

# SILVERTOWN TUNNEL

## 8.59 Applicant's Update Note

January 2017

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# Silvertown Tunnel

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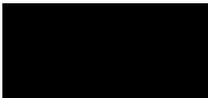
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## Applicant's update note

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*Document Reference:* 8.59

*Author:* Transport for London

Rev.	Date	Approved By	Signature	Description
0	27/01/2017	David Rowe		For Deadline 3 submission

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## 1. Introduction

- 1.1.1 This note provides an update to the Examining Authority (ExA) and Interested Parties on the current status of a number of points which have been raised during the examination and, in particular as action points arising from the issue-specific hearings held on 17, 18 and 19 January 2017.
- 1.1.2 Whilst the Applicant has sought to respond in full to as many of these points as possible at Deadline 3 (27 January 2017), in some cases, the Applicant indicated at the hearings that it will give further consideration to the issues raised and, where appropriate, will discuss the matters with the relevant Interested Parties in order to submit a full response at a later Deadline.
- 1.1.3 To assist the ExA and Interested Parties, the table below provides a summary in relation to each issue that falls into this category. In each case, the summary explains the Applicant's current proposals and the further work and engagement with Interested Parties that will be undertaken to develop these proposals. The note also indicates when the Applicant expects to submit new or revised documents to the examination that incorporate these proposals.

Action point reference	Action point	TfL update
Traffic and transport	The Applicant to provide an interim further update of the TIMS for D3 with a further update including	The Applicant notes the issues raised by the Examining Authority (ExA) and Interested Parties in relation to the

<p>ISH – item 10</p>	<p>revised/additional thresholds for D4.</p>	<p>Monitoring Strategy (MS) (REP1-121) and the Traffic Impacts Mitigation Strategy (TIMS) (REP2-031) both in written submissions and at the Issue Specific Hearings (ISH) on 17, 18 and 19 January 2017.</p> <p>In response to these issues the Applicant proposes to make the changes set out below to the MS and TIMS. The Applicant will discuss these proposals with the host and neighbouring boroughs prior to submitting these changes at <b>Deadline 4</b>.</p> <ol style="list-style-type: none"> <li>1. The MS and TIMS will be combined into a single Monitoring and Mitigation Strategy document.</li> <li>2. The combined document will confirm that data from the monitoring will be made available to STIG members, in sufficient time to inform meetings and decisions.</li> <li>3. The traffic impacts triggers set out in the TIMS submitted at Deadline 2 will be refined having regard to the comments and issues raised at the Traffic Transport Modelling, Forecasting and User Charging &amp; Economics ISH and following further engagement with the host and neighbouring boroughs. The Applicant is considering how these can better relate to the assessed case.</li> <li>4. An air quality mitigation trigger will be included in the combined document, the details of which will be developed having regard to the M4 example provided by the ExA.</li> </ol>
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		<p>5. Additional air quality monitoring locations will be included in the initial monitoring plan.</p> <p>6. Additional clarity on how pre-opening mitigation will be identified and implemented.</p> <p>In view of the proposal to combine the TIMS and MS documents to incorporate the measures described above, the Applicant has not prepared an interim update of TIMS, but will instead make the above changes in a comprehensive combined document to be submitted at <b>Deadline 4</b>.</p>
<p>Traffic and transport          ISH – item          11</p>	<p>The Applicant to consider the need to amend the wording of the draft Development Consent Order (dDCO) at D3 to provide for mitigation ahead of opening and for a review after a fixed specified period and not just amendment to the TIMS itself.</p>	<p>At the Traffic Transport Modelling, Forecasting and User Charging &amp; Economics ISH on 17 January the Applicant clarified its intention to deliver any necessary traffic mitigation in advance of Scheme opening.</p> <p>This pre-opening mitigation will be secured by a commitment in the updated TIMS (to be combined with the Monitoring Strategy) submitted at <b>Deadline 4</b>. It is not considered necessary to amend the drafting of Requirement 7 of the dDCO to secure this pre-opening</p>

		<p>mitigation. The wording to be added to the updated version of TIMS will make clear that this mitigation must be implemented before the Silvertown Tunnel opens to traffic. Requirement 7 of the DCO requires TfL to implement and act in accordance with the TIMS.</p> <p>Notwithstanding this point, the Applicant has removed the words "in carrying out the authorised development" from Requirement 7 of the dDCO submitted at Deadline 3. This was to remove any potential uncertainty as to the period in which the authorised development is being carried out. The updated version of TIMS submitted at Deadline 4 will be clear as to when the various measures specified in that document must be implemented.</p> <p>The Applicant also explained during the hearings its intention to provide for a review of the user charge after a fixed period post-opening. The Applicant will include this additional commitment in either the updated Charging Policies and Procedures (REP1-123) or the combined TIMS/Monitoring Strategy to be submitted at <b>Deadline 4</b> following consultation with the host and neighbouring boroughs.</p>
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<p>Traffic and transport          ISH – item          18</p>	<p>The Applicant to provide an update on progress towards securing a commitment to the enhanced bus routes strategy in the DCO (including procurement/tendering arrangements) for D3.</p>	<p>A Bus Strategy was submitted as Appendix A to the Applicant's response to the FWQs on the Principle and Nature of the Development (REP1-178), which sets out how and why the Applicant will develop the bus network through the Silvertown Tunnel. The Applicant will revise this Bus Strategy at Deadline 4 to provide a clearer commitment to developing this bus network. This strategy will also provide for the consultation arrangements with STIG and London boroughs. The dDCO has been amended at Deadline 3 to include a Requirement to implement the Bus Strategy.</p>
<p>dDCO ISH          – item 2</p>	<p>Please can the Applicant combine the Traffic Impact Mitigation Strategy (TIMS) document with all other environmental mitigation triggers, so that all triggers for mitigation are within one document</p>	<p>As noted above, the Applicant will combine the Monitoring Strategy and TIMS into a Monitoring and Mitigation Strategy and include an air quality mitigation trigger at <b>Deadline 4</b> which will be developed having regard to the example from the M4 DCO which was discussed at the hearing on 18 January.</p> <p>The Charging Policies and Procedures (CPAP) document will remain separate from the combined monitoring and mitigation document because the CPAP contains broader policies and criteria which apply to the exercise of the user charging power in the DCO. However, the relationship between the documents will</p>

		<p>be further clarified at <b>Deadline 4</b>.</p>
<p>dDCO ISH – item 6</p>	<p>Please can the Applicant provide an update on discussions with host and neighbouring authorities in respect of the Silvertown Tunnel Implementation Group (STIG) negotiations, covering its constitution, an independent chair, meeting frequency, openness and transparency, whether it should have decision making powers (not just act as an advisory body), and addressing the further STIG matters raised by London City Airport regarding their request to become a member of STIG</p>	<p>The Applicant will refine the functions and procedures for STIG in light of the comments received to date by the ExA and Interested Parties. Article 65 of the dDCO will be updated to reflect these changes and submitted at <b>Deadline 4</b> following consultation with the host and neighbouring boroughs. A meeting has been arranged with the London Boroughs of Newham and Tower Hamlets and the Royal Borough of Greenwich for 2 February to discuss STIG. Meetings are in the process of being scheduled with the London Boroughs of Southwark, Hackney and Lewisham.</p> <p>In particular the Applicant is considering the following matters in relation to STIG:</p> <ol style="list-style-type: none"> <li>1. Voting provisions;</li> <li>2. Calling and frequency of meetings;</li> <li>3. The matters that STIG may consider;</li> <li>4. The chair of STIG;</li> <li>5. Openness and transparency; and</li> <li>6. Membership, including the request by London City Airport</li> </ol>

		and others to be members.
N/A	<p>During the discussion on requirement 5(2) (agenda item 12) at the ISH on the Development Consent Order held on 19 January 2017, the ExA queried whether it would be appropriate to apply a 'Not Environmentally Worse Than' (NEWT) test to the implementation of the Code of Construction Practice (CoCP) and the subsidiary plans and strategies that must be produced under it in order to relate those documents to the parameters of the Environmental Statement.</p>	<p>In response to the ExA's query the Applicant has considered the appropriateness of a NEWT test. In principle, the Applicant considers that there is merit in this approach and accordingly, will consider how this test can be incorporated through additional wording in both the CoCP and the drafting of Requirement 5. Updated documents will be submitted at <b>Deadline 4</b>.</p>