

# Statement of Common Ground between Transport for London and the Environment Agency

November 2016

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# Silvertown Tunnel

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## Statement of Common Ground between Transport for London and the Environment Agency

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*SOCG Document Reference: SoCG005*

*Author: Transport for London*

<b>Revision</b>	<b>Date</b>	<b>Description of new version</b>
1.0	August 2016	First issue for comment to stakeholder
1.1	November	Revise for Deadline 1

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## 1. Introduction

### 1.1 Purpose of the document

1.1.1 This Statement of Common Ground (SoCG) is submitted to the Examining Authority in relation to the application by Transport for London (TfL) under section 37 of the Planning Act 2008 (the Act) for an order granting development consent for the construction of the Silvertown Tunnel (“the Scheme”).

1.1.2 The aim of this SoCG is to provide a clear record of the issues discussed and the current status of those discussions. The SoCG can be used as evidence of these discussions in representations to the Examining Authority as part of its examination of the DCO application.

### 1.2 Parties to this Statement of Common Ground

1.2.1 This Statement of Common Ground (SoCG) has been jointly prepared by TfL and the Environment Agency. It sets out matters which are agreed between both parties, as well as matters which are not agreed and matters which are under discussion.

### 1.3 Structure of the Statement of Common Ground

1.3.1 This SoCG comprises six sections:

**Section 1** is an introduction to the SoCG and the Scheme;

**Section 2** provides an overview of consultation to date between TfL and the Environment Agency;

**Section 3** provides a summary of the main areas and topics covered by this SoCG;

**Section 4** provides a list of matters agreed;

**Section 5** provides a list of matters under discussion and not yet agreed.

### 1.4 The proposed scheme

1.4.1 The Scheme involves the construction of a twin bore road tunnel providing a new connection between the A102 Blackwall Tunnel Approach on Greenwich

Peninsula (Royal Borough of Greenwich) and the Tidal Basin roundabout junction on the A1020 Lower Lea Crossing/Silvertown Way (London Borough of Newham). The Silvertown Tunnel will be approximately 1.4km long and will be able to accommodate large vehicles including double-deck buses. It will include a dedicated bus, coach and goods vehicle lane, which will enable TfL to provide additional cross-river bus routes.

- 1.4.2 The Scheme also includes the introduction of free-flow user charging at both the Blackwall Tunnel (northern portal located in London Borough of Tower Hamlets) and the new Silvertown Tunnel. This measure will play a fundamental role in managing traffic demand and supporting the financing of the construction, maintenance and operation of the Silvertown Tunnel.
- 1.4.3 On the north side, the tunnel approach road connects to the Tidal Basin Roundabout, which will be altered to create a new signal-controlled roundabout linking the Silvertown Way, Dock Road and the Lower Lea Crossing. Dock Road will be realigned to accommodate the new tunnel and approach road. On the south side, the A102 will be widened to create new slip road links to the Silvertown Tunnel. A new flyover will be built to take southbound traffic exiting the Blackwall Tunnel over the northbound approach to the Silvertown Tunnel. The Scheme includes minor changes to Tunnel Avenue including the removal of the bus-only gate allowing access for all vehicles between Blackwall Lane and Ordnance Crescent. The Boord Street footbridge over the A102 will be replaced with a pedestrian and cycle bridge.
- 1.4.4 New portal buildings will be located close to each tunnel portal to house the plant and equipment necessary to operate the tunnel.
- 1.4.5 Main construction works could commence in late 2018 and will last approximately 4 years with the new tunnel opening in 2022/23. A Tunnel Boring Machine (TBM) will be used to bore the main tunnel sections under the river with shorter sections of cut and cover tunnel at either end linking the bored sections of the tunnel to the portals. The proposal is to erect and launch the TBM from specially constructed chambers at Silvertown and Greenwich Peninsula where the bored sections and cut and cover sections of the tunnel connect. The main construction worksite will be located at Silvertown, utilising the existing barge facilities at Thames Wharf along with a new temporary jetty for the removal of spoil and delivery of materials by river. A secondary worksite will be located adjacent to the alignment of the proposed cut and cover tunnel on the Greenwich Peninsula.

## **1.5 Introduction to the Environment Agency**

1.5.1 The Environment Agency is an executive non-departmental public body, sponsored by the Department for Environment, Food and Rural Affairs. The Environment Agency works to create better places for people and wildlife, and support sustainable development. Within England the Environment Agency is responsible for:

- Regulating major industry and waste;
- Treatment of contaminated land;
- Water quality and resources;
- Fisheries;
- Inland river, estuary and harbour navigations; and
- Conservation and ecology.

1.5.2 The Environment Agency is also responsible for managing the risk of flooding from main rivers, reservoirs, estuaries and the sea.

## 2. Record of engagement undertaken

2.1.1 A summary of the meetings and correspondence that has taken place between Transport for London and the Environment Agency in relation to the Scheme is outlined below.

Date	Form of correspondence	Key outcomes and points of discussion
24/07/14	Response letter to Scoping Report	Main points raised include: <ul style="list-style-type: none"> <li>- Water environment (flood risk, climate change, surface water drainage, water quality)</li> <li>- Geology and soils, materials and waste, ecology and nature conservation.</li> </ul>
09/04/15	Pre-application advice letter on the Reference Design Documents	Points of advice provided on: <ul style="list-style-type: none"> <li>- Flood risk</li> <li>- Jetty options</li> <li>- Groundwater and contaminated land</li> <li>- Waste</li> <li>- Pollution prevention measures</li> </ul>
21/04/2015	Meeting to discuss Draft Reference Design	Points of advice provided on: <ul style="list-style-type: none"> <li>- Wharf arrangements</li> <li>- Flood defences</li> <li>- Drainage design parameters (climate change allowance)</li> </ul>
12/06/15	Meeting to discuss the Flood Risk Assessment (FRA), Water Environment Chapter of the Environmental Statement, and Flood Evacuation	Provides advice on the FRA including breach modelling and Flood Warning and Evacuation Plan (FWEP) as well as: <ul style="list-style-type: none"> <li>- Surrendering permits</li> <li>- Flood defences (river wall survey)</li> </ul>

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<b>Date</b>	<b>Form of correspondence</b>	<b>Key outcomes and points of discussion</b>
	Plan.	
08/09/15	Meeting	Main points of discussion include: <ul style="list-style-type: none"> <li>- Flood defences (river wall survey feedback)</li> <li>- PEIR Chapter 16 Water Environment</li> <li>- Geology and soils (abstraction licences and water discharge)</li> </ul>
11/09/15	Meeting	Main point of discussion relates to in-river works (dredging, temporary jetty, lighting of the jetty, hydrodynamic modelling, marine surveys).
17/09/15	Letter response providing comments on draft PEIR Chapter: Marine Ecology, Flood Risk and Water Quality, Geology and Soils	Comments on the PEIR Chapters including: <ul style="list-style-type: none"> <li>- Marine Ecology (cumulative effects of dredging, installation and operation of the jetty, including lighting, removal of moorings, dredging)</li> <li>- Flood Risk and Water Environment (dewatering, groundwater level monitoring, water discharge)</li> <li>- Geology and Soils (risk assessment of dewatering and disturbance of ground water flow, ground water monitoring)</li> </ul>
21/10/15	Meeting	Discussion about condition of the river wall and a requirement to undertake an intrusive survey to better understand the condition of the wall.
16/11/15	Meeting	Main points of discussion relates to hydrogeology (dewatering, abstraction licences, discharge permits, groundwater monitoring).
23/11/15	Section 42 response letter to Statutory Consultation	Comments on the PEIR covering issues including: <ul style="list-style-type: none"> <li>- Marine Ecology (impacts of dredging including cumulative effects, installation and</li> </ul>

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Date	Form of correspondence	Key outcomes and points of discussion
		<p>operation of the jetty, including lighting, removal of moorings, Water Framework Directive Screening)</p> <ul style="list-style-type: none"> <li>- Geology and Soils (risk assessment of dewatering and disturbance of groundwater flow, groundwater monitoring)</li> <li>- Materials and Waste (Site Waste Management Plan)</li> <li>- Flood Risk and Water Environment (dewatering, water discharge, intrusive river wall survey)</li> </ul>
15/12/15	Meeting	Main points of discussion relate to breach modelling results and drainage including climate change allowance and discharge rates.
04/02/16	TfL's response to the Environment Agency section 42 Consultation Letter	Provides response on the relevant PEIR chapters, timing of an intrusive river wall survey, and protective provisions.
08/02/16	Meeting	Main points of discussion relate to Chapter 12 Geology and Soils and in particular hydrogeology – dewatering, construction techniques, pile abstraction, groundwater monitoring.
07/04/16	Environment Agency response to TfL letter dated 4 <sup>th</sup> Feb 2016.	Main point of discussion relates to the breach modelling results and the river wall.
08/04/16	Meeting	Main point of discussion relate to Materials and Waste (waste facilities), river wall works and the objectives of the intrusive survey as well as any protective provisions.

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<b>Date</b>	<b>Form of correspondence</b>	<b>Key outcomes and points of discussion</b>
28/04/16	Consultation letter on pre-submission DCO documents	Comments and advice provided on the Environmental Statement including: <ul style="list-style-type: none"><li>- Marine ecology (dredging, lighting, survey results, WFD assessment, mitigation)</li><li>- Flood Risk and Surface Water Quality (FRA, intrusive river wall survey)</li><li>- Draft Protective Provisions</li></ul>
21/06/16	Meeting	Main point of discussion relate to the river wall condition survey and draft protective provisions.
30/08/16	Relevant Representation letter	Comments provided on: <ul style="list-style-type: none"><li>- Flood risk management (including river wall works to ensure flood defences are adequately safeguarded including monitoring)</li><li>- Hydrodynamic modelling (potential levels of scour and impacts assessment on the flood defences)</li><li>- WFD assessment (hydromorphology, water quality assessment)</li><li>- Ground water protection and land contamination</li><li>- Fisheries and biodiversity (impacts from dredging, piling)</li><li>- Waste and Materials</li><li>- Protective provisions</li></ul>

2.1.2 Transport for London has aimed to address the points raised during consultation and will continue to work with the Environment Agency to resolve any outstanding matters to ensure the best environmental outcome for this project.

### 3. Topics contained within this SoCG

#### 3.1 Topics included in SoCG

3.1.1 The following topics discussed with the Environment Agency are included in this SoCG

3.1.2 Matters agreed:

- Marine Ecology (including Water Framework Directive Assessment)
- Geology, Soils and Hydrogeology (Groundwater protection and land contamination)
- Materials and Waste

3.1.3 Matters still under discussion and not yet agreed:

- Marine Ecology
- Geology, Soils and Hydrogeology
- Flood Risk
- Water framework directive assessment
- Flood risk management
- Protective Provisions

## 4. Matters agreed

Ref	Description of matter	Details of agreement	Record of agreement
<b>4.1 Marine Ecology</b>			
4.1.1	<p><b>Potential effects of relocation of existing moorings</b></p> <p>The Environment Agency commented that in the event any existing moorings or structures need to be moved to accommodate the jetty, the effects of this (even if temporary) must be included in the Environmental Statement. (s42 response 23 November 2015)</p>	<p>As set out in section 10.6 of Chapter 10 Marine Ecology (Document Reference 6.1), the removal of moorings may result in a negligible amount of sediment suspension with an overall significance of effect recorded as negligible.</p> <p>The conclusions of the assessment of the potential effects related to relocation of existing moorings, as undertaken in Chapter 10 Marine Ecology of the ES (Document Reference 6.1) are agreed.</p>	Agreed
4.1.2	<p><b>Cumulative effects assessment</b></p> <p>The Environment Agency advised that the cumulative effects assessment should consider the Thames Tideway Scheme as there will be some overlap in the</p>	<p>As presented in Appendix 17.A Cumulative developments (Reference Number 6.3.17.1), the Thames Tideway Scheme has been included in the list of developments to be considered and assessment of any cumulative effects relating to marine ecology is included in section 10.7 of Chapter 10 Marine Ecology</p>	Agreed

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Ref	Description of matter	Details of agreement	Record of agreement
	<p>construction periods of the two projects (as noted in section 42 letter dated 23<sup>rd</sup> November 2015).</p>	<p>and Chapter 17 Cumulative and Synergistic Effects of the ES (Reference Number 6.1). The assessment findings conclude that cumulative effects associated with noise from increased navigational activities are considered to be negligible.</p> <p>It is agreed that the cumulative effects assessment and the conclusions reached within Chapter 10 Marine Ecology and Chapter 17 Cumulative and Synergistic Effects of the ES (Document Reference 6.1) are robust and reflect the advice provided by the Environment Agency.</p>	
4.1.3	<p><b>Water Framework Assessment (hydromorphology)</b></p> <p>The Environment Agency outlined that the assessment with regard to hydromorphology presented in the WFD assessment was found accurate. (relevant representations 30 Aug 2016)</p>	<p>It is agreed that the conclusions of the assessment with regard to hydromorphology, as undertaken in Appendix 10.A Water Framework Directive Assessment (Document Reference 6.3.10.1) are agreed.</p>	Agreed

Ref	Description of matter	Details of agreement	Record of agreement
<b>4.2 Geology, Soils and Hydrogeology</b>			
4.2.1	<p><b>Mitigation measures</b></p> <p>As noted in the meeting with the Environment Agency dated 16<sup>th</sup> November 2015, all drilling additives planned to be used on site should be fully disclosed to the Environment Agency to ensure that the substances are suitable in terms of preventing pollution of groundwater.</p>	<p>As set out in Chapter 9 of the CoCP (Document Reference 6.10), polymers used for the Tunnel Boring Machine operation will be bio-degradable and non-hazardous to the water environment. Agreement with the Environment Agency will be sought prior to their use and any licences obtained (where necessary). Discharges which contain polymers will be tested to show that they are bio-degradable and low risk to the water environment.</p> <p>It is agreed that these mitigation measures as set out within the CoCP (Document Reference 6.10) are appropriate and adequately mitigate any potential impacts geology and hydrogeology resulting from the Scheme.</p>	Agreed
<b>4.3 Materials and Waste</b>			

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Ref	Description of matter	Details of agreement	Record of agreement
4.3.1	<p><b>Overall approach to assessment and assessment findings</b></p> <p>The overall assessment and findings of the likely effects of the Scheme and the conclusions reached within Chapter 13 Materials and Waste (Document Reference 6.1).</p>	<p>It is agreed that the overall assessment and findings of the likely effects of the Scheme and the conclusions reached within Chapter 13 Materials and Waste (Document Reference 6.1) are robust and reflect advice provided by the Environment Agency during the pre-application stage.</p>	<p>Agreed</p>

## 5. Matters still under discussion and not yet agreed

Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
<b>5.1 Marine Ecology</b>				
5.1.1	<b>Potential effects of light disturbance and mitigation</b>		Discussions between TFL and the EA are ongoing	
5.1.2	<b>Potential effects of dredging and mitigation</b>		Discussions between TFL and the EA are ongoing	
5.1.3	<b>Potential effects of piling and mitigation</b>		Discussions between TFL and the EA are ongoing	
5.1.4	<b>Overall Approach to Mitigation</b>		Discussions between TFL and the EA are ongoing	
<b>5.2 Geology, Soils and Hydrogeology</b>				

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5.2.1	<b>Impacts from dewatering and mitigation</b>		Discussions between TFL and the EA are ongoing	
5.2.2	<b>Groundwater level monitoring</b>		Discussions between TFL and the EA are ongoing	
<b>5.3 Surface Water Quality and Flood Risk</b>				
5.3.1	<b>Flood Risk Assessment</b>		Discussions between TFL and the EA are ongoing	
5.3.2	<b>Drainage design parameters</b>		Discussions between TFL and the EA are ongoing	
5.3.3	<b>River Wall Baseline Condition</b>		Discussions between TFL and the EA are ongoing	
5.3.4	<b>River Wall Responsibility</b>		Discussions between TFL and the EA are ongoing	
<b>5.4 Water Framework Directive Assessment</b>				

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5.4.1	<b>Calculation of contribution of sediment to water column contaminant concentrations</b>		Discussions between TFL and the EA are ongoing	
5.4.2	<b>Evidence and further assessment</b>		Discussions between TFL and the EA are ongoing	
5.4.3	<b>CEFAS analyses</b>		Discussions between TFL and the EA are ongoing	
<b>5.5 Flood Risk Management</b>				
5.5.1	<b>Flood defences (River wall surveys)</b>		Discussions between TFL and the EA are ongoing	
5.5.2	<b>Construction impacts on the flood defences</b>		Discussions between TFL and the EA are ongoing	

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5.5.3	<b>Hydrodynamic modelling</b>		Discussions between TFL and the EA are ongoing	
<b>5.6 Protective Provisions</b>				
5.6.1	<b>Conditions included in the protective provisions</b>		Discussions between TFL and the EA are ongoing	
5.6.2	<b>Monitoring of flood defences</b>		Discussions between TFL and the EA are ongoing	

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## 6. Agreement

Signed	
Name	
Position	
Company	Transport for London
Date	
Signed	
Name	
Position	
Company	Environment Agency
Date	

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Appendix A      Email from Environment Agency to  
confirm submission of SoCG

## Scobie Catriona

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**From:** Connolly, Niall <niall.connolly@environment-agency.gov.uk>  
**Sent:** 10 November 2016 17:06  
**To:** Scobie Catriona; Jenks Elizabeth  
**Cc:** Bolt, Carol  
**Subject:** FW: Statement of Common Ground  
**Attachments:** Silvertown SoCG 10 11 16 TfLand EAv2.docx

Hi Catriona ,

Yes we'd be happy for the attached version to be submitted as part of deadline 1.

Kind regards  
Niall

---

**From:** Scobie Catriona [mailto:CatrionaScobie@tfl.gov.uk]  
**Sent:** 10 November 2016 16:53  
**To:** Connolly, Niall <niall.connolly@environment-agency.gov.uk>; Jenks Elizabeth <ElizabethJenks@tfl.gov.uk>  
**Cc:** Bolt, Carol <carol.bolt@environment-agency.gov.uk>  
**Subject:** RE: Statement of Common Ground

Hi Niall,

Are you happy with the attached? If so, would you be able to drop me an email stating that you are happy for SOCG v1.1 to be submitted as part of DL1?

With Kind Regards  
Catriona

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**From:** Connolly, Niall [mailto:niall.connolly@environment-agency.gov.uk]  
**Sent:** 10 November 2016 15:20  
**To:** Scobie Catriona; Jenks Elizabeth  
**Cc:** Bolt, Carol  
**Subject:** Statement of Common Ground

Dear Catriona and Liz,

Please find attached the draft SoCG with those parts of the draft that we are currently in a position to agree.

We have comments on the draft SoCG you have provided, but you have indicated today you are unable to consider our comments until after the deadline for lodging the the SoCG. Therefore we have simply taken out reference in the SoCG to all those matters not yet agreed or not fully agreed for the purpose of lodging the SoCG with the Planning Inspectorate for the 15 November deadline. We will let you have a version of the draft SoCG annotated with our comments early next week and hope that we can have a discussion with you about these as soon as possible with a view to agreeing a further (and hopefully final SoCG) later in the examination process.

Some of the items from the "matters agreed" section which we have removed are more or less agreed in principle, subject to being secured in the DCO. However we have removed them because there were some comments we wanted to make on the wording. Nevertheless, I anticipate it will be possible to resolve these post deadline 1 for the next iteration of the SoCG.

Kind regards  
Niall

Niall Connolly

**Planning Specialist  
Kent Sustainable Places Team  
Environment Agency**

Phone: 02084746765 Email: [niall.connolly@environment-agency.gov.uk](mailto:niall.connolly@environment-agency.gov.uk)

Orchard House, Endeavour Park, London Road, Addington, Kent ME19 5SH

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