

SILVERTOWN TUNNEL

Volume 8

# Development Consent Order Application

Response to ExA's Second Written Questions:

8.90 Principal Issue: General

The Infrastructure Planning (Examination Procedure)

Rules 2010

March 2017

Silvertown Tunnel

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# Silvertown Tunnel

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## Development Consent Order Application Response to ExA's Second Written Questions: General

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Rev.	Date	Approved By	Signature	Description
0	06/03/2017	David Rowe (TfL Lead Sponsor)		For Deadline 4

Silvertown Tunnel

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## INTRODUCTION

This document contains the Applicant's responses to the second written questions (SWQs) on the 'General' (GA) theme. The 'General' questions raise a number of key themes which also run through the SWQs on the other Principal Issues and which indicate important areas of concern to the ExA. These key themes appear to be:

- (a) impacts on low income groups and how these might be mitigated;
- (b) provision of cross-river bus services;
- (c) uncertainty in modelling; and
- (d) the implementation of effective monitoring and mitigation.

To ensure the Applicant's responses to all of the SWQs (both on the General theme and on the other Principal Issues) are understood in the wider context of the Applicant's case on these key themes, the Applicant has provided a short introduction below to the GA responses which directly addresses these areas. The introduction explains the Applicant's case in relation to each theme and provides references to all of the relevant SWQ responses and other documents which relate to these issues.

In setting out matters in this way the Applicant is conscious of the test provided in section 104 (7) of the Planning Act 2008, namely whether any adverse impact would outweigh the benefits of the Scheme. The Applicant is also aware of the compelling need to develop the national networks established in the NPS and of the scheme-specific support for the project set out in Policy 6.1 of the London Plan.

### **Impact on low income groups**

The Applicant is very conscious of the need to protect the interests of low income and vulnerable groups. This was also a feature of the Mayor's review of the Scheme. The evidence establishes that the effect of the proposal would be to provide significant net benefit for low income groups.

The Applicant's paper 'Impact of the Scheme on Low Income Residents' (REP3-024) explains that the greatest share of the user benefits from the Scheme accrues to low income groups, mostly as a consequence of the enhanced public transport opportunities it provides. Low income groups

are expected to receive 71% of total benefits (paragraph 3.4.3). Equally, the Applicant's paper on Distribution of User Benefits (REP2-042) demonstrates the widespread forecast of net user benefits (Figure 3-1), whilst paragraph 2.2.2 explains that "*almost all of the 20% most deprived areas in London within the Study area will see net benefits from the scheme*". No evidence submitted to the examination has challenged these conclusions.

Rather, concern has focused on the small number of low income users who may individually lose out as a result of being car users who use their car to cross the river and may not be able to switch to public transport. The Applicant takes these matters seriously but it is important not to conflate the concern for this sub-set with any misunderstanding of the overall net effect for low income users. The paper 'Impact of the Scheme on Low Income Residents' establishes:

- in the host boroughs, around 70% of low income households don't have access to a car (Table 2-1);
- cross-river trips make up only around 6% of all trips, of which only a quarter are made by car (Table 2-3);
- where low income households do have access to a car, they use the Blackwall Tunnel less frequently than higher income users (para. 2.4.2); and
- a high proportion of low income households don't cross the river at all (para. 2.4.3).

The application proposals provide an important new opportunity for low income users to cross the river, made possible by a network of reliable buses linking residents to new employment and services – an opportunity that cannot be achieved without the Scheme. The opportunity that the Scheme offers to transform cross-river bus services means that more low income users will cross the river than is the case today, because it benefits them to do so (paragraph 3.2.7).

Even if no specific mitigation was offered for the small number of low income car users who are forecast to be net losers from the Scheme because of the specific circumstances of their journey (including a need to travel at peak time), the overall interests of low income groups would strongly support the making of the DCO.

The Applicant has considered the scale of the redistribution and mode shift effects on low income highway users in its responses to SWQs TT2.1 and TT2.2. The redistribution effect is very small, at just 60 trips south of the River (Table 4 of SWQ TT2.1) and 120 trips north of the River (Table 7 of SWQ TT2.1). Low income households that change mode from highway to buses do so because they experience a net benefit from such action (SWQ TT2.2).

The availability of the public transport network means that not all low income highway users find it beneficial to switch mode, with some deciding to reassign to other crossings instead. The proportion of low income highway users that reassign to other crossings is slightly higher than for other users (REP3-025).

The scale of adverse effects on car driving low income groups is estimated at -£200,000 in 2021 (Table 3-5 of REP3-024). This is an average disbenefit of just -5p per person cross-river trip (SWQ TT2.7) However; the small scale of disbenefit for low income highway users is more than offset by the large benefits that accrue to low income public transport users. In total, there are expected to be net benefits for low income users overall of more than +£12,000,000 in 2021. .

In recognition of the impacts on a small number of low income users who may be adversely affected by the imposition of the user charges, TfL's answers to the SWQs set out a range of mitigation measures, namely

- (a) a low-income discount (see response to TT2.8);
- (b) securing bus services (see DC2.9 and below);
- (c) waiving account holder registration fee (see response to GA2.1);  
and
- (d) business transition arrangements (see response to GA2.2).

Overall, therefore, the Scheme generates significant net benefits for low income groups (increased access to jobs, increased public transport connectivity, reliability, resilience and a strengthening of the east London economy). Benefits significantly outweigh the relatively small scale of impacts on low income groups. Measures are nevertheless proposed to further reduce any residual dis-benefits.

## **Buses**

The Assessed Case bus network has always been explained to be indicative, based on TfL's expectation of the way in which the bus network would develop in response to the new opportunity created by the Scheme and, in the longer term, the forecast growth in east London. It has been used in the DCO submission to enable the likely significant effects of the Scheme to be assessed. It is anticipated that the network would be developed and refined over time as opportunities are taken, for instance, to secure additional funding through CIL and s.106 payments from the scale of development planned within the area of the anticipated network. It is not, and never has been a network which TfL can guarantee from day one – no public authority could commit itself in that way.

The strength of the Applicant's commitment to deliver high quality bus services is evidenced by the terms of the commitment given by the Mayor and by TfL's Business Plan (as described in paragraphs 1.2 and 2.2 of the Bus Strategy). Running a single bus for a year costs in the region of £220,000 - £250,000. The number of buses needed for a specific route depends on the route length and frequency; a service requiring 10 buses (which is not unusual) would therefore cost £2.5m per year. TfL's statutory responsibilities require that a rigorous process of bus planning is undertaken for every new service, using TfL's Bus Planning Guidelines in discussion with stakeholders. Funding opportunities from s.106 and CIL are commonly taken where practicable to ensure that public resources are efficiently used to optimise the bus network as a whole. No-one benefits from enforcing the premature establishment or long term commitment to unsustainable services if public funds could be more sustainably used to support existing services. It is important, therefore, that each new service is properly commissioned so that a robust network of services can develop over time in response to the scale of growth and demand which has been forecast.

The Applicant's Bus Strategy, which is secured by DCO requirement 13, commits to that process. It provides for an immediate minimum commitment, which would transform bus accessibility in this part of London and it would be the start of a process aimed at managing a growing network of bus services to connect with and complement the rail, DLR and tube network which has been developed by TfL in recent years.

The Applicant's revised Bus Strategy is provided at Deadline 4 and the approach is described in the response to SWQ TT 2.9. Its impact on

calculated user benefits and the overall Business Case is set out in the response to SWQ TT2.5.

The Applicant has included in the revised draft DCO an updated version of Requirement 13 to capture and make fully enforceable the key commitments in the Bus Strategy.

### **Uncertainty - Monitoring and Mitigation of impacts**

The Applicant's position has been well rehearsed through the examination. For at least the following reasons, the ExA can have confidence in the modelling undertaken to support the application:

- (a) the modelling has been carried out to highest standards by an expert team using the best available suite of models;
- (b) the output has been independently audited, found fit for purpose and the results have not been seriously disputed, for example by the submission of alternative modelling;
- (c) the approach taken complies directly with all relevant guidance; and
- (d) it has been refined using sensitivity testing – see below.

Even in the highly unlikely event that all adverse uncertainties were compounded rather than self-cancelling, the Applicant's analysis – which includes a set of sensitivity tests - shows that the user charge is capable of bringing the effects associated with the Scheme back into line with those seen for the assessed case (see response to SWQ TT2.3)

The Applicant is convinced that the modelling provides a robust forecast of scheme effects. However, the application does not depend on the output of the modelling alone and a detailed approach to refreshing the assessments supported by further modelling (as set out in the Monitoring and Mitigation Strategy) will be used in order to:

- set the opening user charges;
- define the requirement for and form of localised mitigation for residual effects; and
- specify the bus network through the Silvertown Tunnel that will operate on opening.

To complement the modelling work and assure the delivery of its forecasts the Applicant has provided a comprehensive commitment to a Monitoring and Mitigation Strategy to ensure that, once the scheme opens, the actual effects are properly understood and effective action taken to ensure the predicted outcomes.

The monitoring and mitigation proposals go further than for any other highway DCO scheme of which the Applicant is aware.

Unlike other highway DCOs this scheme also has a mechanism for controlling demand – the user charge – and this provides a much greater degree of control over the use of the scheme than is usually the case.

The Applicant has committed to a series of measures that would provide assurance that the actual effects of the scheme will be comparable to those forecast in the assessed case. These include:

- (a) a commitment to re-assess the user charges and to define mitigation proposals with the benefit of up to date monitoring data prior to the Scheme opening (CPAP, ref 7.11);
- (b) a commitment to a comprehensive combined Monitoring and Mitigation Strategy – which includes sensitive triggers to provide an alert to any outturn effects different from those forecast in the application – together with a committed regime to ensure that effects are assessed and, where appropriate, mitigated;
- (c) localised pre-opening mitigation to be subject to Secretary of State approval and implemented before opening (see the Monitoring and Mitigation Strategy and response to SWQ AQ2.1);
- (d) direct air quality monitoring and a mitigation mechanism based on the M4 example (SWQ AQ2.2);
- (e) a commitment to keep the Scheme effects and the user charge under review; and importantly
- (f) a commitment to undertake a review after opening with the benefit of live, not forecast, data.

Rarely, if ever, has a scheme of this nature been subject to such control and assurance. The Applicant has proposed a revised Requirement 7 in the revised draft DCO submitted at Deadline 4 to ensure that these commitments are clear and fully enforceable.

### **Securing an appropriate scale of mitigation**

The Applicant's Monitoring and Mitigation proposals have been brought together in the Monitoring and Mitigation Strategy (M&MS). The M&MS has been carefully drafted to ensure the following characteristics:

- a complete refreshed assessment of necessary controls and mitigation with the benefit of the most up to date information prior to scheme opening;
- a clear process for identifying, discussing, agreeing and implementing within a set timescale any necessary mitigation before the Scheme opens;
- very extensive monitoring across a wide geographical area and a wide range of topics to detect the effects of the Scheme (the scope of the monitoring has been extended in response to stakeholder requests and will be reviewed as part of the refreshed assessment); and
- triggers established to ensure that any unpredicted effects are identified, investigated and responded to where appropriate with agreed mitigation measures, implemented within a certain timescale.

These commitments secured through the M&MS and a revised Requirement 7 in the revised draft DCO submitted at Deadline 4.

In this context, whilst there are always likely to be calls for further commitments and additional mitigation (and the Applicant will always consider reasonable suggestions to optimise the performance and effects of the Scheme), when considering the necessity for such commitments, it is important to recognise that this is a Scheme which has long been safeguarded by the Government, was recognised as being nationally significant in 2012 and is directly supported in up to date planning policy. Its assessed effects are overwhelmingly positive. Notably:

- (a) the Scheme would effectively eliminate the chronic congestion on east London's only strategic river crossing – currently and notoriously the most congested route in London;
- (b) the highway performance effects of the Scheme are very positive – where the change would cause some localised issues, mitigation is committed pre-opening and monitoring will ensure that unexpected adverse effects will be addressed;

- (c) the economic benefits are substantial – net user benefits are valued at £1.3bn net of user charges;
- (d) although HGVs are not assessed to benefit overall, they would benefit from enhanced reliability and the assessment recognises the substantial negative external effects of HGV traffic. Businesses generally are forecast to benefit substantially;
- (e) low income users would achieve substantial benefits and the small number of low income car users who cannot transfer to public transport have been targeted with various proposed discount measures;
- (f) the Environmental Statement predicts limited adverse effects once account is taken of proposed mitigation. There is understandable concern, for instance, about air quality but the assessments demonstrate that a far greater number of people would achieve an improvement in air quality than would suffer a worsening; and
- (g) the applicant has committed to high quality Design Principles and a collaborative design process with extensive commitments to landscape, public realm, cycle and pedestrian integration – whilst the removal of chronic congestion would transform the image of this part of London.

In applying the tests of section 104 of the Planning Act 2008 or considering national policy guidance on the need for requirements and obligations, all of these matters are highly relevant.

The Applicant's responses to the second written questions are given in this context, and in the context of the high standards that TfL sets itself for the delivery of public projects, as well as the statutory context within which TfL operates as set out in the GLA Act and other relevant documents such as the MTS and the London Plan. The Applicant's statutory duties under the GLA Act require it to:

- facilitate the discharge of the Mayor's duty to deliver safe, integrated, efficient and economic transport facilities and services to, from and within Greater London; and
- determine which bus services are required for the purpose of discharging this duty; and keep these services under review.

In addition, the Applicant is the statutory highway authority for the GLA road network in London under the Highways Act 1980 and has a network management duty under the Traffic Management Act 2004 to manage the road network effectively to minimise congestion and disruption to vehicles and pedestrians. It must also plan and coordinate roadworks, taking into consideration the impact on neighbouring traffic authorities. TfL also has a responsibility to facilitate cooperation between all of London's traffic authorities and utilities so as to improve conditions for all road users. It is in the context of these statutory functions that TfL is bringing forward the Scheme.

## GENERAL

### GA2.1 Question Part 1

**Distribution of Benefits: Given that the further analysis provided in REP3-024 still shows that the imposition of user charges would have a detrimental impact on low income users of private vehicles needing to commute through the tunnels:**

**1. Please provide the DCO obligation or other means to give effect to the suggested waiving of the account registration fee for residents within the host boroughs or other defined local area and concessions for local users of the proposed new additional bus services to be provided through the tunnel.**

### Response Part 1

#### Registration fee

- GA2.1.1 An annual registration fee would apply for Scheme users who wished to have an account with TfL for automated payment of the user charges. Such a registration fee applies for the Congestion Charging (CC) scheme, and is currently set at £10 per year.
- GA2.1.2 Registering for an account has advantages for the user in terms of securing reduced user charges in the peak and off-peak periods compared to the headline charge<sup>1</sup>. It also makes payment easier and removes the risk of receiving a Penalty Charge Notice (PCN) as a result of forgetting to pay. Auto-payment has become increasingly dominant (over three-quarters of CC payments are made in this way) and it is assumed this will also be high for the Scheme.
- GA2.1.3 For TfL, accounts have lower administration costs than multiple single payments and also help in communicating with customers using their registered contact details and preferences. However, it is necessary to have a registration fee in order to cover administration costs, and requiring annual registration also helps to ensure that customer and payment details remain up-to-date.

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<sup>1</sup> A flat-rate charge which applies in both peak and off-peak periods to non account-holders.

GA2.1.4 It is proposed that the first-year registration fee is waived for all residents of the Host Boroughs. The registration period for this group will begin in advance of Scheme opening, and will be online only. There will be eligibility criteria related to having a main residential address in one of the Host Boroughs. This initial registration period will last for twelve months, after which an annual registration renewal fee will apply.

GA2.1.5 This free registration is included as a commitment in the updated Charging Policies and Procedures submitted at Deadline 4. Adherence to the Charging Policies and Procedures is secured by Article 52 of the DCO.

### **Bus concession**

GA2.1.6 There are already concessions that exist for a range of different groups that use London's buses. These include the Freedom Pass, the Bus and Tram Discount and the Student Discount. Further information can be found on TfL's website on travel concessions. These concessions will apply to the bus services running through the tunnels.

GA2.1.7 In addition it is proposed to make available £2million to encourage the take-up of the new cross-river bus services by residents of Host Boroughs.

GA2.1.8 It will also help to familiarise local people with the new services available and thereby encourage the use of public transport to cross the river.

GA2.1.9 The commitment to the £2million bus concession is contained in the updated Bus Strategy submitted at deadline 4, which is secured by requirement 13 of the dDCO.

## **Question Part 2**

**2. Please also provide an update on the intended means for cyclists to cross the river economically at this point whether by a bus cycle shuttle and/or concessionary charges on the AirLine (or other means). The outcome of such a consideration would be another measure for inclusion in a DCO obligation."**

## **Response Part 2**

GA2.1.10 TfL has been in further discussions with the host boroughs about the options for a cycle shuttle service and has presented information to them on potential locations, service frequencies and vehicles.

GA2.1.11 Following these discussions TfL is committing to a trial of a cycle shuttle service and to sharing the results of this trial with the Host Boroughs.

GA2.1.12 The cycle shuttle service trial will be secured by means of the proposed legal agreements with the Host Boroughs.

GA2.1.13 The position in respect of the Emirates Air Line (EAL) remains unchanged from that set out in the Case for the Scheme (APP-093).

## GA2.2 Question

**Distribution of Benefits: Given the indications that there would also be a negative impact for LGV users only made positive by addition of reliability benefits and that there would be a negative overall impact on HGV users, please comment on the proposal from the host boroughs that there should be a mitigation fund as a means to support or compensate small local businesses that may otherwise be adversely affected. Could such a fund be a further component of a DCO Obligation as referred to under GA1?**

## Response

- GA2.2.1 Businesses generally (not including commuting to work) have an overall benefit from the Scheme of £345m, with £451m of benefits from car mode and £59m from buses<sup>2</sup>. When adjusted for reliability benefits, business users have £503m of benefits, with £531m from cars, £20.8m from LGVs and £59.6m from buses. Within that overall context of very high net benefits for businesses, HGVs experience negative impacts; LGVs experience positive impacts where reliability benefits are included in the assessment of user benefits.
- GA2.2.2 Despite the benefits of greater journey time reliability and time savings brought by the Scheme, the imposition of the user charges represents a cost to businesses. In particular, there has been concern about its impact on small businesses close to the tunnel portals.
- GA2.2.3 The applicant is therefore committing to support for small businesses with fewer than 50 employees) with their main business address in the London Boroughs of Newham and Tower Hamlets and the Royal Borough of Greenwich, as follows:
- Waiving of account-registration fee for one year
  - Support in adapting to the introduction of the Scheme
- GA2.2.4 The Applicant has confirmed that it will offer a waiving of the initial account registration fee for London residents (see GA2.1). This concession will also be extended to eligible small businesses. Like the
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<sup>2</sup> NPV, quoted in Table 3-3 of Outline Business Case, Document 7.8, (APP-100)

resident concession described in GA2.1, this waiver would apply for the initial 12-month registration only, after which an annual registration renewal fee would apply.

GA2.2.5 TfL currently offers free information and support to businesses and other organisations in London to help them with employee and business travel. TfL will commit £1m to developing and delivering a product for the Silvertown Tunnel, which could provide information on:

- Shifting trips that have to be made by road to off-peak or no charge times
- Taking advantage of the new bus services or other PT

GA2.2.6 TfL's commitment to the provision of support will be secured in the proposed legal agreements with the Boroughs.

## GA2.3 Question

**Distribution of Benefits: Tarmac [REP3-043] have pointed out in their representations that in the building trade in general and particularly in relation to ready-mixed concrete delivery businesses have no alternative to the use of HGVs. Businesses using such vehicles to service the substantial construction activities anticipated north and south of the river will be adversely affected if the construction of the tunnel prevents continuation of aggregate related and similar operations on both banks of the Thames in this locality. Consequently, bearing in mind also the repeated representations of the PLA, please provide a justification for preventing the continuation of the bulk aggregate/waste wharves at Thames wharf and Victoria Dock entrance wharf and related batching plants when the Applicant requires the ability to use river transport in accordance with commitments in the CoCP and is proposing a batching plant within the proposed north bank construction compound.**

**If existing facilities cannot be maintained within the Order limits what steps are proposed to enable such operations to be maintained in the vicinity on the north bank? Note: This question is raised as a general economic development issue and not as a CA question given answers previously given by the Applicant that as only short-leases are involved they have rights to possess the sites referred to.**

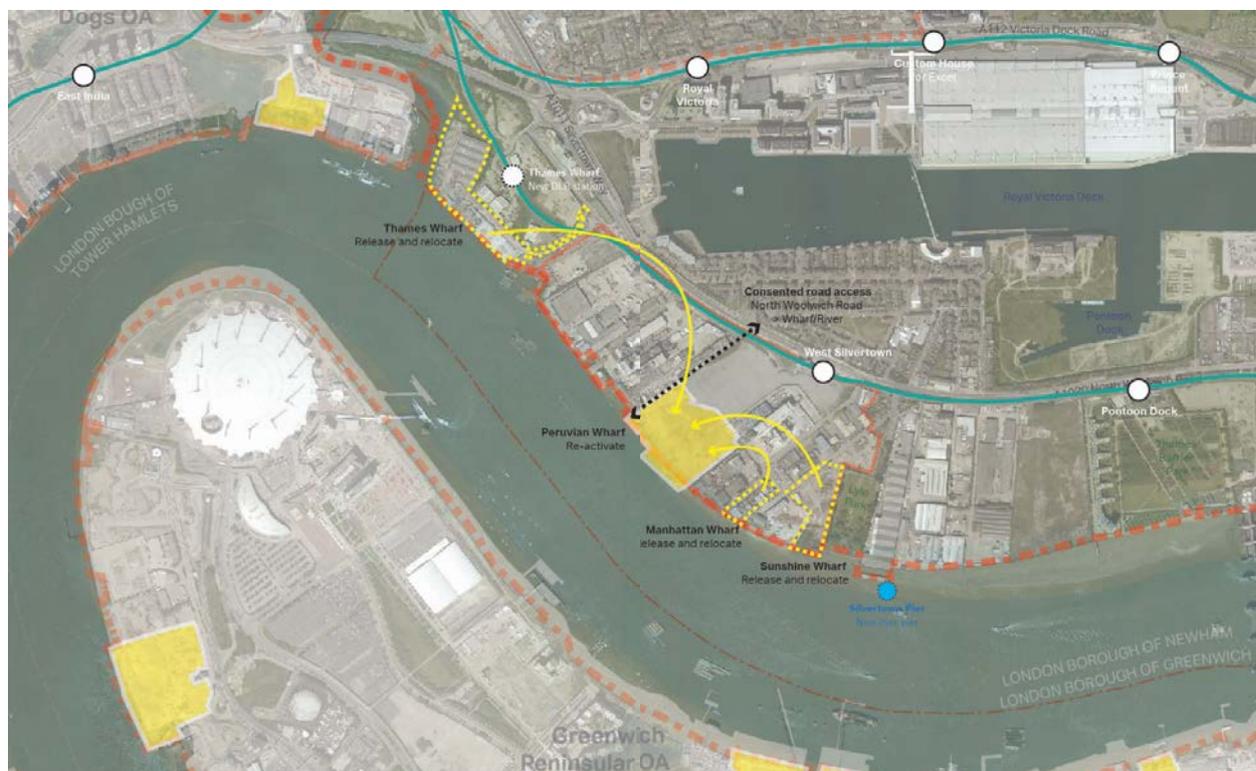
## Response

- GA2.3.1 In developing the procurement and delivery strategy for the Scheme, the Applicant must take into account its legal duties as a public body. As such, in the case of the existing aggregate, waste handling and concrete batching plants on the north bank, these could not be 'in-built' into the construction methodology as this would have involved treating certain commercial bodies favourably compared to the rest of the concrete batching plants, running the risk of breaching procurement and competition rules.
- GA2.3.2 For example, this could have meant the Applicant being forced to accept a certain price for use of the plants, or the concrete that they produce, and not giving other companies the chance to compete. This would also put them in a commercial advantageous position which could result in the Applicant paying a higher price and go against the principles of best value. .

- GA2.3.3 Furthermore, by using existent plants, the Applicant would be forced to share the use of these commercial operations with other clients and their needs, meaning that it would lose the flexibility to, for example, change production rates at a time of its choosing, flexibility that it would have by having its own dedicated batching facility on site.
- GA2.3.4 As part of its work in preparing the construction methodology, the Applicant has been seeking suitable concrete batching, aggregate handling and waste disposal operators (see for example, the Preliminary Viability Assessment undertaken (Appendix A to REP1-173) to verify that capacity exists in the locality for the construction of the scheme, including the potential for concrete batching to be undertaken on site (and thus using local aggregate suppliers).
- GA2.3.5 This work has confirmed that sufficient capacity exists within the local market. Existing companies such as Tarmac Euromix and Hanson will have the opportunity to compete to supply concrete for the Scheme. In doing so, it should be noted that concrete batching is an inherently mobile industry that moves to meet construction demand - most plants are modular as they are designed to be moved when required. As such, Euromix and Hanson's plants and their logistic arrangements, whilst currently affected by the envisaged construction methodology (including by the use of their wharf facilities), could potentially be utilised by moving them to fit the needs of the construction worksites; if they were successful in bidding to be a supplier to the Scheme.. The effect on the businesses on the north bank of the Scheme must also take into account the planning policy position for the Site:
- GA2.3.6 Land in the vicinity of the proposed Silvertown Tunnel, including the Thames Wharf, Victoria Dock Entrance Wharf and the surrounding area has been the subject of a Safeguarding Direction from the Secretary of State since 1995. The Silvertown Crossing Safeguarding Direction recognises the strategic importance and need for a new road-based river crossing and the fact that it must be taken into account in local planning policy and development management decisions. Planning policy has been formulated on that basis at a strategic and local level to directly endorse, support and safeguard the Scheme.
- GA2.3.7 As such, the operators of these facilities will have been aware of the Scheme and the potential need to relocate when the scheme comes forward, at the time of negotiating tenancies. This is reflected in the short-term tenancies for these and other adjacent businesses within the safeguard area.

- GA2.3.8 The wharves are not only affected by the scheme, but there are also aspirations in the wider planning policy context to change planning policy to facilitate the regeneration of wharves and adjacent land. This is reflected in the adopted development plan (London Borough of Newham ("LBN") Core Strategy – Strategic Site S08) and in emerging policy (Mayor of London's Working Draft Royal Docks and Beckton Riverside Opportunity Area Planning Framework, March 2016 ("draft OAPF")) which deal with the wharves that have been safeguarded by the Mayor of London.
- GA2.3.9 The LBN Core Strategy (paragraph 5.38), recognises that the wharves in the Thameside area are spaced out across the river frontage and the land is in many cases underused. The opportunity to consolidate wharf users and release the land for mixed use redevelopment is set out and supported within the development plan (Spatial Site S08, Core Strategy).
- GA2.3.10 Paragraph 7 of Newham Spatial Policy S3, Royal Docks, states that consolidation and / or relocation of the four wharves safeguarded by the Mayor that are in the Royal Docks (including Peruvian) will be supported, subject to there being no net loss of functionality or wharf capacity. The Victoria Dock Entrance Wharf used by Tarmac Euromix is not a wharf safeguarded by the Mayor.
- GA2.3.11 The draft OAPF is a key part of the City in the East spatial plan launched in October 2015. The draft OAPF, prepared by the Mayor of London, TfL and LBN, sets out a series of plans illustrating how the regeneration of Royal Docks and Becton Riverside Area can continue.
- GA2.3.12 Figure 1 below, taken from the draft OAPF, shows the proposed Wharves Strategy ("the strategy"). The strategy illustrates how a number of the existing wharves could be consolidated at Peruvian Wharf in line with the policy aspirations of the LBN Core Strategy.

**Figure 1 The Wharves Strategy. Working Draft Royal Docks and Beckton Riverside OAPF 2016**



GA2.3.13 In summary therefore, the current and emerging land use policies and strategies for the area envisage a consolidation of wharves to maintain existing capacity whilst freeing land for potential redevelopment and regeneration. Notwithstanding the above, the Applicant has given a commitment to provide assistance to those businesses needing to relocate even where they have no compensatable interest (paragraph 7.6.55 of the Environmental Statement, APP-031), and is already in dialogue with affected parties in this regard.

## GA2.4 Question

**Distribution of Benefits:** In the further comment on the submissions of the Motorcycle Action Group [REP1-068], the Applicant points out that there is a higher level of motor cycle ownership among higher income groups. However, such ownership among higher income groups could be for recreational use and the analysis presented is not a direct answer to the argument that use of motorcycles is potentially the cheapest means of private motorised transport and therefore of importance for lower income groups. Given the acceptance that motorcycles create less congestion and less air quality issues than other forms of motorised transport, please provide a statement of the actual consequences in terms of revenue/funding for the scheme, traffic flows and environmental consequences were motorcycles to be exempt or otherwise not subject to user charges as elsewhere in or adjacent to London where charges are levied.

## Response

- GA2.4.1 In its response to TT2.8, the Applicant is proposing a low income discount, which would also be available to motorcyclists who met the eligibility criteria.
- GA2.4.2 The approach of a low-income discount is considered more appropriate because it targets a concession where there is evidence of need. Basing eligibility solely on motorcycle ownership would not be an effective way to reach low-income groups, as illustrated by the data on motorcycle ownership and income already provided.
- GA2.4.3 As mentioned above, in its Written Summary submission for the ISH on 17 January (REP3-015) (page 23), the Applicant stated that:
- The proportion of households with income under £50,000 that have access to a motorcycle is 2%, compared to 5% for household with income of £50,000 or over. The figure is particularly low (1% or less) for the lowest income households. [Source: Analysis of London Travel Demand Survey (LTDS 2012/13 – 2014/15)]*
- GA2.4.4 The Applicant has now carried out further analysis on this data to determine if there are trip characteristics related to income, for example if trips undertaken by high-income households are disproportionately for leisure purposes. This is presented in Table 1 below. As can be seen, there is little difference in the spread of journey purposes by household

income bands, and of the three income groups, low income households are slightly less likely to be making trips for work purposes.

**Table 1: Motorcycle trip purposes by income band (LTDS 2012/13-2014/15)**

	<b>Work-based</b>	<b>Leisure</b>	<b>Shopping and personal business</b>	<b>Other</b>
<b>&lt;£25k</b>	63%	19%	14%	3%
<b>£25k-50k</b>	69%	14%	11%	7%
<b>&gt;£50k</b>	65%	18%	16%	1%

GA2.4.5 Motorcycles (which includes all powered 2 and 3 wheelers) account for around 3 per cent of forecast traffic at the Blackwall and Silvertown Tunnels. Given that this is a relatively small proportion of all trips, the traffic flow impacts of a 100% discount for these vehicles is also likely to be small. However the traffic impacts would be increased if, as a consequence of this discount, more people chose to undertake motorcycle trips. In this scenario, the number and proportion of motorcycle trips could increase, and consequent adverse traffic and environmental impacts could increase.

GA2.4.6 Whilst emissions from motorcycles are forecast to constitute less than one per cent of all emissions from all vehicles using the Silvertown Tunnel (under the Assessed Case, which assumes charges for this vehicle class), their environmental impact is greater per user than that for cars, because of the typically much lower number of 'occupants'. As also explained in REP3-015, motorcycles have much greater external costs than other vehicles in terms of road safety.

GA2.4.7 There would also be a negative impact on TfL's revenue – which is the principal means of paying for the Scheme – if such a discount were available. For a single year, the impact would be relatively small, given the small proportion of motorcycle trips, but this would constitute an ongoing loss of revenue for every year of the Scheme that the discount applied. This cumulative impact would mean there would be a delay in the pay-back period for the Scheme's construction.

GA2.4.8 However, the magnitude of the impacts is not the Applicant's principal rationale for not proposing a discount for this type of vehicle. The Applicant has set out its argument for applying user charges to this group in the following documents: Written Summary of the ISH on 17 January

2017 (REP3-015) pages 22-23 and in its Comments on Written Representations (REP2-048) in response to the representation of the Motorcycle Action Group.

- GA2.4.9 In summary, motorcyclists will benefit from the increased reliability and resilience brought about by the Scheme and so it is fair that, like other users, they should contribute to its costs. These vehicles also contribute to wear and tear on the roads and have an impact – albeit small as a proportion of overall traffic emissions - on air quality. The fact that these impacts are smaller than that from cars is recognised in the lower user charges applied for motorcycles, compared to other vehicle classes.
- GA2.4.10 Additionally, it is not always the case that motorcycles are exempted from other road user charging schemes in London. Motorcycles which do not comply with specified emissions standards will be liable for a daily charge once the central London ULEZ takes effect in September 2020.
- GA2.4.11 Certain motorcycles are also likely to be eligible for an Ultra Low Emission Discount by the time the Scheme opens. Criteria for this discount will be published nearer to Scheme opening but it is noted in this context that the Government has recently made available a plug-in motorcycle grant<sup>3</sup> similar to the grant which has been available to cars and vans for several years.

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<sup>3</sup> <https://www.gov.uk/government/publications/plug-in-motorcycle-grant-eligibility>

## GA2.5 Question

**General Environmental Issues: An Appraisal of Sustainability (AoS) of the National Networks National Policy Statement (NN-NPS) was published along-side the NPS. This can be accessed via the following link:**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/263110/annex-b-appraisal-sustainability-main-report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/263110/annex-b-appraisal-sustainability-main-report.pdf)

**Does the Application consider the AoS in the application documents, if so where?**

## Response

- GA2.5.1 The AoS thoroughly considers reasonable alternatives to the policy set out in the NNNPS. The AoS found no significant adverse effects of the policy set out in this NPS (see paragraphs 1.9 – 1.10 of the NNNPS). The AoS findings are considered by the NN-NPS and it therefore should not be strictly necessary for the Applicant to explicitly consider the AoS. However, the AoS has been considered within the application documents.
- GA2.5.2 The AoS is considered in the Applicant's Planning Policy Compliance Statement (paragraph 4.1.2 ii, APP-094). The Planning Policy Compliance statement provides a comprehensive assessment of the Silvertown Tunnel application proposals against the requirements of planning policy and the NNNPS in particular..
- GA2.5.3 The AoS is also considered in the Sustainability Statement (Appendix A, APP-091). Appendix A of the Sustainability Statement is a detailed review of the relevant national, regional and local policies and guidance documents which the Scheme has responded to during design and is required to respond to during all the stages of the Scheme.
- GA2.5.4 The AoS recognises that there is potential for developments to have adverse impacts. The application has identified these impacts and has sought to adequately mitigate any impacts in an environmentally sensitive way (see paragraph 5.2.24 of the Environmental Statement, APP-031).
- GA2.5.5 The AoS notes (paragraph 2.2.3) that Government policy is to reduce congestion and unreliability by focusing on improving and enhancing the national road network, with some new links needed.

- GA2.5.6 AoS Objectives AoS2, AoS3, AoS4 and AoS5 (Table 2: AoS Framework) all seek to reduce the level of congestion on national networks. AoS17: To contribute towards the improvement of levels of congestion and reliability on the National Networks, seeks specifically to improve journey time reliability, congestion and delays national networks.
- GA2.5.7 AoS18 of the AoS Objectives also seeks to contribute towards better strategic transport access to deprived areas and areas of high unemployment.
- GA2.5.8 The objectives of the AoS demonstrate how it provides a robust basis for the NPS and for the preparation of the DCO application itself but it does not need to be referenced further in the application itself.

## GA2.6 Question

**General Environmental Issues:** Item 14.4 of the ISH agenda for the 18 Jan 2017 asked the Applicant to update the list of other permissions, permits and licences that would be required, identifying the types of environmental permit(s) and protected species licences that would be needed. The Deadline (D)3 document submitted by the Applicant [REP3-008] remained, a “high level” document and did not list the types of environmental permits or protected species licences that would be necessary, as had been requested. The Panel considers that the Applicant has enough information within the ES and subsequent documents submitted to the Examination to provide this information, even if there is some uncertainty as to whether the permits and/or licenses may be required at this stage. The Panel notes that the draft SoCG with NE [REP3-009] identifies that licenses for marine protected species may be required, whereas there is agreement that no terrestrial protected species licenses would be required. The Applicant must now provide the required detailed information at D4, and update again at D6 if matters change, as originally requested. In addition, [REP3-008] does not appear to mention the S106 agreement that would be necessary to ensure that the funds required for providing the off-site ecological mitigation is undertaken, including its maintenance and management.

### Response

- GA2.6.1 The Applicant has included in the table below the requested list of other permissions, permits and licences that the Scheme may require outside of the scope of the DCO. This list is indicative at this stage, and will be reviewed as the detailed design of the Scheme emerges.
- GA2.6.2 As requested, should matters change, the Applicant will provide an updated list at Deadline 6.
- GA2.6.3 To clarify, the Applicant does not anticipate any terrestrial or marine protected species licences will be required. However, it may be that further surveys required to be undertaken under, for example, the DML, could identify that protected species are present in the Scheme's development area. If this was the case, the Applicant would comply with the relevant legislation and obtain any necessary protected species licences.

<b>Consent</b>	<b>Consenting Body</b>	<b>Comments</b>
Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2016	The Environment Agency	Depending on the construction methodology employed for the Scheme, environmental permits may be needed for elements such as discharges, mobile plant, temporary stockpiling and treatment of waste.
Consent under section 61 of the Control of Pollution Act 1974	Relevant local authority	These are required to be applied for during construction under the Code of Construction Practice (section 11.2.2).
Building Regulations Approval under the Building Regulations 2000 (as amended)	Relevant local authority	Detailed design to be completed before Building Regulations application(s) can be made.
Construction consents under the Highways Act 1980	Relevant highway authority	Various consents may be required (e.g. crane oversailing) depending on the construction methodology involved.
Permits under the London Permit Scheme	Relevant Permit Authority	Permit required where there are 'registrable activities', which include a wide range of works affecting a highway.
Abnormal Load Licences under the Road Vehicles (Authorisation of Special Types) (General) Order 2003	Various, including the police and highway authority	Required should 'abnormal loads' be delivered as part of the Scheme.

## GA2.7 Question

**Package of river crossings: A number of Boroughs and other IPs have commented that the Silvertown Tunnel must be seen as part of a package of new river crossings in East London. To demonstrate this in addition to the references in the initial Update Documents (AS-021), a copy of the latest December 2016 TfL business Plan has been submitted (REP3-026). In this the Silvertown Tunnel is shown with a specific capital provision, but there are only qualified textual references to the proposed Rotherhithe to Canary Wharf pedestrian and cycle bridge and the proposed DLR connection between Gallions Reach and Thamesmead on page 17 with a still lesser degree of commitment indicated for a possible ferry between North Greenwich and Canary wharf. Please indicate the degree of commitment to these other components of a cross river package and the dates by which construction is expected to commence and the links be open for use in comparison with the proposed Silvertown Tunnel.**

## Response

- GA2.7.1 The Mayor has approached the challenge of river crossings in East London from a multi-modal perspective. Each of the proposed crossings would help to unlock growth in the region, but each delivers its benefits individually and has unique objectives. None of the individual crossings is dependant on the other to deliver the benefits, or mitigate the impacts, of other crossings. In addition, none of these other crossings are assumed to be delivered in the Applicant's Reference Case for the Scheme's assessment.
- GA2.7.2 Therefore the Applicant does not consider that the degree of commitment to one or other of these crossings is material to the determination of the Silvertown Tunnel DCO.
- GA2.7.3 The Silvertown Tunnel, the Rotherhithe-Canary Wharf pedestrian/cycle bridge, and the new DLR extension from Gallions Reach to Thamesmead, are expected to be operational in the next 5 to 10 years. The Mayor is firmly committed to the delivery of these schemes. The Applicant is also continuing to assess the feasibility of a ferry service between North Greenwich and the Isle of Dogs.

- GA2.7.4 In relation to the pedestrian and cycle crossing between Rotherhithe and Canary Wharf, the Applicant is working with key stakeholders such as local boroughs and land owners to progress the scheme. The scheme was a key Mayoral manifesto commitment.
- GA2.7.5 This crossing would provide a dedicated pedestrian and cycle link between housing and employment growth centres on either side of the river. Budget for this project has been allocated in TfL's latest Business Plan under the Healthy Streets Portfolio. Work to procure a delivery team later in 2017 is underway, and it is planned to start construction by 2020. However, as noted above, delivery of this project is not expected to have any impact on the case or operations of the Silvertown Tunnel.
- GA2.7.6 Transport modelling work for a rail service into Thamesmead, possibly in the form of a DLR crossing from Gallions Reach, is already underway and procurement of an engineering design and environmental team is in progress; funding for development of the DLR Thamesmead project is included within TfL Planning's project pipeline budget. This project could be built in the early 2020s, but is not expected to have any material impact on the case or operations of the Silvertown Tunnel.