknowledged that some local mitigation is likely to be necessary via the Monitoring and Mitigation Strategy. The Council considers that the use of a suite of strategic models and finally a strategic highway assignment model to determine local highway impacts is neither appropriate, nor supported by guidance, as it is not sufficiently fine grain to allow for informed judgements of local junction operation. As such, it is not possible for the Local Authorities concerned to determine the local highway impacts on their network with any degree of confidence based on the information provided by the applicant from the strategic modelling undertaken and reported in the Transport Assessment (TA) (Document Ref 6.5, dated April 2016).

Despite there being no mitigations proposed based on the assessed case modelling, a VISSIM simulation model was built by TfL to support the evaluation of local junction mitigations. In contrast to the strategic model outputs, the use of this simulation model, and supplementary TRANSYT models outside the modelled VISSIM area, indicated some junction impacts across the study area and appropriate mitigations for these, including at the Canning Town junction (Barking Rd/Silvertown Way/Manor Road) and Barking Road/Prince Regent Lane. A larger number of mitigation measures were also considered necessary south of the river, concentrated on the A2 road corridor.

Best practice modelling procedure would require any mitigation(s) identified from the local models to be re-coded in the strategic model and for it to be re-run, as the mitigations implemented are likely to result in a degree of reassignment in the strategic model, producing different link and junction flows. However, this iteration has not been undertaken by TfL, undermining confidence in the strategic model outputs still further. In summary there is no evidence of modelling for the local impacts.

5.2 Monitoring and Mitigation Strategies

Although local impacts are in fact identified in the assessed case by the supplementary local modelling, and appropriate mitigations suggested (albeit in an Appendix to the

Transport Assessment dated April 2016) the applicant's rationale in not proposing these as part of the DCO requirements is that it is:

"....not appropriate at this stage and may in fact conflict with the objectives of later projects and programmes. Therefore, instead of committing to mitigation proposals at this stage, TfL proposes to commit to future monitoring and implementation of mitigation under existing powers where appropriate by assessing the traffic impacts closer to scheme opening, and monitoring the impacts thereafter to accurately identify the scale and location of adverse impacts to enable implementation of effective mitigation where required."

While the broad principle of the uncertainty in impact prediction as a result of modelling this far in advance of the scheme operating is accepted by this Council, it is understood that such an approach to a DCO submission, without necessary mitigations to address identified impacts being specified and secured, is highly irregular, and inappropriate. However it is for the Examining Authority to decide if this approach is sufficiently robust and secured by requirements to ensure the effective and timely mitigation of any likely scheme impacts. The Council has reservations in this regard, and has a real concern that adverse impacts of the Scheme could remain unmitigated.

While the TfL sets out that "effective mitigation" will be possible to address all identified impacts of the scheme, the Council does not share this view. Appendix C of the TA suggests a package of mitigations, some of which could be considered as 'blunt instruments' which will have other effects on non-tunnel traffic that may not be palatable to the Local Authorities concerned. For example, signal timing changes at a key junction could introduce delays and access restrictions to other road users which are unrelated to the tunnel, which may not be considered acceptable to the residents or businesses in those affected areas. In addition, traffic displacement could occur as a result of mitigation measures in any one location, which may have wider impacts elsewhere in the highway network. As impacts such as these may not be considered to be tunnel-related under the Traffic Impacts Mitigation Strategy (TIMS) definition, TfL would not be required to address these consequential wider impacts.

TfL also makes reference to using its 'existing powers'. It should be noted that TfL has no

powers to implement schemes on the local highway network for which the Local Authority is the Highway Authority. The applicant, in fact, only has powers on the TLRN. Therefore, any required mitigations on the local authority network must be either (a) implemented by the Local Highway Authority with funding from TfL, or, (b) implemented by TfL by means of an agreement with the Local Highway Authority under Section 8 of the Highways Act 1980 (as amended).

In the event that an unacceptable displacement of vehicles to the Woolwich Ferry occurs as a result of the Scheme, an obvious possible mitigation would be to introduce a charging regime to the Ferry in addition to that at the tunnels. However, once again, TfL has no such powers, as the Woolwich Ferry is protected as a free crossing by Act of Parliament. The process of TfL obtaining powers to do this would require the repeal of legislation and as such, if endorsed by Parliament, take several years.

The Council has currently identified two examples of where 'effective mitigation' may not be possible to attain, and the Council believes other examples may exist where the mitigation identified to address a monitored impact may not be widely supported, deliverable or fundable. Therefore, without achievable mitigation schemes having been identified in detail by TfL and their wider impacts and deliverability verified, it is impossible for this Council to agree that effective mitigation can be implemented to address all the potential impacts of the scheme.

5.3 Limits of Deviation

The Council submits that the wording and structure of the DCO is such that many impacts of the proposed Scheme are currently unknown and inherently, and unacceptably difficult to predict. While the merits of allowing for some flexibility into the scheme is noted and agreed, the limits of deviation as set out in Article 5 of the Draft DCO (Document Reference 3.1, dated April 2016) particularly 5.(2)(b), go beyond what is reasonable. If the design of the tunnels, location of portals, and indeed the numbers of tunnels, are not known to a reasonable degree of certainty, many associated impacts during construction and operation cannot be reasonably known and should be known prior to acceptance of the proposed Scheme.

6.0 Highway Impacts

6.1 Construction Phase

The Silvertown Tunnel scheme will generate a significant number of HGV movements during construction, both the removal of excavated spoil from the tunnel boring machines and the importation of construction materials to the site.

Initially TfL presented a scenario with all material exported by road, which generated a number of lorry movements that was wholly unacceptable to the Council. Subsequently, commitments have been offered to import and export 50% of materials and spoil by river, which reduces the number of HGV movements from the northern portal worksite in Newham to a maximum of 85 in each direction per day. However, this number assumes that a 50% reduction will be achieved at the northern portal worksite, yet the reality is that it is a target for the Scheme as a whole. It is therefore entirely possible that the percentage of material imported and exported at each portal worksite may significantly differ while still comprising 50% of the Scheme total. Therefore a commitment to a percentage of river transport *for each worksite* will be required, to enable each Host Borough to confirm HGV construction activity and enable a sound judgement of the weighting and consequences of likely local impacts.

In the interests of sustainability and minimising the adverse construction impacts of the scheme, every opportunity should be taken by TfL to maximise the amount of material and spoil transported by river beyond the current commitment, through strict requirements in the tender documentation. No re-negotiation of these requirements must be permitted either prior to or once a contractor is appointed.

It is noted that the waste transfer facilities served by Scarab Close and Dock Road that currently operate on the proposed northern portal worksite generate a number of lorry movements at present, but these operations will cease and the occupiers will be relocated prior to the construction of the Silvertown Tunnel scheme. It is therefore acknowledged that a number of HGV movements will consequently be removed from the immediate area (although these operations will be relocated). TfL has proposed surveys to establish the

scale of the current movements to these sites and the Council awaits the results of these surveys and will make further representations once these details are confirmed.

Notwithstanding the removal of some existing HGV trips from the local highway network as a result of the Scheme northern portal worksite, the construction highway impacts of the scheme itself remain of concern to the Council. The construction of the scheme will coincide with the delivery of significant strategic regeneration sites in the Royal Docks Enterprise Zone and at Canning Town and beyond, so the cumulative impact of construction traffic serving a number of sites will be significant.

Control of HGV routing to and from the northern portal worksite will be essential, with reporting mechanisms and penalties prescribed for vehicles that deviate from agreed routes. The Construction Traffic Management Plan (CTMP) document within the Code of Construction Practice (Document 6.10, dated April 2016) (CoCP) currently appears to give the Council the necessary controls over approvals in this regard, although enforcement in practice will be critical and the Council reserves the right to make further representations in this respect.

While the quantum of HGV trips may not appear significant, there will be significant changes to the composition of traffic on the local highway network, with a significantly increased percentage of heavy vehicles among the traffic stream, in particular on Tidal Basin roundabout and the Lower Lea Crossing.

Construction vehicles, particularly the 4-axle rigid tipper type used for the removal of spoil, are disproportionately highly represented in accident statistics across London, and have been involved in a number of cycle fatalities. As there will be interactions with pedestrians and cyclists at worksite entries and on approach routes (see subsequent section on pedestrian and cycle impacts), there are therefore significant safety concerns over a greater number of HGVs on local roads in the area. While the FORS Gold accreditation being sought from contractors by TfL is to be commended, further requirements for camera-detection fitted vehicles for added cycle safety should also be pursued through a tender requirement.

Considering these issues in the round, the Council is of the view that it is possible for the overall construction highway impacts of the Silvertown Tunnel scheme to be reduced to negative overall. There are a number of means by which TfL could commit to minimise and mitigate the highway impacts during construction which will continue to be sought by the Council in further meetings and representations.

6.1.1 Impacts on Highway Infrastructure

It is understood that TfL proposes the adoption of certain key approach routes to the northern tunnel portal and for them to become part of the TLRN road network. However, in the current proposal the Council and the London Borough of Tower Hamlets will retain responsibility for these routes during the Scheme construction. Accordingly the DCO proposes that all highway liabilities are to remain with the existing highway authorities until such time as transfer by legal agreement from the existing highway authority to TfL.

Pre-commencement highway and drainage condition surveys are required to ensure that any carriageway deterioration as a result of increased HGV traffic associated with scheme construction can be identified. Drainage arrangements for wheel washing units as worksite accesses must be clearly established, entirely separate to the highway drainage system.

The additional dirt and dust generated by construction vehicles, and in particular tipper trucks, are likely to result in additional road sweeping requirements and more frequent asset cleaning (e.g. signs, luminaires etc.), and support for such additional activities will be sought through the CTMP.

While these impacts on highway infrastructure and inventory are currently assessed as negative, it is acknowledged and this Council submits that further analysis is required and these could become neutral with effective CTMP obligations.

6.1.2 Impacts on LBN Highway Schemes

The Council is proposing some schemes of its own in the vicinity of the northern tunnel

portal that may be affected by the construction of the Scheme.

The Leaway pedestrian and cycle scheme runs from Canning Town to Royal Victoria Dock, via Silvertown Way and Tidal Basin Road (Upper). It is also proposed to extend this scheme further east along North Woolwich Road to the Connaught roundabout.
It is possible that the latter phases of this scheme will be on site in 2018/19, which may involve works on North Woolwich Road.

In addition, the Silvertown Quays scheme requires the conversion of the Connaught and Airport roundabouts to signal controlled junctions with full pedestrian facilities. These schemes may also be programmed for 2018/19 and 2019/20.

It is clear that close roadworks co-ordination and network management will be required if all these schemes run concurrently with the northern portal worksite, but with effective management of highway interventions, these can be ensured to be neutral. However further information is required and the Council reserves the right to make further representations.

6.1.3 Blackwall Tunnel Closures During Construction

There will clearly be a need for intermittent closures of the Blackwall Tunnel during the construction of the Silvertown scheme, particularly when constructing the approach roads to the southern portal. While the impacts of *unplanned* tunnel closures (as a result of incidents) on the host boroughs are negative, these planned closures, if implemented appropriately and with effective advance diversion signage can be neutral. However such closures and the consequential effects must be a known quantity to the Council that requires consultation and agreement.

6.2 Operational Phase

The preceding sections of this report have set out the Borough's concerns about how the Scheme's highway impact has been currently assessed and the appropriateness of the methodology used. Not only is there concern over the predictive accuracy of the strategic

model used, but also how this strategic model has been used to identify 'local' highway impacts.

However, notwithstanding these reservations, the subsequent sections of this report describe the impacts on the Borough's highway network as presented in the DCO submission documents.

The local highway impact information is presented somewhat unhelpfully on small scale plots (which pixelate badly when zoomed) in the following ways:

- Changes in Actual Traffic Flow (PCUs/hr)
- Changes in Volume/Capacity Ratios (%)
- Changes in Junction Delay (PCU hrs)

6.2.1 Changes in Traffic Flow

Increases in traffic flow in 2021 with the tunnel operating (Assessed Case) against the 2021 Reference Case occur at the following locations (highway links) in the AM peak:

- Silvertown Way between Tidal Basin Rd and Canning Town
- North Woolwich Road between Tidal Basin Road and Connaught Bridge
- Royal Albert Road
- A13 East of Canning Town
- A406 North of A13

Increases in traffic flow in 2021 with the tunnel operating (Assessed Case) against the 2021 Reference Case occur at the following location (highway links) in the inter peak period:

- North Woolwich Road between Tidal Basin and Connaught Bridge

Increases in traffic flow in 2021 with the tunnel operating (Assessed Case) against the 2021 Reference Case occur at the following locations (highway links) in the PM peak:

- Silvertown Way on the approach to Canning Town roundabout
- North Woolwich Road/Connaught Bridge/Royal Albert Rd/Gallions Roundabout/Royal Docks Road
- Woolwich Ferry
- Barking Road, East of Canning Town
- A13 East of Canning Town

These flow increases are presented in broad ranges, (50-100, 100-200 and >200), and there are a number of locations above where the increase in flow is >200 PCU's/hour. In these cases, there is no indication if this is 201 or 1,000. Consequently, despite not being made aware of the potential scale of local increases in flow on the highway network, there are obvious concerns to the Council with the information presented. Of particular concern to this host Borough is the apparent resultant increase in traffic around Canning Town and through the Royal Docks, indicating a degree of traffic re-routing due to the increased route choice on the northern side of the Tunnel. These traffic increases have the potential to result in serious implications for the full delivery of the Canning Town centre regeneration scheme and the Royal Docks Enterprise Zone respectively, and additional tunnel-related traffic must be avoided in these areas, particularly if they are diverting from strategic routes (such as the A13, A406, M11).

Mitigations against these traffic impacts are not identified, further, as discussed previously in this report, it is considered that such issues cannot be satisfactorily addressed without generating additional adverse impacts on general accessibility or journey time to or through the Boroughs strategic regeneration sites areas. Therefore mitigation measures to address adverse tunnel highway impacts could also impact adversely on the delivery of regeneration projects in Canning Town and the Royal Docks.

Accordingly, the Council must conclude that the traffic flow changes on the local highway network in Newham as a result of the Tunnel scheme are negative overall.

6.2.2 Changes in Volume/Capacity Ratios

Increases in Volume/Capacity ratios in 2021 with the tunnel operating (Assessed Case) against the 2021 Reference Case occur at the following locations (highway links) in the PM peak:

- North Woolwich Road/Silvertown Way between Tidal Basin and Canning Town
- A13 on approach to High Street South junction

(There are no locations where VCR's increase significantly in the AM peak).

The reporting of this operational indicator by TfL reveals little about the local highway impacts of the Tunnel scheme. Normally, a degree of saturation above 85% represents operational concern and delay increases exponentially beyond this level. Interestingly, 85% is not shown as a threshold, with the ranges chosen instead being <80 to >80, <80 to >100 and >80 to >100. Junction operation at over 100% volume to capacity ratio is highly volatile with significant queue and delay likely. Both the above locations show VCRs in excess of 100. Therefore, the Council must conclude that the changes in Volume/Capacity ratios on the local highway network in Newham as a result of the Tunnel scheme are negative overall.

6.2.3 Changes in Junction Delay

Increases in junction delay in 2021 with the tunnel operating (Assessed Case) against the 2021 Reference Case occur at the following locations (highway junctions) in the AM peak:

- Canning Town (Rathbone St. Bus station access)
- Freemasons Road/Victoria Dock Rd
- Prince Regent Lane/Victoria Dock Road
- Prince Regent Lane/A13
- Prince Regent Lane/Barking Road/Greengate Street
- Barking Road/Green Street
- Barking Road/Katherine Road
- Green Street/Romford Road
- A13/High Street South

- Woolwich Ferry

Increases in junction delay in 2021 with the tunnel operating (Assessed Case) against the 2021 Reference Case occur at the following locations (highway junctions) in the inter peak:

- Prince Regent Lane/Victoria Dock Road
- Prince Regent Lane/A13
- A13/High Street South
- Woolwich Ferry

Increases in junction delay in 2021 with the tunnel operating (Assessed Case) against the 2021 Reference Case occur at the following locations (highway junctions) in the PM peak:

- Canning Town (Rathbone St. Bus station access)
- Freemasons Road/Victoria Dock Rd
- North Woolwich Road (Barrier Point Road and North Woolwich Rd roundabout)
- Prince Regent Lane/Barking Road/Greengate Street
- Royal Albert Road/Stansfeld Road
- Barking Road/Green Street
- Barking Road/Katherine Road
- Greengate Street/Balaam Street
- New Plaistow Road/Manor Road
- West Ham Lane/Densham Road
- A13/High Street South

Junction delay is banded as either 1-10 PCU hours or 10-100 PCU hours. Once again there is no indication of 'actual local impact' or if there is any mitigation required, as the distribution of delay across the arms of the any of the junctions concerned is not and should be specified.

A number of locations above are classified in the 10-100 PCU hours delay increase category in the assessed hours. Up to 100 hours delay in a peak hour at a junction is clearly significant to individual users. Therefore, the Council must conclude that the changes in junction delay on the local highway network as a result of the scheme are negative overall.

7.0 Air Quality & Noise Impacts

7.1 Guidance & Modelling

TfL rely on the output results of the RXHAM traffic model, based on a single set of inputs that they propose as being the 'most likely' scenario for traffic flows in and around the Scheme. The Council has voiced their misgivings about following a single set of results and basing an entire case on this, yet TfL have neglected to assess variations in these traffic flows to provide adequate assurance that all potential adverse noise and air quality impacts are fully considered.

The Council considers that sensitivity tests of different modelled traffic scenarios around the Lower Lea Crossing and Roundabout, Silvertown Way and North Woolwich Road should be carried out. With hundreds of new homes committed the surrounding area it is essential to understand the full impact of this project on existing and future receptors. The Council has sought further detail from TfL as to how all outline planning developments have been assessed and are currently in dialogue to get a better understanding of the modelling in these areas.

The air quality assessment of the Scheme has been undertaken in accordance with Design Manual for Roads & Bridges (DMRB) guidance and associated interim advisory notes. This guidance is for the Highways Agency, and set out the methodology to be used in assessing air quality impacts from proposed road schemes. This is not the only guidance available to the Examining Agency and TfL, and sole reliance on these policy documents fails to consider other guidance including the Institute of Air Quality Management's documents, Land Use Planning and Development Control and Significance in Air Quality published November 2009 and all national and international air quality standards.

Given that the general understanding of the health effects of nitrogen dioxide is evolving, it is considered that there is value in a more precautionary approach to reflect the increasing public concerns on nitrogen dioxide impacts.

As stated in the Environmental Statement 6.1 and the Health and Equalities Impact Assessment 6.8, there is strong evidence setting out links between noise levels and health and also strong evidence setting out links between air quality and health. Based on the current modelling supplied within the documentation, a professional judgement has been applied to determine that the impacts on health from any changes in noise and air quality are not significant for both the construction and operation phases of the Scheme. It is clear though, that much of the modelling and metrics have been presented for the wider Scheme area which, in the Council's opinion, may have led to an 'averaging out' of the impacts across the three boroughs.

The documents acknowledge that the largest impacts for both noise and air quality will be experienced in Newham, within the vicinity of the Hoola Towers and Pump House developments, as a result of changes in traffic flow and composition around the redesigned roundabout and along Tidal Basin Road. Further presentation of the modelling is required at Borough and local ward level to identify the potential noise, air quality and associated health impacts on these specific populations.

7.2 Monitoring and Mitigation

The air quality monitoring strategy that underpins the charging structure is not sufficient to monitor the environmental impact of the development. A monitoring protocol must be put in place that is robust and comprehensive. The monitoring protocol will need to include relevant and accurate traffic flows as well as air quality to ensure the air quality monitoring is correctly placed.

The Environmental Statement indicates the Hoola building is subjected to significant increases in nitrogen dioxide levels, but no site specific mitigation is intended. Site specific mitigation must be included and a suggestion is in the form of specialised ventilation systems. More detailed assessment is required to ensure the Pump House development adjacent to the Hoola is not also impacted.

Noise mitigation around the Hoola and Pump House buildings is based on the use of low noise creating road surfacing and mitigation, as well as those already in place within the development. The Silvertown Tunnel is expected to be used by a large number of HGVs,

where engine noise will dominate road surface-tyre interaction noise at low speeds. It is therefore the view of the Council that this mitigation will not have the positive impact assessed within the Environmental Statement. As the Hoola Building is already expected to exceed SOAEL values, the absence of any actual decrease in noise from the road surface will only further increase noise levels, and as such, there are concerns that the model may be underestimating the impact of this project on the residents of both the Hoola Building and the Pumphouse development.

Newham have raised concerns relating to incorrect monitors being used to assess individual locations and the results of the repeated noise monitoring data being used to justify the conclusions in the Environmental Statement with regards to construction noise. Further detail has been sought over the level of monitoring undertaken and discrepancies between the data recorded have been questioned. At this moment these concerns have not been allayed.

The Council is conscious that in all but one location construction noise is expected to be below target levels, although night-time construction SOAEL levels are exceeded at Western Beach Apartments. SOAEL levels need to be avoided and the Council does not agree with the conclusions drawn by TfL on this matter.

The Environmental Statement outlines likely impacts from construction and sets out standards to be adopted to provide controls on the contractor, via the overarching Code of Construction Practice. It is considered that further development is required of these controls and subsidiary documents to ensure impacts are minimised and that compliance is obtained. The Council anticipates making further representations on this matter.

8.0 Public Transport Impacts

There is clearly the potential for the Scheme to provide for an expanded cross-river bus network in future years. To that end, the Mayor of London's intention to commit to Silvertown Tunnel bus services, as well as concession fare for local residents through the TfL Business Plan is welcomed

Substantial public transport modelling has been undertaken for the scheme, so it is not clear why new public transport services were not also modelled and their usage confirmed so that greater certainty on future cross-river services could be provided at this stage and embedded in DCO requirements.

What is currently proposed is indicative only and could bear little resemblance to any emerging public transport route network post-tunnel implementation. It is therefore necessary for the public transport offer (which is a key component of the scheme) to be fully confirmed (including details of routes and frequencies) prior to a decision on the scheme being made and for these bus services to be secured not only through the TfL Business Plan but secured as part of any DCO.

It is also very important that there is no change to the highway lane configuration in the proposed tunnel, with a Bus and HGV only lane in operation at all times. The restriction of general traffic to a single lane is a vital component in assuring the highway impacts of the scheme can be controlled and there must be no change in the current suggested lane allocations post scheme implementation. It is, however, acknowledged that general traffic may be permitted to use the Bus and HGV lane in the event of an incident in either tunnel.

Subject to there being a firm commitment on future bus services and the lane allocations within the Tunnel through the DCO, the Council considers that the public transport impacts of the Scheme in terms of an expanded bus network could be positive.

9.0 Pedestrian & Cycle Impacts

9.1 Construction Phase

The implementation of the tunnel northern portal worksite at Tidal Basin Road will eradicate a number of existing established walking and cycling routes, including National Cycle Network Route 13 which passes along Dock Road and over the Lower Lea Crossing. Where existing routes are severed or diverted, alternative pedestrian and cycle routes will need to be set out and agreed by the Council, with appropriate safety measures, including controlled or marshalled crossings to ensure pedestrian and cycle safety. Consequently, there will need for close management of these routes where they interface with worksite accesses to be incorporated into the Scheme.

As set out previously, traffic composition will change during construction, with a larger percentage of HGV's in the traffic stream. This would increase the degree of intimidation experienced by pedestrians and cyclists, who are fearful of construction traffic. Mitigations, such as safety and acoustic barriers, protected or enclosed walkways and segregated cycle lanes will be appropriate in certain locations as a result.

Increases in construction vehicle activity is expected to also result in increased levels of dust and dirt experienced by pedestrians and cyclists in the highway environment. Strict requirements in the CTMP on wheel washing, road-sweeping and road-washing with bowsers will help reduce these impacts.

The implementation of the northern portal worksite will clearly present some significant challenges to maintaining pedestrian and cycle permeability and safety in the area. No detail has yet been presented by the applicant on the local treatment of the interfaces between pedestrians and cyclists and worksite traffic, or on the suggested closures or diversions of routes. While the Council may have some influence over the interfaces and diversions through the CTMP and other street works consents, there will undoubtedly be a negative impact on the amenity experienced by pedestrians and cyclists on the local highway network.

9.2 Operational Phase

9.2.1 Pedestrian and Cycle Routes

The tunnel infrastructure will have significant impacts on existing and future aspirational walking and cycling connections in the Tidal Basin area. As highlighted in the construction impacts section, the tunnel portal and approach roads (and associated highway realignments) sever a number of existing routes and must be diverted during construction and re-provided once the tunnel is operational.

Detail on this aspect of the Scheme is only just emerging, and discussions with the applicant over appropriate pedestrian and cycle improvements and funding is ongoing. These discussions include the diversion of NCN 13 cycle route, interfaces with the Council's Leaway walking and cycling scheme and ensuring that local connectivity to future development sites is retained. While these will not be included as DCO requirements, TfL has indicated a willingness to enter into a separate legal agreement to fund and deliver these off-site improvements.

The Council is of the opinion that, provided that current discussions are concluded favourably and offers made by TfL are not withdrawn, the impacts on the pedestrian and cycle network in the vicinity of the Scheme could be positive. However in light on the reliance upon a favourable outcome to discussions the Council reserves the right to make further representations and where appropriate request inclusion of such measures within the DCO.

9.2.2 Pedestrian and Cycle Safety

The transport assessment shows an increase in traffic flows in a number of locations across the highway network which has the potential to adversely affect pedestrian safety and cycling level of service levels at locations across the Borough's road network. This has the potential to adversely affect accident risk and numbers.

Discussions will continue with TfL over potential off-site mitigations to protect pedestrians and cyclists from any adverse effects of tunnel-related traffic to ensure that these impacts will be neutral.

9.2.3 Cross-River Walking and Cycling

Pedestrians and Cyclists will be prohibited from using the tunnel, so in order to promote sustainable transport, the Scheme should provide for sustainable cross-river trips by other means.

It is understood that it is now proposed to operate a 'turn up and go' shuttle service for pedestrians and cyclists, although this is not suggested in the DCO documentation, and details of the shuttle service remain unclear. In particular, it is not known where the pick-up and drop-off points on either side of the river will be, and it is considered that finding appropriate locations (which connect to the walking and cycling network and are close to the tunnel portal) will be very challenging (particularly on the south side).

The Council believes that there is already a perfectly adequate alternative for pedestrians and cyclists which links both tunnel portals – the Emirates Air Line – and that a revision to the existing pricing structure could encourage its use as a sustainable cross-river connection. As a result, the Council will continue to press TfL for a favourable revision to the EAL prices, particularly a revision which favours local residents at peak commuting times. The EAL should also be fully integrated into the Oyster zoning system with the price differential over other modes removed.

A shuttle system is not favoured by the Council due to its inconvenience and would represent a poor level of service for pedestrians and cyclists. As a result, the Council would consider the impact on cross-river pedestrian and cycle connectivity to be neutral at best.

However, a significant favourable change to the EAL pricing strategy could provide local residents with a viable and convenient sustainable alternative, and in such circumstances the impact on cross-river sustainable movement by pedestrians and cyclists would be

positive. Therefore, the Council will continue to press for this pricing revision through the examination. However in light on the reliance upon a favourable outcome to discussions the Council reserves the right to make further representations and where appropriate request inclusion of such measures within the DCO.

10.0 Socio-Economic Impacts of User Charging

The current situation is that residents within the Borough can travel for free across the river by tunnel and the ferry. Perhaps surprisingly TfL ask the secretary of State to empower them to charge unspecified sums for that same passage, in perpetuity. This will undoubtedly have a very considerable impact on the Borough which is currently within the 23rd most deprived Borough in England.

While there is significant discussion in relation to the economic impacts of the proposed Scheme in terms of growth in housing and employment and access to job markets in the DCO submission documentation, there is notably less discussion on the socio-economic impacts of the wider issue of introducing a charge for cross-river trips where none currently exists. East London and Newham in particular have particular socio-economic characteristics, with a high proportion of wards at deprived or very deprived levels and with lower income groups disproportionately highly represented among the population.

In addition, there is a wider issue over the people of East London having to pay for what is considered to be much needed transport infrastructure, where no such parallel exists in West London. Despite the huge imbalance between the number of river crossing opportunities in West versus East London, there is a fairness issue in that any attempt to address this imbalance must be paid for by East Londoners themselves. No financial penalty to cross the river exists elsewhere in London, so there is a distinct perceived difference in how transport planning needs are to be met in East London compared with Central and West London. The Garden Bridge project does not help with this perception.

Fundamentally, this different approach to East London's transport infrastructure provision is entirely at odds with the 'convergence agenda' to bring East London boroughs up to the opportunity and environment levels of their equivalents in Central and West London.

Notwithstanding these fundamental objections to the principles of charging for much-needed infrastructure, this Council considers that it will also have significant social impacts on Newham residents. Cross-river car trips will be suppressed according to income, and with indices of multiple deprivation high in the east and south east London sub-region, the

degree of suppression may be disproportionately high. This could result in essential 'social' cross-river trips no longer being made, and instead being replaced on the network by those able to pay, who may be making less socially 'important' trips (such as commuting).

Although it is acknowledged that Newham residents travelling over the river in the morning peak will be travelling in the off-peak direction and will be subject to the lower toll rate (with the same situation applying in the reverse direction when Newham residents return in the evening peak) there will still be a user charge introduced for Newham residents and businesses to cross the river where no toll or user charge currently exists.

For businesses in the east and southeast sub-region, there is a clear disadvantage when compared to equivalent businesses in central and west London as a result of the imposition of road tolls to cross the river. While it could be argued that businesses may benefit from the improved network resilience that the new Tunnel may provide at peak times and during incidents, they and their customers will pay for this benefit directly in a way that transport users elsewhere in London do not. For example, Crossrail users are not expected to pay a premium for their service in order to cover the £16bn capital costs of that scheme.

This widespread concern over the introduction and impact of user charging or tolls was reflected very clearly in the consultation response to the proposed scheme. Despite this clear message, TfL has not addressed the issue of user charging and their suppression of local trips at all, simply regarding the charge as a demand management tool and a means of funding the scheme. No mitigation is offered by TfL.

The Thames Gateway Bridge, when it was proposed, included discounted charge for local residents, to allow for and encourage essential local cross-river trips and to deter its use as a strategic crossing. The socio-economic characteristics of the areas on either side of that crossing are very similar to those at Silvertown, being only 3km to the east.

The Dartford Crossing (M25) also links local communities on either side of the river and consequently offers discounted trips for local residents in a defined catchment north and

south of the Thames. Once again the socio-economic characteristics of the communities on either side of the river are not entirely dissimilar to at Silvertown.

If the Silvertown Tunnel scheme is genuinely intended to facilitate local trips then it must offer free or discounted cross-river journeys to residents and businesses in a defined local catchment in Newham and Greenwich.

Without such a free or discounted toll scheme for local residents and businesses the scheme will have seriously negative socio-economic impacts on Newham residents and businesses. The Council feels so strongly on this issue, that a failure to offer free or discounted local trips to a defined catchment in Newham as an integral part of the Scheme would result in opposition to the Scheme.

11.0 Impact on Future Development Sites & Urban Renewal

The northern portal of the tunnel would be located in the heart of the 'arc of opportunity' as identified within the Council's adopted Core Strategy, which is undergoing significant regeneration in the wake of the Olympic Legacy, with a number of major development proposals recently completed, under construction or having received planning permission. More specifically, the proposed portal is located within the Thames Wharf Strategic Site (S08) which is proposed through Policy S3 of the Newham Core Strategy (2012) for SIL release incorporating new employment, leisure/tourism and residential uses around a potential new DLR station. Given the site's context it is crucial that the proposed Scheme, both in construction and operation phase, support and enhance the regeneration of the area wherever possible.

Broadly speaking, it is acknowledged that a river crossing, of bridge or tunnel in this location has the potential to provide a number of positive impacts. Reduced severance to the south of the river has the potential to support growth of local businesses, as well as to help provide for additional business opportunities in the area. Given the Council's wider concerns with regards to user charging the Council remains unconvinced that the proposed Scheme would meaningfully reduce severance, and that any such benefits to strategic regeneration would be realised.

The illustrative design of the Scheme establishes the northern portal in a location whereby operational land take of the Thames Wharf Strategic Site would be minimised and this is supported by the Council. However, the Council is concerned that the wording of the DCO includes subjective limits of deviation which subsequently enable the portal location to move significantly. As such, the Council has no confidence that what is presented in the illustrative design of the proposed Scheme is what will actually be secured by the DCO. If the tunnel portal is not appropriately sited the viability of strategic development on this site, including the potential new DLR station, could be comprised.

Environmental implications of the Scheme will also have associated impacts on the regeneration of both the strategic site and the wider area. As an example, if air quality and noise impacts can not be appropriately mitigated the costs of developing nearby sites may

increase through added requirements for site specific mitigations. Any increase in costs of developing nearby sites will have implications on the viability of proposals and may have knock on effects on affordable housing and planning contributions.

12.0 Impact of Built Form (Incorporating Impact to Cultural Heritage & Archaeology)

12.1 Built Form

Requirement 3 (design principles and design review panel) of the Draft DCO sets out that the authorised development must be designed and implemented in accordance with the design principles (document reference 7.4) and through engagement with the Silvertown Tunnel Design Review Panel in the manner provided for by the design principles. Requirements 4 (detailed design of above ground buildings and structures), 6 (landscaping scheme) and 9 (external lighting and details) may also provide the framework by which the local planning authority could secure a high standard of design in built elements.

The Council has engaged in discussions with TfL on potential amendments to the design principles and anticipates making further representations regarding the specific wording of requirements. Until such time as agreement has been reached on these matters, the Council cannot be satisfied that the Proposal would not have a negative impact on existing and emerging built form and nearby heritage assets.

12.2 Archaeology

Historic England, through the Greater London Archaeological Advisory Service (GLAAS) provides archaeological advice to boroughs in accordance with the National Planning Policy Framework and GLAAS Charter. Through this framework, the London Borough of Newham is able to consult GLAAS on matters of potential archaeological importance to understand and mitigate the potential impacts of development proposals on archaeological assets. As such, the Council would defer an assessment of potential archaeological impact to GLAAS. The Council is aware that discussions are ongoing between TfL and GLAAS on matters of archaeological impact, and does not wish to make a comment on these matters at this time, yet reserves the right to make representations once the outcome of these discussions is known.

13.0 Impacts on Employment

13.1 Potential Positive Impacts

The Council's Economic Regeneration team has been engaged in dialogue with TfL concerning a potential legal agreement which could be entered into alongside the Development Consent Order. These discussions are not yet finalised, but the Council considers the following measures could secure positive economic impacts:

- Jobs opportunities: Construction jobs will emerge as a result of the project with TfL's contractor required to notify LBN's job brokerage (currently named Workplace) of job vacancies in connection with the construction phase of the Scheme as soon as reasonably practicable after such job vacancies occur.

- Apprenticeship opportunities: Apprenticeships will be created as a result of the development. TfL will require its contractor to use reasonable endeavours to deliver 1 new start apprenticeship position or TfL Strategic Labour Needs and Training (SLNT) equivalent for each £3 million of contract value during the construction of the Scheme.

- Monitoring: TfL will require its contractor to monitor and record the number and proportion of residents of the Council's area engaged in the construction of the Scheme and to submit regular reports to the Council in respect of the same. Monitoring to also record the total "supply chain" spend in each of the host boroughs.

- Support for residents who have barriers to accessing employment and training: TfL will require its contractor to produce and implement an Equality and Diversity Plan, setting out an action plan for the removal of barriers to local people accessing employment and training and encourage as diverse a range as possible of access to opportunities.

- Support for local businesses to win contracts: TfL will require its contractor to use reasonable endeavours to maximise opportunities for local firms to win contracts.

Contractors will work with the Borough and any other organisations it may choose to nominate in order to ensure local businesses are made aware of opportunities. TfL will require its contractor to produce and implement a Supplier Diversity Plan setting out how the diversity of the supply chain will be monitored

13.2 Other Matters

In line with other major development proposals, the London Borough of Newham will seek that 25% of construction employment should come from within the Borough, and that the current (25%) commitment from the host boroughs be adjusted accordingly. In addition, the Council request that this applies across all roles, not just “non-specialist”.

The Council maintains a database of approximately 3,000 candidates who are skilled and experienced in construction across a wide range of specialist and non-specialist roles. Many of these candidates have been registered with the service since 2007 and have relevant experience as a result of other local developments.

14.0 Impact on Council Landholdings

The London Borough of Newham considers that there will be an impact to their landholdings, notably through the compulsory acquisition of the car park used by the tenants of Waterfront Studios, which jeopardizes the operational function of the studios. At the time of preparing this Local Impact Report, the Council was in negotiation with TfL regarding the acquisition of this property. It is anticipated that, assuming the Council is advised by TfL of the extent of the land take a suitable agreement will be reached, and the impact of the Scheme on Council's landholdings will be neutral.

In the meantime the Council would wish to maintain its objection to the loss of the car park to protect it's position until such time as agreement is reached with TfL.

15.0 Impact on Biodiversity

The Marine Management Organisation (MMO) was created by the Marine and Coastal Areas Act 2009 and has responsibilities for the planning and licensing for marine construction, deposits and dredging that may have an environmental, economic or social impact, as well as enforcing wildlife legislation and issuing wildlife licences.

Natural England is an executive non-departmental public body, sponsored by the Department for Environment, Food & Rural Affairs with responsibilities for promoting nature conservation and protecting Biodiversity. Natural England also provides consultative support to Local Planning Authorities in the assessment of development proposals.

The Council is aware that discussions are ongoing between TfL and the MMO, as well as between TfL and Natural England concerning the potential impact of the proposed Scheme on marine and terrestrial biodiversity. At the current time, the Council does not wish to comment on the impact on biodiversity, but anticipates making further representations pending the outcome of the discussions between TfL, Natural England and the Marine Management Organisation.

16.0 Contaminated Land Impacts

The Council considers that a Construction Environmental Management Plan (CEMP) (secured by requirement) could provide the means for identifying and mitigating impacts from contaminated land on public health and the environment. The DCO, both in its definition of ‘commence’ and wording of Requirement (2) provides little security to the Council in this regard. As such, it is anticipated that further representations will be made on this matter throughout the examination process.

In the meantime the Council would wish to maintain its objection to the current wording of the DCO in this regard, to protect its position until such time as agreement on the CEMP is reached with TfL.

17.0 Dredging & Navigation Impacts

The Council acknowledges that the proposed Scheme has the potential to impact upon river users and the marine environment as well as the operations of nearby safeguarded wharves. At the current time, the Council wishes to reserve its assessment of these impacts in anticipation of further discussions with TfL, the Port of London Authority, and the Marine Management Organisation.

18.0 Flood Risk & Surface Water Drainage

Having considered Chapter 16 of the submitted Environment Statement (Document 6.1, dated April 2016) and associated Appendices the Council has concerns that the proposed Scheme, albeit stated as having a potentially positive overall impact in terms of local flood risk, might not comply with the minimum requirements set out by flood risk local policies applicable to a major development. These Policies include the Newham Local Flood Risk Management Strategy, as well as Policies SP3, SC1, SC3 and INF7 of the Core Strategy, and Policies SC5 and SP8 of the Detailed Site and Policies DPD. In the absence of an assessment against these adopted Policies, the Council cannot confidently comment on the impact of the Scheme. As such, the Council anticipates making further representations on this matter as the examination progresses.

Authorisation
Signed by:  **Deirdra Armsby** Director of Regeneration and Planning
Dated: 15th November 2016