

# Statement of Common Ground between Transport for London and the Port of London Authority

November 2016

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# Silvertown Tunnel

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## Statement of Common Ground between Transport for London and the Port of London Authority

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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 Port of London Authority (PLA). It sets out matters which are agreed between both parties, as well as matters which are under discussion and matters which are not agreed.

### 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 PLA;

**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;

**Section 6** provides a list of matters still not agreed; and

**Section 7** contains the parties’ signatures.

## 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.
- 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 PLA**

- 1.5.1 The PLA is a statutory harbour authority established by The Port of London Act 1908 to govern the Port of London. Its statutory powers and duties are mainly to be found in the Port of London Act 1968 (“the 1968 Act”). The PLA’s responsibilities extend over the tidal River Thames and its tidal tributaries from the landward limits at Teddington to its tidal limits in the outer estuary. The PLA maintains and supervises navigation to ensure navigational safety along the tidal Thames, sharing its marine, environmental, planning and other expertise to promote use of the river and safeguard its unique marine environment. For the purposes of this SoCG the River Thames is referred to as the ‘River’.
- 1.5.2 The PLA has a number of statutory duties, including river traffic control, security, navigational safety (including buoys, beacons, bridge lights and channel surveys), conservancy (including dredging and improvement), encouraging both commercial and leisure uses of the river, and protecting its environment.
- 1.5.3 As the body responsible for licensing river works and moorings, the PLA has special regard to their continued viability for unimpeded use by the PLA’s licensees. The PLA’s functions also include the promotion of the use of the river as an important transport corridor for London.
- 1.5.4 The PLA also owns approximately 95% of the land and foreshore of the River Thames between Teddington and Canvey Island, with most of the rest being owned by the Crown Estate. The PLA owns all the river bed and foreshore within the Order limits.
- 1.5.5 TfL has engaged with the PLA on the Scheme during the pre-application process, including both non-statutory engagement and formal statutory consultation carried out pursuant to section 42 of the Planning Act 2008.

## 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 PLA in relation to the Scheme is outlined below.

Date	Form of correspondence	Key outcomes and points of discussion
25-Jul-14	Response letter to Scoping Report	Main points raised include: <ul style="list-style-type: none"> <li>- Tunnel design (depth, alignment, cover over the tunnel, exclusion zones, impacts on river users, land take)</li> <li>- Use of the River during construction</li> <li>- Community and private assets (safeguarded and non-safeguarded wharves)</li> <li>- Ecology and Nature Conservation</li> <li>- Cumulative effects Assessment</li> </ul>
10-Dec-14	Response email to non-statutory consultation	Tunnel design (depth, alignment, cover over the tunnel, exclusion zones, impact on river users, land take)  Use of the River during construction (materials and waste)  Community and private

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		<p>assets (safeguarded and non-safeguarded wharves)</p> <p>Ecology and Nature Conservation</p> <p>Navigational and environmental risks (lighting)</p> <p>Third party equipment</p>
17-Mar-15	Meeting	<p>Consultation meeting to discuss:</p> <ul style="list-style-type: none"> <li>- Tunnel design (including - cover over the tunnel, exclusion zone above the tunnel, impact on river users and removal of temporary jetty/ pile removal)</li> <li>- Use of the River during construction (materials and waste)</li> <li>- Community and private assets (safeguarded and non-safeguarded wharves)</li> <li>- Navigational risks (location of the temporary jetty)</li> <li>- Environment (seasonal restrictions for piling, hydrodynamic modelling)</li> </ul>
28-May-15	Meeting	<p>Consultation meeting to discuss:</p> <ul style="list-style-type: none"> <li>- Use of the River during construction - materials and waste including Navigational</li> </ul>

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		<p>Risk Assessment (methodology and cumulative effects), jetty location, duration and alignment with flow, use of NAABSA berth, choice of vessels</p> <ul style="list-style-type: none"> <li>- Tunnel design (anchoring and mooring restrictions/exclusion zones)</li> <li>- Scour effects/protection</li> <li>- Impact on safeguarded and non-safeguarded wharves</li> </ul> <p>The works areas for river works</p>
26-Aug-15	Meeting	<p>Consultation meeting to discuss the draft NIPRA report including:</p> <ul style="list-style-type: none"> <li>- Drawing STWN-ATK-SGN-XXX-DR-W-0002 Rev: P03.1 the extent of dredging, location of jetty and mitigation measures</li> <li>- Stakeholder consultation</li> <li>- Impact on river use and river users</li> <li>- Use of PLA risk assessment spreadsheet</li> <li>- The report's recommendations</li> </ul>
07-Sep-15	Meeting	<p>Consultation meeting to discuss marine ecology,</p>

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		<p>including:</p> <ul style="list-style-type: none"> <li>- The scope of the assessment</li> <li>- Baseline information (including surveys required to obtain information)</li> <li>- Impacts from dredging</li> <li>- Mitigation (seasonal restrictions on construction in the river)</li> </ul>
14-Oct-15	Meeting	Property meeting to discuss issues relating to the transfer of subsoil
23-Nov-15	Section 42 response letter	<p>PLA's response to the PEIR, covering issues such as:</p> <ul style="list-style-type: none"> <li>- Tunnel design (tunnel alignment, cover over the tunnel, order limits, limits of deviation and associated safety implications, exclusion zones)</li> <li>- Community and private assets (safeguarded and non-safeguarded wharves, river bed and foreshore)</li> <li>- Use of the River during construction (navigational risks, dredging requirements, temporary jetty, NAABSA berth, hydrodynamics)</li> <li>- Marine ecology</li> </ul>

		<ul style="list-style-type: none"> <li>- Cumulative effects</li> <li>- Draft Navigational Issues and Preliminary Risk Assessment</li> </ul>
30-March-16	Meeting	<p>Consultation meeting to discuss navigational risks including river transport commitments, construction and removal of the jetty, exclusion zones, commercial activities.</p> <p>The PLA's consultation response</p> <p>The impact on existing safeguarded and non safeguarded wharves</p>
16-Nov-2015	Email from TfL to PLA enclosing Pinsent Mason advice note and Heads of Terms proposed by TfL	Acquisition of land and compensation
29-Apr-16	Letter from PLA to TfL	PLA letter re. compensation.
14-Jun-16	Meeting	Discussed PLA's comments on protective provisions.
15-Jun-16	Meeting	Discussed compensation
28-Jul-16	Letter from TfL to PLA	TfL response re. compensation.
29-Jul-16	Letter from PLA to TfL	PLA response re. compensation.
02-Aug-16	Meeting	<p>Main points of discussion:</p> <ul style="list-style-type: none"> <li>- Removal of moorings</li> </ul>

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		<ul style="list-style-type: none"> <li>- Tunnel design (tunnel alignment - limit of deviation and protection zones)</li> <li>- Temporary jetty location (exclusion zones and navigational risks)</li> </ul>
25- Aug-16	Meeting	Discussed PLA's comments on revised protective provisions.
30-Aug-16	Relevant Representation letter	<p>Main points raised include:</p> <ul style="list-style-type: none"> <li>-Limits of deviation/exclusion zone</li> <li>- Draft development consent order</li> <li>- impacts on existing pontoons, other river works and moorings</li> <li>- Use of the river during construction</li> <li>- Dredging</li> <li>- Access to Peruvian Wharf</li> <li>- Impact on river users including the safeguarded and non-safeguarded wharves and current tenants</li> </ul>
7-Oct-16	Letter from TfL to PLA	TfL response re. compensation.
24-Oct-16	Meeting	Discussed compensation
8-Nov -16	Meeting	Discussed:

		<p>- TfL's engagement with land owners and occupiers at Thames Wharf</p> <p>- PLA and TfL's position regarding Thames Wharf tenants Keltbray and Euromix</p> <p>- impact on safeguarded and non-safeguarded wharves</p> <p>- Statement of Common Ground</p>
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2.1.2 Transport for London has aimed to address the points raised by the PLA during consultation and continues to actively engage with the PLA on ongoing points of discussion. The PLA has approached the project constructively, with the result that agreement has been reached on several issues. However, a number remain outstanding – see Sections 4 and 5.

## 3. Topics contained within this SoCG

### 3.1 Topics included in SoCG

3.1.1 The following key topics discussed with PLA are included in this Statement of Common Ground:

#### 3.1.2 Matters Agreed

- Use of the River during construction
- Marine Ecology
- Cumulative Effects Assessment
- Construction methods
- Compulsory land acquisition and use
- Navigational risks

#### 3.1.3 Matters still under discussion

- Tunnel Design (including depth of tunnel and limits of deviation)
- Construction Methods
- Use of the River Thames during construction
- Water quality
- Development Consent Order and Protective Provisions
- Compensation
- Navigational Risk
- Protection of the tunnels
- Cumulative effects assessment (developments to be considered)

3.1.4 It will be seen that there is a degree of overlap between sections 4 and 5 of this Statement of Common Ground. Reflecting this, the headings in sections 3.1.2 and 3.1.3 represent broad topics on which agreement/continuing

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discussion extends only to those matters detailed in the body of sections 4 and 5.

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## 4. Matters agreed

Ref	Description of matter	Details of agreement	Record of agreement TfL/PLA
<b>4.1 Use of the River during construction</b>			
4.1.1	<p><b>Commitment to River use</b></p> <p>The PLA have raised that the CoCP outlines percentages of materials to be transported from the Tunnel site by River and that this should be maximised.</p>	<p>It is agreed that as stated within paragraph 3.2.1 of the CoCP the intention of the Scheme is to seek to maximise river transport for construction materials and excavated materials.</p> <p>It is agreed this should be secured by the DCO. and it is proposed that compliance with the CoCP (including the river transport commitment) be the subject of a requirement contained in Schedule 2 to the DCO. See section 5.4.1 regarding the terms of such a requirement and the basis of approval of the Construction Site River Strategy.</p>	
<b>4.2 Marine Ecology</b>			

Ref	Description of matter	Details of agreement	Record of agreement TfL/PLA
4.2.1	<p><b>Baseline information</b></p> <p>PLA provided advice on the level of detail of the baseline information relating to marine species to be considered in the River Thames as well as the types of surveys required to collect additional data (as noted in meeting 13 Oct 2015).</p>	<p>Section 10.4 of the Environmental Statement (Document Reference 6.1) describes the baseline information with regard to habitats and species in the vicinity of the Scheme. Appendix 10.B Marine Ecology Survey Report (Document Reference 6.3.10.2) provides detail about the surveys undertaken to inform the baseline and relevant findings.</p> <p>It is agreed that the description of the existing baseline as outlined within Section 10.4 of the Environmental Statement (Document Reference 6.1) reflects the PLA's advice.</p> <p>It is agreed that surveys undertaken as outlined within Appendix 10.B Marine Ecology Survey Report (Document Reference 6.3.10.2) reflect the advice given by PLA as to the considerations needed to establish baseline conditions and undertake an assessment of potential impacts.</p>	

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Ref	Description of matter	Details of agreement	Record of agreement TfL/PLA
4.2.2	<p><b>Impact assessment</b></p> <p>PLA recommended that maintenance dredging during operation of the jetty is included within the assessment (as noted in meeting 13th October 2015).</p>	<p>It is agreed that the level of detail with regard to dredging area, depth, dredging method (including maintenance dredging) as set out in section 10.6 of Chapter 10 Marine Ecology of the ES (Document Reference 6.1) reflects the PLA's advice.</p>	
4.2.3	<p><b>Mitigation</b></p> <p>PLA provided advice on mitigation measures that are appropriate for any in-river works including seasonal restrictions for any piling and dredging activities (meeting 17 March 2015)</p>	<p>Paragraph 8.1.1 of the Code of Construction Practice (Document 6.10) outlines that during construction of the temporary jetty, no piling should take place between March and October to avoid fish migration periods (unless otherwise agreed with the MMO, PLA and the Environment Agency).</p> <p>Paragraph 2.2.3 of the Construction Method Statement Appendix 4.A of the ES (Document Reference 6.1.4.1) acknowledges the need to programme works, including jetty works and associated dredging in ecologically dormant</p>	

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Ref	Description of matter	Details of agreement	Record of agreement TfL/PLA
		<p>seasons.</p> <p>It is agreed that the mitigation measures proposed within the Code of Construction Practice relating to piling (Document 6.10) are appropriate and can be expected adequately to mitigate any potential impacts on marine ecology resulting from the in-river construction activities.</p>	
<p><b>4.3 Cumulative effects assessment</b></p>			
<p>4.3.1</p>	<p><b>Cumulative effects assessment (developments to be considered)</b></p> <p>Additional developments have been suggested for consideration when assessing any cumulative effects particularly with regard to the river use of safeguarded wharves and increased</p>	<p>As presented in Appendix 17.A Cumulative developments (Reference Number 6.3.17.1), the additional developments suggested by the PLA have been included in the list of developments to be considered and assessment of any cumulative effects is included in Chapter 17 Cumulative and Synergistic Effects of the ES (Reference Number 6.1). Some of the potential impacts on other large construction projects are addressed within section 3.7 of the Navigational Issues and Preliminary Risk Assessment (Document Reference 6.3.7.1).</p>	

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Ref	Description of matter	Details of agreement	Record of agreement TfL/PLA
	<p>navigational activity in the river Thames from other infrastructure projects such as Thames Tideway Tunnel (as noted in the Scoping Opinion letter 25<sup>th</sup> July 2014 and section 42 letter dated 23<sup>rd</sup> November 2015).</p>	<p>The cumulative effects assessment includes the additional developments identified by the PLA but the scope of the assessment remains under discussion – see section 5.10.</p>	
<p><b>4.4 Construction methods</b></p>			
<p>4.4.1</p>	<p><b>Removal of piles and demolition of the temporary jetty</b></p> <p>PLA expressed concerns about any piles remaining in the river (meeting 30<sup>th</sup> March 2016).</p>	<p>Paragraph 4.4.88 of the Construction Method Statement (Appendix 4A of the Environmental Statement, Document Reference 6.3.4.1) states that the piles will be removed in their entirety. If this is not possible they will be cut or burnt off at a level to be agreed with the PLA.</p> <p>Paragraph 15.4.3 within the Code of Construction Practice (Document Reference 6.10) states the method to remove the piles of the jetty will be agreed with the PLA prior to decommissioning of the temporary jetty.</p> <p>It is agreed that the Construction Method Statement (Document Reference 6.3.4.1), Code of</p>	

Ref	Description of matter	Details of agreement	Record of agreement TfL/PLA
		Construction Practice (Document Reference 6.10) as having effect subject to Protective Provisions within the DCO (Document Reference 3.1) are adequately drafted to ensure the piles associated with the temporary jetty are removed from the river following construction of the Scheme or otherwise appropriately dealt with as approved by the PLA.	
<b>4.5 Compulsory land acquisition and use</b>			
4.5.1	<b>Extent of permanent land take</b>  PLA expressed concern about the extent of permanent land take.	It is agreed the proposals for permanent land take will have to be fully justified to the ExA and that (consistent with paragraph 7.5.9 of the ES) the extent of permanent land take should be minimised.	
4.5.2	<b>Extent of temporary land use</b>  PLA expressed concern about the extent of temporary land use involving exclusive	It is agreed the proposals for temporary possession and land take will have to be fully justified to the ExA and that (consistent with paragraph 7.5.9 of the ES) the extent of the land affected by temporary possession and use should be minimised.	

Ref	Description of matter	Details of agreement	Record of agreement TfL/PLA
	possession both during construction and the maintenance period (potentially until 2028).		
<b>4.6 Navigational Risks</b>			
4.6.1	<p><b>Use of the River Thames during construction (Navigational Risk Assessment)</b></p> <p>PLA confirmed the risk assessment process was carried out to a detailed level and that early identification of suitably trained marine staff will need to be considered by the contractor (Meeting 30 March 2016).</p>	<p>The Navigational Issues and Preliminary Risk Assessment (Document Reference 6.3.7.1) meets the risk assessment reporting criteria required by the PLA, i.e. risks split into construction, operation and dismantlement.</p> <p>It is agreed that the methodology followed, risks identified and mitigation suggested within the Navigational Issues and Preliminary Risk Assessment (Document Reference 6.3.7.1) is carried out to an appropriate level of detail for this stage of the application and reflects pre-application advice from the PLA. It is agreed that further more detailed assessment will be required as the design and methodology is evolved</p>	

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Ref	Description of matter	Details of agreement	Record of agreement TfL/PLA

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## 5. Matters still under discussion

- 5.1.1 There are elements of the topics identified within Section 3 of this SoCG that are currently under discussion and the current status of discussion is presented below.

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Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
<b>5.2 Tunnel design (including depth of tunnel and limits of deviation)</b>				
5.2.1	<p><b>Works plans</b></p> <p>PLA is concerned that the works plans should show all specific works with centre line or outline of works shown.</p>	<p>TfL is considering this point in light of ExA's first written questions.</p>		
5.2.2	<p><b>Lateral LOD</b></p> <p>PLA is concerned that lateral LOD should be tightly drawn round specific works.</p>	<p>The applicant is considering this point in light of ExAs first written questions</p>		

Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
5.2.3	<p><b>Tunnel alignment (vertical limits of deviation)</b></p> <p>PLA noted that tighter definition of the limits of deviation is required to ensure the minimum area of land is included in the proposed order (meeting 17<sup>th</sup> March 2015, section 42 response letter dated 23 November 2015) and to ensure that the works (both within the River and elsewhere) do not affect the River or the PLA’s exercise of its functions, particularly dredging and the licensing and removal of works.</p>	<p>During a meeting on 25<sup>th</sup> August 2016, TfL proposed the upward limit of deviation of the tunnel beneath the river is reduced from 3m to 1.5m. It is also proposed that Schedule 13 Part 4 of Protective Provisions of the Draft DCO (Reference Document 3.1) also be amended to ensure that the bed level will always be maintained to 5.8m below chart datum.</p> <p>A copy of the revised wording will be provided within the DCO at deadline 1.</p>	<p>Revised wording of the DCO including the limits of deviation are under discussion with the PLA.</p> <p>The PLA has requested that the applicant investigates further what the need is for flexibility in the vertical alignment of the tunnel and, if there is a need, its extent.</p> <p>The PLA has explained its position that (i) to be kept fit for purpose the navigable channel must be maintained at not less than 5.8m (ii) this requires an allowance for a 0.5m over-dredge,</p>	

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Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
			<p>making a required total available depth of 6.3m (iii).</p> <p>The PLA considers a designers risk assessment will be required clearly maintaining the agreed minimum depth of 5.8m below chart datum throughout the construction and service life of the project. It must demonstrate that there will be no requirement to place extra cover as a result of the shallow</p>	

Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
			<p>depth of the tunnel.</p> <p>TfL are considering this request.</p>	
<b>5.3 Construction methods</b>				
5.3.1	<p><b>Temporary Jetty (limit of deviation)</b></p> <p>PLA noted that (contrary to the description of Work No. 20) the temporary jetty is not shown on the works plans, but for compliance with the APFP Regulations, it should be. The PLA also sought tighter definition of the limits of deviation of the proposed temporary jetty. This is required to ensure dredging and mooring are outside the navigable</p>	<p>For the meeting on 25<sup>th</sup> August 2016 a draft plan was circulated outlining a further red line “worksite boundary” for the temporary jetty. The proposal was that Work No. 20 be split into 20A and 20B.</p>	<p>A revised works plan, showing a shaded area but not showing an outline of the temporary jetty, was sent to PLA on 7<sup>th</sup> November 2016, TfL are currently addressing comments received.</p>	

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Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
	channel (meeting 30 <sup>th</sup> March 2016).			
5.3.2	<p><b>Impact on Moorings</b></p> <p>The PLA has requested confirmation of the Scheme’s intention to remove and relocate existing moorings (S42 Response dated 23 November 2015, meeting 2<sup>nd</sup> August 2016 and Relevant Representation 30<sup>th</sup> August 2016).</p>	<p>Paragraph 4.4.77 of the Construction Method Statement states that moorings within the area of the proposed jetty works will require relocation in consultation with the PLA. The relocation position will be agreed upon during the detailed design.</p> <p>Paragraph 7.4.55 of the ES states that relocation of</p>	<p>On 11<sup>th</sup> October 2016 the Applicant suggested additional wording concerning the moorings to go in the PLA’s protective provisions (Part 4 5.3.1 of Schedule13 to the DCO). The PLA has pointed out that restrictions on the exercise of its powers in relation to these moorings are not in the</p>	

Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
		<p>these moorings will be “in agreement with the PLA”.</p> <p>Three moorings have been included within the Book of Reference (Document Reference 4.1) and Statement of Reasons (Document Reference 4.3) for the Scheme. These comprise of 04-032 Victoria Dock Barge Lower Mooring and 05-004 / 05-006 Victoria Dock Barge Upper Mooring.</p> <p>It is proposed that 04-032 Victoria Barge Lower Mooring will require removal and relocation.</p> <p>05-004 and 05-006 Victoria</p>	<p>nature of protective provisions and if included should appear in the main body of the DCO.</p> <p>TfL are to provide a revised DCO at deadline 1. Discussions are ongoing between the applicant and the PLA regarding the protective provisions and how best to secure the controls required in respect of the moorings.</p> <p>There is a discussion to be had between the parties as to compensation to the PLA for any additional costs it may have to incur</p>	

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Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
		<p>Barge Upper Mooring could remain in situ during the construction period, however no vessels may be moored to it to ensure safety of construction traffic.</p> <p>No other moorings (including Greenwich Yacht Club and Emirates Airline protection pontoons) will be affected by the Scheme.</p>	<p>following the proposed restrictions relating to these moorings provided by the Applicant.</p>	
5.3.3	<p><b>Access to Peruvian Wharf</b></p> <p>The PLA highlighted that it is imperative that the proposed works maintain appropriate access</p>	<p>Paragraph 6.5.3 and 6.6.3 of the Transport Assessment (Document Reference 6.5) state that all access to properties within</p>	<p>Following discussion with the PLA, TfL will analyse swept path data contained within the Peruvian Wharf planning</p>	

Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
	to Peruvian Wharf (Relevant representation letter dated 30 <sup>th</sup> August 2016).	<p>the local area would be maintained throughout the construction period.</p> <p>Although the current alignment of Dock Road from Tidal Basin Roundabout through to Waterfront Studios would be permanently stopped up during construction, the eastern access to Dock Road from North Woolwich Road will be maintained at all times.</p>	<p>applications to identify any conflict between the powers to stop up a section of Dock Road and the anticipated vehicle movements to and from Peruvian Wharf.</p>	
<p><b>5.4 Use of the River Thames during construction</b></p>				
5.4.1	<p><b>Transportation of Materials during construction</b></p> <p>The PLA believes the project</p>	<p>Section 3.2 of the Code of Construction Practice (Document reference 6.10) outlines that, subject to any</p>	<p>The Mayor recently announced that the project would increase the commitment to</p>	

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	<p>should maximise the river for transportation of material during the construction phase (meeting 17 March 2015, meeting 28 May 2015 and relevant representation letter dated 30 August 2016).</p> <p>Following the Mayor’s review of the Scheme the PLA indicated that it would be helpful to know how this is expected to translate in practice and what (if any) is the impact on the commitments in section 3 of the CoCP (email 7 October 2016).</p>	<p>additional derogations, the Contractor shall transport:</p> <ul style="list-style-type: none"> <li>• at least 50% by weight of all materials associated with the Scheme by River; and</li> <li>• 100% of suitable excavated material out by River.</li> </ul> <p>Before commencing construction of the Scheme, the Contractor must prepare a Construction Site River Strategy (CSRS), which must explain how the Contractor will maximise river transport for construction and excavated</p>	<p>transport 55% (by weight) of construction materials by river.</p> <p>The CoCP is currently being updated to reflect the Mayor’s recent commitment and a technical note is being prepared to outline the impacts this revision would entail.</p> <p>The PLA have requested involvement in the procedure for signing off and agreeing the Construction Site River Strategy (see paragraph</p>	

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		<p>materials.</p> <p>Section 3.2 (and in particular paragraph 3.2.3) of the CoCP commits the project to transporting a specified percentage of construction materials by river. The contents of the CoCP are secured by requirement 5 of the DCO which states 'The authorised development must be carried out in accordance with the code of construction practice'.</p>	<p>3.2.7 of the CoCP) and any 'additional derogations' (see paragraphs 3.2.9 and 3.2.10 of the CoCP) with approval by the PLA (in addition to the present provision for preparation by TfL and consultation with the relevant Boroughs). TfL are currently considering this request.</p> <p>The PLA seeks a commitment to River use on the face of the DCO. It wishes to see a Schedule 3 requirement that the authorised development will be</p>	

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			<p>carried out in accordance with a formal River Transport Strategy. Precedent for this is in Schedule 3 to the Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014 (“TTT”).</p> <p>TfL consider that requirement 5 of the DCO adequately secures this commitment.</p>	
5.4.2	<p><b>Impacts on safeguarded and non-safeguarded wharves</b></p> <p>PLA advised that an assessment</p>	<p>The impact on safeguarded wharves is assessed within Chapter 7 Community and Private Assets of the ES</p>	<p>TfL has corresponded and where business owners are willing, has held meetings with those</p>	

Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
	<p>of any impacts on the safeguarded and non-safeguarded wharves should be considered including the relocation of businesses for the period of time that it is not available (section 42 letter dated 23<sup>rd</sup> November 2015).</p> <p>PLA noted that the Chapter 7 of the ES includes no reference to the London Plan safeguarded wharf policy (7.26).</p> <p>The PLA considers that the NIPRA and the ES are contradictory and do not disclose the full extent of the scheme and its impact on owners and occupiers of affected wharves</p>	<p>(Document Reference 6.1)</p> <p>The Scheme proposes to use the safeguarded Thames Wharf for transportation of construction materials by river. Paragraph 7.6.22 of the ES outlines that following construction of the Scheme, Thames Wharf will be re-instated to its pre-Scheme condition and will be returned to existing owners. The Scheme will not affect the safeguarded status of the wharf.</p> <p>The assessment within Chapter 7 of the ES takes account of the NIPRA in that existing businesses at</p>	<p>businesses affected by the proposals. This engagement is to understand any concerns that the business owners have about the scheme and so that TfL can assist the affected businesses in respect of relocation through the identification of agents and potential sites that are being marketed.</p> <p>The PLA and the applicant are discussing the ES assessment in relation to the safeguarded wharf and</p>	

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Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
	<p>PLA has asked for the Applicant to provide a clear statement of and justification for the expected impacts including interference in the River, mitigation of interference, economic impacts and displacement of businesses associated with the implementation of the DCO on the owners and occupiers of the affected operational safeguarded wharf (Thames Wharf) and the other affected wharves i.e, Dock Entrance Wharf, Carlsberg-Tetley Wharf and Peruvian Wharf.</p>	<p>Thames Wharf will not be able to operational as the properties will likely be leased for the construction of the Scheme.</p>	<p>occupiers.</p> <p>The PLA believes many of the matters identified should be capable of being addressed, mostly on the face of the DCO by way of appropriate Schedule 2 requirements.</p> <p>The PLA's objection cannot be disposed of unless these issues are resolved.</p> <p>The PLA has met with TfL about the impact of the scheme on Keltbray, Tarmac (Euromix) and</p>	

Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
			General Marine. An agreed way forward could not be reached at the meeting. The PLA's WR provides more detail on this issue	
5.4.3	<p><b>River Transport in Greenwich</b></p> <p>The PLA notes that the principal worksite is in Newham and a satellite worksite is proposed in Greenwich. There may be opportunities to maximise use of the river in both Newham and Greenwich.</p>		The PLA is exploring the position with RB Greenwich and will pass any useful information to the Applicant.	
5.4.4	<p><b>Construction Travel Plan</b></p> <p>The PLA believe the staff travel plan should specifically provide for</p>	TfL are currently considering use of the river		

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Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
	<p>use of River for transporting construction workforce to site to be maximised – the Framework Construction Site Travel Plan does not specifically mention travel to work by river, leaving the river as another mode and has only 0.5% of workers coming by such mode.</p>	<p>within the Staff Travel Plan as published within the Transport Assessment.</p>		
5.4.5	<p><b>Legacy issues</b></p> <p>The PLA note the reinstatement of temporarily occupied wharves, the temporary jetty and the NAABSA berth provide opportunities for leaving legacy assets.</p>	<p>Discussions are ongoing between TfL and the PLA regarding potential future use of the temporary jetty following completion of the Scheme.</p>	<p>Legacy opportunities are being discussed, the Applicant and the PLA (subject to cooperation of the relevant landowner) will work together to explore legacy opportunities.</p> <p>The PLA believes these</p>	

Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
			<p>discussions should go further than exploration and that any legacy opportunities should be exploited as far as possible.</p> <p>Both TfL and PLA agree that the safeguarded Thames Wharf (proposed to be used by the Scheme for transportation of construction materials) will be returned in a condition that is viable for waterborne cargo handling</p>	
<p><b>5.5 Water Quality</b></p>				

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Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
5.5.1	<p><b>Hydrodynamic assessment</b></p> <p>PLA suggested that hydrodynamic modelling would be required to determine whether the proposed jetty would change the flow of the river and create shoals or alter the exiting shoal (meeting 17 March 2015).</p>	<p>The potential effects of the proposed works on the hydrodynamics and suspended sediment transport regime have been characterised and modelled. The results are presented and discussed in Appendix 16.B Hydrodynamic Modelling of the ES (Document Reference: 6.3.16.2) and are summarised within Chapter 16 - Surface Water Quality and Flood Risk of the ES (Document Reference 6.1).</p>	<p>It is agreed that modelling and assessment has been carried out of the 'likely development' (paragraph 3.2.1 Hydrodynamic Modelling (Appendix 16.B of the Environmental Statement (document 6.3.16.2)) but if the location of the jetty is different to that shown in figure 1-1 further modelling and assessment may be required</p>	

Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
5.5.2	There is an outstanding PLA request for information regarding drainage and in particular flow rates and proposed scour protection.	TfL will provide this information to PLA.		
<b>5.6 Development Consent Order and Protective Provisions</b>				
5.6.1	<b>Development Consent Order and Protective Provisions</b>	Discussions are being held between TfL and the PLA regarding the draft DCO.  Topics include limits of deviation, removal of temporary works, Articles 17, 29 and 30, Schedule 1, and protection of the tunnel within and outside of the navigable channel.	Discussions are ongoing with regards to the DCO and a number of meetings have been held.	

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Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
<b>5.7 Compensation.</b>				
5.7.1	<p>(i) Subsoil to be permanently acquired for the tunnel and compensation</p> <p>(ii) temporary use involving exclusive possession both during construction and maintenance-</p> <p>Calculation of compensation to the PLA for (i) should reflect the calculation of consideration under s.67 of the 1968 Act and for (ii) should also reflect s. 67 so far as is relevant to compensation for temporary use.</p> <p>The Applicant will have to demonstrate that the proposed</p>	<p>Discussions between TfL and PLA's representative about the subsoil acquisition are ongoing.</p>		

Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
	basis of compensation is adequate and justifiable in terms of economic use of public money			
<b>5.8 Navigational risk</b>				
5.8.1	The PLA have outlined that the NIPRA is stated to support the methodology adopted for the Navigational Risks Assessment but provision has not been made for appropriate adjustments in any document to reflect the outcomes of the assessment itself.	The exercise of navigational risk assessment will be continuous throughout the construction and maintenance periods. Outcomes will be given effect to via the Passage Plan which will be prepared in accordance with the COCP which is secured by requirement 5 of the DCO and is for the approval of the PLA. The passage plan is also specifically		

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Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
		mentioned within requirement 5 (n).		
<b>5.9 Protection of the tunnels</b>				
5.9.1	The PLA has seen from proposals for inclusion in the PLA protective provisions that TfL seeks authority in the DCO to prevent the exercise of certain PLA powers within the Order limits. It appears to be intended that there is to be a protected zone around the tunnels. This is not clearly stated in the DCO and is not a protective provision. The extent of the zone has not been stated anywhere and the potential impacts have not	TfL will discuss with the PLA how best to address this issue in the DCO to secure this necessary protection.		

Ref	Description of stakeholder issue	Transport for London response	Current position	Record of discussions
	been assessed.			
<b>5.10 Cumulative effects assessment (developments to be considered)</b>				
5.10.1	The PLA have outlined the cumulative effects assessment assesses the identified developments against the Project implemented in only one of several possible ways, all of which would be permissible under the DCO. In particular, there is no assessment of the effect of closing the River Thames. In the absence of a requirement or other provision limiting TfL to the development as assessed, this means that the ES, including the NIPRA and cumulative effects assessment have not provided an assessment in relation to potential significant	TfL are currently drafting amendments to the DCO to address comments made by the PLA. A revised version will be available at deadline 1.		

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	effects of closure of the entire river as allowed by the current drafting of the DCO.			

## 6. Matters not agreed

6.1.1 There are no matters not agreed for the purposes of this SoCG.

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## 7. Agreement

Signed	
Name	
Position	
Company	Transport for London
Date	
Signed	
Name	
Position	
Company	Port of London Authority
Date	

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