



Silvertown Tunnel Development Consent Order

London Borough of Hackney

Responses to Examining Authority's Second Written Questions and Requests for Information

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1. INTRODUCTION

1.1 Transport for London ("TfL") submitted the application for the Silvertown Tunnel Development Consent Order ("DCO") in April 2016. The DCO Examination began in October 2016. The London Borough of Hackney ("LB Hackney") is considered a 'neighbouring borough' for the purposes of the Silvertown Tunnel DCO.

1.2 LB Hackney has submitted written submissions throughout the examination process and attended a number of Issue Specific Hearings to make oral representations.

1.3 LB Hackney's concerns remain as per those set out in their written submissions including their Written Representation (document reference: REP1-019) and their Local Impact Report (document reference: REP1-020). LB Hackney also provided written submissions on the Examining Authority's (ExA) first written questions (document reference: REP1-021) and comments on TfL's responses to the ExA's first written questions (document reference: REP2-014).

1.4 The ExA published the second written questions and requests for information on 10 February 2017. This document sets out LB Hackney's responses to the relevant questions within the following sections of the questions;

- GA. General
- DC. DCO wording
- TT. Traffic and transportation
- AQ. Air quality

1.5 LB Hackney is submitting this document alongside its Update and comments of the draft Development Consent Order document (LB Hackney document reference: LBH 09).

Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

1.6 It should also be noted that LB Hackney has met with TfL on three occasions since Deadline 3 to discuss traffic and transport, air quality, and monitoring and mitigation. TfL subsequently provided the neighbouring boroughs with 'working drafts' of three documents (the draft DCO, the combined Monitoring and Mitigation Strategy, and the revised Bus Strategy) by email on 28 February 2017. LB Hackney has referred to these documents and to discussions from meetings with TfL where appropriate in the responses to the SWQs below. Further detail is also set out in LB Hackney's Update document (LB Hackney document reference: LBH 09).

Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

2. LONDON BOROUGH OF HACKNEY'S RESPONSES TO THE SECOND WRITTEN QUESTIONS AND REQUESTS FOR INFORMATION

Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority’s Second Written Questions and Request for Information

| QUESTION NUMBER | QUESTION TO | QUESTION | LONDON BOROUGH OF HACKNEY’S RESPONSE |
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| GA2 | General | | |
| GA2.1 | Applicant | <p>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:</p> <ol style="list-style-type: none"> 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. 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. | <p>This question is of interest to LB Hackney. LB Hackney awaits TfL’s response to this question and may provide a written response at Deadline 5.</p> |
| GA2.2 | Applicant | <p>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</p> | <p>LB Hackney would be opposed to user discounts for LGVs and HGVs.</p> <p>LB Hackney awaits TfL’s response to this question and may provide a further written response at Deadline 5.</p> |

Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

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| | | 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? | |
| GA2.4 | Applicant | 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. | <p>LB Hackney would be opposed to discounts for motorcycles.</p> <p>LB Hackney awaits TfL's response to this question and may provide a further written response at Deadline 5.</p> |
| GA2.7 | Applicant | 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 | LB Hackney has already raised concern that the Silvertown Tunnel is being developed in isolation and not coming forward as part of a committed package of crossings. LB Hackney's written |

Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

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| | | <p>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.</p> | <p>representation (document reference: REP1-019) summarises Hackney's concerns in paragraphs 3.37 to 3.39. LB Hackney's comments on TfL's responses to the First Written Questions (document reference: REP2-014) also sets out more detail in response to the FWQ PN1.</p> <p>LB Hackney subsequently is interested in further information and detail from TfL about the commitments to the delivery of the package of river crossings. LB Hackney awaits TfL's response to this question and may provide a further more detailed written response at Deadline 5.</p> |
| DC | DCO WORDING | | |
| DC2.4 | Applicant, host and neighbouring Boroughs | <p>Article 52: If possible bring forward any agreed changes to this article such that there is no doubt that it would require adherence the revised Charging Policies and Procedures Document 7.11 (as further amended). Article 52(1) as currently drafted appears not to refer to this document as the determining policy document and is not explicit about the application of the UCAF procedure.</p> | <p>This question is of interest to LB Hackney as Hackney has concerns with Article 52 and the Charging Policies and Procedures Document. These concerns have already been raised in LB Hackney's previous submission documents including the written representation (document reference REP1-019) and LB Hackney's post hearing submissions on the dDCO (document reference: REP3-104). Please also see LB Hackney's Deadline 4 submission document Update and comments on the dDCO (LB Hackney reference number LBH 09).</p> |

Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

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| | | <p>A Revised copy of the Charging Policies and Procedures Document that would be certified under Schedule 14 should be supplied.</p> | <p>LB Hackney therefore awaits TfL's response to this question and may provide a written response at Deadline 5.</p> |
| <p>DC2.5</p> | <p>Applicant</p> | <p>Article 56: Although the Applicant has argued against making specific commitments to other river crossings, and while mitigation might be inferred as being covered under terms like 'operating', please explain why it would not be preferable to make mitigation a specific application for charges and, to the extent that additional cross river bus services are to be imposed as a requirement, why any funding requirements to guarantee such services should also not be explicitly referred to.</p> | <p>This question is of interest to LB Hackney and Hackney has set out concerns with article 56 within the written representation (document reference REP1-019) and LB Hackney's post hearing submissions on the dDCO and the Traffic and Transport ISHs (document reference: REP3-036). Oral representations were also made at the ISH on 19/01/2017.</p> <p>TfL has since suggested minor updates to Article 56 through the draft revised DCO provided to the neighbouring boroughs on 28 February 2017. It proposes including <u>paying the costs of implementation of necessary mitigation</u> within Article 56(a). Whilst this appears to be a slight improvement on the previous Deadline 3 Article 56, this does still not address Hackney's concerns as set out in Hackney's post hearing submission. In summary, there should be a hierarchy for spending the charges levied and there should be an additional bullet point to make provision for payments to go into a dedicated fund for a package of crossings and sustainable transport measures</p> <p>Please also see LB Hackney's Deadline 4 submission document Update and comments on the dDCO(LB Hackney reference number LBH 09). LB Hackney is interested in further information about</p> |

Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

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| | | | the allocation of toll revenues towards provision of new cross river bus services and awaits TfL's response to this question. LB Hackney may provide a further written response at Deadline 5. |
| DC2.6 | Applicant | Article 58: A number of Boroughs express concern over the possibility of transference of TfL/GLA/Mayoral statutory responsibilities under this Article. Please indicate whether such is intended, and if not, how would this be precluded? | This question is of interest to LB Hackney. LB Hackney awaits TfL's response to this question and may provide a written response at Deadline 5. |
| DC2.7 | Applicant, host and neighbouring Boroughs | <p>Article 65: If possible bring forward agreed changes to this article to address widespread concerns over the composition, operation and powers of the STIG.</p> <p>Does LBN have a view on whether they should represent LCY or whether the airport should have direct representation as is proposed for HE.</p> <p>A copy of the revised combined Monitoring Strategy and Traffic Mitigation strategy should also be forwarded, again preferably in a form agreed with the Boroughs. It should include agreed monitoring thresholds relating to all roads that are of concern and direct monitoring of environmental effects as well as of traffic flows, so that there is local authority support for what will be a certified document under Schedule 14.</p> | <p>LB Hackney is opposed to private sector bodies having a permanent seat on STIG and believes that their views should be channelled through the relevant boroughs.</p> <p>As set out in the introduction to this document, LB Hackney has engaged in further discussions with TfL since Deadline 3, including discussions on a reworked STIG. TfL shared a working draft of an amended Article 65 at one of the meetings and shared the draft via email on 24 February 2017. TfL subsequently shared a further draft, suggesting further changes to Article 65 through the draft revised DCO provided to the neighbouring boroughs on 28 February 2017. For ease of reference this version is set out in Appendix A of this document. LB Hackney shared initial comments on this draft with TfL prior to Deadline 4. Please also see LB Hackney's comments on STIG in Hackney's Deadline 4 submission document Update and comments on the dDCO (LB Hackney reference number LBH 09).</p> |

Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

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| | | | <p>. Based on TfL's 28 February 2017 draft, LB Hackney key comments are;</p> <ul style="list-style-type: none">• Article 65(5) sets out the matters on which TfL must consult members of STIG. It now removes what was Article 65(5)(e) on consulting STIG on proposals for cross-river bus services. This is concerning as the revised Bus Strategy seems to refer to consulting STIG and STIG being key to considering bus service provision, but yet this is no longer specified in the article on STIG?• There is still no requirement for STIG's recommendations on user charges to be binding on TfL/the Mayor.• TfL appear to still chair the STIG meeting, unless agreed otherwise by STIG? Is this correct? We understood from the meetings with TfL that there would not be any meetings? Our concerns with TfL chairing any meeting remains. Hackney requires that there should be an independent chair of STIG.• LB Hackney is concerned that the amendments dilute STIG and the lack of voting will lead to the borough's views being marginalised. |
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Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority’s Second Written Questions and Request for Information

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| | | | <ul style="list-style-type: none"> • Welcome the inclusion in Article 65(11) that TfL must publish some documents relating to the operation of STIG. <p>LB Hackney look forward to commenting on the ‘final’ updated Article 65, combined monitoring and mitigation strategy once these are submitted by TfL at Deadline 4.</p> |
| DC2.9 | Applicant, Host Boroughs (including London Borough (LB) Tower Hamlets), other Boroughs, HSE, Historic England, MMO and EA | <p>Schedule 2 Requirements:</p> <p>Requirement 1 – Are the Boroughs content with the approach of securing the bus services through the tunnel by means of a requirement relating to a separate certified document? Please provide an updated (and preferably agreed version of the Bus strategy Document that would be certified under Schedule 14.</p> <p>Requirement 3 – The Applicant has to date resisted suggestions for tying the design to the submitted DAS and General Arrangement drawings, yet at least one Borough has suggested that ‘have regard to’ would still be insufficient to ensure that the worked up scheme reflected what has been presented in the application and considered in the ES. Please give further consideration to the wording of Requirement 3(1) in the light of continuing</p> | <p>TfL provided LB Hackney with working drafts of the dDCO (including an amended Article 65), the combined monitoring and mitigation strategy, and the revised bus strategy on 28 February 2017. LB Hackney provided some initial comments to TfL at their deadline on 2 March 2017. It is understood that TfL is still making amendments to these documents, and therefore LB Hackney will also be providing more detailed comments once TfL’s amended documents are submitted for Deadline 4.</p> <p><u>Bus services and cycle transport</u></p> <p>Whilst LB Hackney notes that the Deadline 3 TfL dDCO (document reference REP3-003) includes an updated requirement 13 on Cross-river bus services and required TfL to implement and act in accordance with the bus strategy, LB Hackney have seen the draft revised Bus Strategy provided initial comments as described above LB Hackney thus looks forward to reviewing the submitted strategy</p> |

Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

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| | <p>concern both by the ExA and Boroughs.</p> <p>Requirement 4 – In the light of the discussions during the DCO Hearing held on the 19 January 2017, please give further consideration to the wording of Requirement 4(3) to ensure that the detailed design of all works that would normally be subject to planning control would be subject to the approval of the relevant planning authority (i.e. excluding only those works that would normally be Permitted Development for a local highway authority).</p> <p>Requirement 5 – In the light of the discussions during the DCO Hearing held on the 19 January 2017, please review and update the way that Requirement 5(2) is structured. Bearing in mind continuing concern from host boroughs and/or the PLA that more of the subsidiary plans should require their approval including the Construction Environmental Management Plan (CEMP), Construction Site River Strategy, Lighting Management Plan and Site Waste Management Plan, please provide further justification as to why there should be any division between plans requiring approval and those only requiring consultation. It is noted that the pre-ambles to what are currently separate sub-requirements (2) and (3) refer to parts of the authorised development and</p> | <p>document, reserving the opportunity to comment further at Deadline 5.</p> <p>There is general concern that the commitments in the strategy are not effective or binding and there is no commitment to a level of service or benefits that will match those presented elsewhere in other examination materials. The borough has made specific representation on these points and TfL has not adequately addressed these within the latest document and as such it cannot be agreed by the Borough. It is disappointing that the proposed Bus Strategy emphasises the importance of bus services and the great opportunities that this scheme proposes to bus provision, but yet these benefits do not appear to be delivered.</p> <p>Commitment 1 – residential concession. There is no detail as to who will be eligible and for how long this will be available for. There is concern that non host borough residents will not be eligible.</p> <p>Commitment 2 – work with STIG to deliver change in cross river bus services. There is no detail of the routes or level of service, despite this being specifically requested by the boroughs throughout the process. A commitment to the level of bus services as within the Assessed Case is required as a minimum. This is what has been assessed with the ES and against which the benefits of the scheme have been assessed.</p> <p>The proposed updated DCO Article 65 removes cross river bus services from one of the matters that STIG may consider. Therefore, it is unclear as to how STIG will actually be involved in the agreement of bus services where there appears to be no provision for their involvement within the DCO.</p> |
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Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

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| | <p>this would seem to cover the possibility of seeking separate approvals from LBN and RBG. The simplest solution would be to combine sub-requirements (2) and (3) so that all components of the CoCP would require approval of the relevant LPA (or other body) after appropriate consultation.</p> <p>Please also provide further justification for the absence of a draft CEMP before the Examination when such documents have been provided to accompany many made DCOs and the CoCP is itself intended to be a certified document. While it may be referred to in the CoCP, why does Requirement 5 not specify that the CoCP must secure no lesser mitigation than assumed in the ES? The issue of ensuring that materially different or worse environmental effects do not arise under the provisions of the CoCP is raised in question CL2.6 under the heading of Construction on land. Amendment to Requirement 5 and to the CoCP may be required.</p> <p>Please provide an updated CoCP, preferably agreed with the relevant Boroughs and the PLA, in the form that would be certified.</p> <p>Requirement 6 – There has been discussion of whether there should be reference to the General Arrangement</p> | <p>Commitment 6 – services for Growth Boroughs to access employment. LB Hackney is a Growth Borough; however, there is no specific commitment to bus services in the borough. LB Hackney has directly requested a route between Hackney Wick and Greenwich Town Centre and this is not included.</p> <p>LB Hackney looks forward to reviewing the submitted documents relating to bus services and cycle transport, reserving the right to comment further at Deadline 5.</p> <p><u>Monitoring and mitigation strategy</u> LB Hackney welcomes a simplified merged document but the draft supplied by TfL was still substantially long. LB Hackney have provided initial comments to TfL on the draft document as described above and look forward to reviewing the updated document to be submitted by TfL at Deadline 4.</p> <p>Paragraph 3.11.2 of the draft document sets out how any STIG members can request changes to the monitoring to enable the impacts of the scheme to be fully captured. Throughout the consultation LB Hackney has identified areas that require monitoring but these have not made it in to the current draft as set out below. This lack of willingness from TfL at this stage gives no confidence for future changes to the monitoring as suggested in the latest draft. . As stated in previous representations and at the recent TfL meetings, LB Hackney requires</p> |
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Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority’s Second Written Questions and Request for Information

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| | <p>drawings in this requirement. Please provide appropriate wording or a justification for making no reference. Please could the host boroughs confirm whether they agree to the words, “in the opinion of the relevant planning authority” in R6(5) in respect of identifying which trees or shrubs have become seriously damaged or diseased? Is this a role that the host LPAs normally undertake? See also question TE2.3.</p> <p>Requirement 7 – Please amend wording in the light of the intended merger of the two subsidiary documents.</p> <p>Please provide a copy, preferably on an agreed basis with relevant Boroughs of the composite monitoring and mitigation strategy document. Roads subject to monitoring should include all those sought by host and adjoining Boroughs and/or raised by other IPs.</p> <p>Requirement 12 – Please consider whether response to Question NV2.2 would require amendment to the wording of this requirement.</p> <p>Requirement 13 – Are the Boroughs content that securing the new additional bus services through the tunnel is achieved through this requirement and a separate Bus Strategy document? Please provide a copy of the updated Bus</p> | <p>monitoring (of both traffic flow and air quality) on:</p> <ul style="list-style-type: none"> • Wick Road • Kenworthy Road • Cassland Road and • Victoria Park Road as well as the A12 in the borough. <p>Draft proposals for trigger points have been circulated by TfL for comment but are yet to be agreed by LB Hackney and there is concern that they may become watered down. There is some lack of clarity around the triggers but TfL advised that the Deadline 4 Submission will describe how triggers have been developed. LB Hackney looks forward to reviewing this and commenting further.</p> <p>The draft document states that the triggers will cover the ‘Area of Influence’ (AOI) but does not include a figure to illustrate this area. It was previously highlighted by the borough that the AOI had changed between recent documents so it is unclear what the current AOI covers. The coverage of the AOI was also contested as not extending far enough to the north. Concern remains that the monitoring does not extend far enough away from the scheme to consider the key routes within Hackney. TfL circulated a revised plan of monitoring sites late on 2 March which indicates additional monitoring within the borough. Whilst additional monitoring sites are welcomed the borough has not had the opportunity to review this in detail and will provide further comments after Deadline 4 and discussions with TfL.</p> <p>LB Hackney have previously raised the need for</p> |
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Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

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| | <p>Strategy, preferably in a form agreed with relevant Boroughs, This should commit TfL to the provision of the assessed number of through Silvertown tunnel bus routes and services (as a minimum), as well as provision for the through-tunnel shuttle service for cyclists (or other means to facilitate economical cross-river transport for cyclists). See also SWQ GA2.1.</p> <p>Requirement 16 – Are the relevant Boroughs content with the revised wording of this requirement bearing in mind the representation of LBTH (REP3-034)?</p> <p>Possible Additional Requirements:</p> <p>It has been suggested by the Applicant that contaminated land issues would be addressed by the CoCP rather than as often provided for by a separate requirement. Please explain how the CoCP would address this matter or provide an additional requirement.</p> <p>In REP3-017 it is suggested by the Applicant that it would be unlikely that the SoS would accept Grampian-style requirements to address the COMAH concerns of HSE. Please provide evidence for this assertion and also provide the text of a modified Grampian-style requirement to address the separate</p> | <p>additional triggers and reiterate here that monitoring needs to consider peak and peak compression effects and that triggers are needed for the following;</p> <ul style="list-style-type: none">• Journey time reliability on local roads• Junction delay on local roads• Road safety on all roads |
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Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

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| | | <p>major hazard concerns over the storage of Hydro-fluoric Acid and other chemicals on the Brenntag site and the SGN gas-holder.</p> <p>Please either confirm that the issue of safeguarding, maintenance and enhancement of the river flood walls has been agreed within finalised Protective Provisions with the Environment Agency or provide agreed wording of an appropriate requirement.</p> <p>Bearing in mind the mandatory requirements of the Air Quality Directive, and the issue of uncertainty inherent in forecasting, please consider the desirability of including a requirement that would pick up elements of the M4 Requirement to which the ExA drew attention that would not be covered by Requirement 7 and the related certified Document in order to provide certainty that Directive requirements would not be breached. See also question AQ2.2.</p> <p>Archaeology – Are all Boroughs, Historic England and the MMO content that the Written Scheme of Investigation is addressed under the CoCP rather than requiring a separate requirement (and dDML condition). See also question HT2.1</p> | |
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Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

| TT | TRAFFIC AND TRANSPORTATION | | |
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| TT2.1 | The Applicant | <p>Regarding Action Point (AP) 1 from the Issue Specific Hearing held on the 17 January 2017, The Applicant was asked to provide <i>'a comprehensive note giving full borough distributions of car trips that are not suppressed but re-assigned for Deadline 3 (D3). This should include detailed estimates of the projected behaviour impacts'</i></p> <p>In relation to distribution of car trips that are not suppressed but reassigned, the information provided [REP3-025] does not address the issue of potential redistribution of trip origins and destinations. The Applicant notes that the assignment model does not have the capability of providing insights into this very important aspect of the spatial implications of the scheme for and the ability of selected population groups, in particular less well-off people, to avail of new opportunities. The Applicant is asked to revisit this request and exploit the capabilities of the overall model system including the demand model.</p> | This question is of interest to LB Hackney. LB Hackney awaits TfL's response to this question and may provide a written response at Deadline 5 |
| TT2.2 | The Applicant | Regarding AP 2, the Applicant was requested to supply <i>'a comprehensive note showing the journey time and generalised cost impacts for those forecast to switch from car to bus for D3 (to include disaggregated data for population sub groups and also displayed</i> | This question is of interest to LB Hackney. LB Hackney awaits TfL's response to this question and may provide a written response at Deadline 5. |

Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

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| | | <p><i>in the form of maps</i>'.</p> <p>The information supplied [REP3-025] does not adequately address the question posed by the ExA; the Applicant is now asked to review the information supplied and fully address the request while acknowledging any limitations in the material supplied.</p> | |
| TT2.3 | The Applicant | <p>Regarding AP 7, the Applicant was asked to provide '<i>a comprehensive note on the uncertainty and associated level of confidence that can be afforded to the traffic forecasts that feed into the environmental assessments, whether numerically or in qualitative terms for D3</i>'.</p> <p>The response [REP3-027] is a comprehensive description of the matters of interest. However, the ExA requests that the Applicant quantifies the potential compounding effect of uncertainties in inputs, specification errors and parameter estimates for the scale of uncertainty in the transport model system. The Applicant is also asked to provide estimates of the implications of this effect for uncertainty in the inputs feeding into the environmental assessments.</p> | <p>LB Hackney understands from discussions with TfL, that TfL does not intend to provide a robust answer to the ExA's question, nor do they intend to undertake any further assessment to address uncertainty. If so, this is disappointing.</p> <p>LB Hackney requests that TfL undertakes sensitivity testing to determine the effect of compounding uncertainties from traffic model inputs to the production of pollutant dispersion model outputs. The issue of uncertainty and transparency otherwise has the potential to undermine the entire air quality assessment.</p> |
| TT2.4 | The Applicant | <p>Regarding AP 12, the Applicant was requested to supply '<i>a detailed analysis of projected Net Present Value (NPV) without implementation of bus strategy for D3</i>'.</p> | <p>This question is of interest to LB Hackney. LB Hackney awaits TfL's response to this question and may provide a written response at Deadline 5.</p> |

Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

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| | | Can the Applicant expand on the material supplied [REP3-029], in particular taking account of the likely behavioural implications of such a scenario and the implications of those effects on the ultimate NPV. | |
| TT2.5 | The Applicant | <p>Re. AP 13, the Applicant was asked to provide '<i>a BCR for the scheme assuming without implementation of bus strategy and scheme funded publicly (not PPP) for D3</i>'.</p> <p>The claim in the Applicant's response [REP3- 029] '<i>A BCR calculation is not appropriate for the Scheme as it has a negative cost...</i>' needs further clarification given the question concerns alternative funding mechanisms and scope of measures. The matter of hypothecation of any revenue and economic benefits to users and non-users should be taken into consideration in addressing this request. Can the Applicant revisit its response to this question?</p> | This question is of interest to LB Hackney. LB Hackney awaits TfL's response to this question and may provide a written response at Deadline 5. |
| TT2.6 | The Applicant | <p>Regarding AP 14, the Applicant was asked to provide economic assessments '<i>of any alternatives* that were taken through to comparative assessment for D3 to include monetary valuation of costs and benefits (*to include performance of preferred scheme at comparable stage of scheme development)</i>'</p> <p>The detailed response [REP3-030] is</p> | This question is of interest to LB Hackney. LB Hackney awaits TfL's response to this question and may provide a written response at Deadline 5. |

Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

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| | | comprehensive in its description of alternatives considered/assessed. In line with the HMT's Five Case Model Guidelines, can the Applicant provide quantitative estimates of the economic impacts of these alternatives, encompassing both costs and benefits, including any estimates of wider economic benefits? | |
| TT2.7 | The Applicant | <p>Regarding AP 16, the Applicant was requested to supply '<i>a comprehensive note explaining the intended local benefits/enhancements to offset the dis-benefits to some low income groups within the host or nearby boroughs for D3. This should include detailed figures by socio-economic group by borough and also displayed in map form</i>'.</p> <p>The material supplied is comprehensive [REP3-024]. The Applicant is however asked to enhance the quantitative information supplied to differentiate between lower income car users and existing public transport users in its description of impacts of the scheme. It is also noted that Figure 3-4 illustrates the trip origins of low income groups.</p> <p>Can the Applicant review this information and data for other scenarios in the light of its response to AP 1 (TT1).</p> | This question is of interest to LB Hackney. LB Hackney awaits TfL's response to this question and may provide a written response at Deadline 5. |
| TT2.8 | The Applicant | Regarding AP 17, the Applicant was asked to provide ' <i>a note to explain the modelling undertaken of categories</i> | LB Hackney remains very sceptical of the likely effect of offering user discounts to lower income |

Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority’s Second Written Questions and Request for Information

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| | | <p><i>proposed for exemption from charge for D3.</i> The extent of exemptions is noted [REP3-015]. The Applicant is asked to comment on the potential implications of these exemptions for the efficient operation of the scheme.</p> <p>Can the Applicant provide an assessment of the implications of permitting lower income groups in the host boroughs to avail of a discount scheme or exemption from the charge. See also questions GA2.1 and GA2.4.</p> | <p>groups in terms of undermining the travel demand element of the Silvertown scheme. Notwithstanding these reservations, it would query whether restricting discounts to low income users purely in the host boroughs is justifiable in terms of an Equality Impact Assessment especially when some low income residents in Hackney live nearer the tunnel than some residents of the Host Boroughs.</p> |
| TT2.9 | The Applicant | <p>Regarding AP 18, the Applicant was requested to provide <i>‘an update on progress towards securing a commitment to the enhanced bus routes strategy in the DCO (including procurement/tendering arrangements) for D3’.</i></p> <p>The Applicant has outlined its commitment to the bus enhancements and its intentions to provide a commitment to securing its implementation [REP3-014] The Applicant is asked to provide more details on outline net costs of supplying the enhancement and the tendering and procurement arrangements for securing this goal. See also questions GA2.1 and DC2.9.</p> | <p>LB Hackney is interested in more details and costings relating to proposed cross-river bus services. LB Hackney has requested that TfL commit to an express cross river bus service to serve Hackney linking Hackney Wick and Greenwich Town Centre through the dDCO..</p> |
| AQ | AIR QUALITY | TfL post hearing submissions | |

Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

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| <p>AQ2.1</p> | <p>Applicant and host LPAs</p> | <p>The Panel notes the Applicant's commitment to merge the Mitigation Strategy and the Traffic Impacts Mitigation Strategy (TIMS) documents for D4. The Panel urges the Applicant to ensure that the triggers for mitigation in the TIMS document must reflect the levels of traffic that have been assessed in the ES chapters for noise and air quality, and clear environmental triggers (for air quality and noise) which indicate the point at which mitigation has to be implemented, must also be included in this document, and agree these with the host LPAs prior to D4.</p> <p>The Applicant's written summary of Oral Case for the ISH on 17 January 2017, stated that "<i>consideration will be given to setting separate triggers for the Blackwall and Silvertown Tunnel</i>", however the Panel considers that this is essential, so that effective and timely mitigation can be implemented should the traffic levels using the Silvertown Tunnel vary significantly from those assessed. In addition, the Panel urges the Applicant to review and remove the hurdles that are proposed in TIMS, so that there is certainty that essential mitigation would be implemented if the assessed traffic levels are exceeded. Also see question DC2.7.</p> | <p>LB Hackney has a strong interest in these matters which are currently being explored in bilateral meetings with TfL. It supports the approach of linking mitigation triggers to the Assessed Case levels the effect of which have been investigated in the Environmental Statement. It is also noted that TfL has recently used the term "<i>Not Materially Worse Than</i>". LB Hackney requests that TfL explain how this differs from "<i>Not Environmentally Worse Than</i>".</p> <p>However, all of the above is moot if there is to be no monitoring of air quality within Hackney with which to determine whether any mitigation measures might be needed post-opening of the scheme. LB Hackney therefore reiterates its request that air quality monitoring along the key traffic corridors listed above in Question DC2.9 be incorporated into the monitoring strategy.</p> |
| <p>AQ2.2</p> | <p>Applicant and RBG,</p> | <p>The Panel notes the Applicant's intention to review the terms of reference and</p> | <p>LB Hackney has an interest in all measures which</p> |

Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

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| | LBN, LBTH | <p>chairing of STIG. However, it wishes to make clear that if the Applicant remains the decision maker and STIG's role is only advisory, the Panel has no comfort that, should the Order be made, essential mitigation would be implemented in the manner assessed in the ES, or in a timely manner. Therefore, in this scenario a Requirement along the lines of R26 of the M4 DCO would be necessary on air quality matters, although the Panel also recognises that the application proposals, as currently drafted would include more monitoring locations than if the R26 M4 wording was to be used here. However, the Panel, in drawing attention to R26 of the M4 DCO, did not imply that any Silvertown Tunnel requirement for air quality would replicate the M4 requirement, merely that something "along the lines of" that requirement should be considered. It is not advocating less monitoring than that proposed in the ES.</p> <p>The Applicant does not appear to have accepted this in the D3 DCO; the Panel now urges the Applicant and host authorities to consider drafting such a requirement, otherwise it is likely that the Panel will do so in its draft recommended DCO at D5, unless all matters related to STIG and TMS are resolved to the satisfaction of the Panel and the host authorities. In any event the Panel</p> | <p>provide an element of surety that mitigation will be implemented if required and it is currently discussing potential mitigation procedures with TfL. Following recent meetings and discussions on air quality issues, LB Hackney has briefly reviewed TfL's recently circulated Monitoring and Mitigation Strategy. LB Hackney is extremely disappointed that no monitoring in Hackney was proposed in this latest full draft shared with it, and they reiterate their request that Wick Road, Kenworthy Road, Cassland Road, Victoria Park Road and the A12 are included in the final version of the monitoring strategy. LB Hackney is also concerned that any mitigation measures are tenable. As such, LB Hackney would welcome feasibility studies to determine whether the proposed mitigation measures could effectively be delivered in areas of key air quality concern, whether or not these are within Hackney (as they should have knock-on air quality improvement effects in the borough from mitigation elsewhere).</p> |
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Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

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| | | reserves its right to propose modifications and additions to the Applicant's dDCO at D5. See also question DC2.9. | |
| AQ2.4 | London Borough of Lewisham (LBL), London Borough of Southwark (LBS) | <p>Please can LBL and LBS provide their views on the additional modelling work recently undertaken by the Applicant, in relation to their concerns about the potential impacts on receptors along local roads in their boroughs that would be subjected to the highest levels of traffic changes arising from the scheme (this information is provided as [REP3-016], item 4.12, and [REP3-032], Appendix 8).</p> <p>Please can the neighbouring authorities also provide the Examination with an update on their views as to whether the proposed development would impact their ability to achieve EU limit values, on the basis of this new information?</p> | <p>LB Hackney is unhappy that in carrying out further modelling of emissions along the A200 in response to concerns from LBs Southwark and Lewisham, TfL has ignored their similar concerns. In any case, the outcome of this assessment continues to rely on uncertain data and less stringent significance criteria/impact descriptors than for any type of development. LB Hackney therefore views the results of it with caution.</p> |
| AQ2.5 | The Applicant and London Borough of Hackney (LBH) | <p>Please can the Applicant and LBH provide an update at D4 regarding whether there is agreement over the addition of the proposed monitoring sites in LBH's D3 representation [REP3-038], including Wick Road, Kenworthy Road, Cassland Road and Victoria Park Road in the monitoring strategy for air quality? How would this be secured?</p> | <p>LB Hackney is disappointed to see that while TfL has conceded to the other neighbouring boroughs of Lewisham and Southwark in proposing air quality monitoring there, it has not thus far detailed any monitoring in Hackney although the email from Chris Alder titled 'Most up to Date Monitoring Locations' and dated 2nd March 2017 (which has been attached to the DCO comments document) gives it hope that things may be moving in a positive direction here. LB Hackney reiterates its requests for monitoring on Wick Road, Kenworthy Road, Cassland Road and Victoria Park Road, as well as on the A12 and hopes that these locations are included in the TfL's Deadline 4 submitted version. Monitoring is particularly important to the borough as</p> |

Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

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| | | | <p>traffic data inputs have compounded uncertainty in air dispersion modelling outputs, which have made any requirement for post-operation mitigation extremely unclear. LB Hackney cannot understand why the low cost of NO₂ diffusion tube monitoring (as well as equipment to secure other traffic count measures) cannot be expanded to offer the reassurance that LB Hackney continues to reasonably request.</p> |
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Silvertown Tunnel Development Consent Order

London Borough of Hackney: Responses to Examining Authority's Second Written Questions and Request for Information

APPENDIX A: Copy of TfL's proposed Article 65: STIG

TfL provided LB Hackney with a copy of TfL's working draft of Article 65: STIG. The below document is that provided by TfL on 28 February 2017. This is version of the Article on which Hackney's updated comments on STIG within the SWQ are based.

(4) TfL must, following certification of the plans and documents in accordance with paragraph (1), make those plans and documents available in electronic form for inspection by members of the public.

Silvertown Tunnel Implementation Group

65.—(1) TfL must establish, ~~chair~~ and fund the reasonable ~~running~~ secretarial and administrative costs of a consultative body to be known as the Silvertown Tunnel Implementation Group (in this Order referred to as “STIG”).

(2) STIG will comprise one representative of each of the following bodies—

- (a) TfL ~~(as chair of STIG)~~;
- (b) the GLA;
- (c) the Council of the London Borough of Barking and Dagenham;
- (d) the Council of the London Borough of Bexley;
- (e) the Council of the London Borough of Bromley;
- (f) the City of London Corporation;
- (g) the Council of the Royal Borough of Greenwich;
- (h) the Council of the London Borough of Hackney;
- (i) the Council of the London Borough of Lewisham;
- (j) the Council of the London Borough of Newham;
- (k) the Council of the London Borough of Redbridge;
- (l) the Council of the London Borough of Southwark;
- (m) the Council of the London Borough of Tower Hamlets;
- (n) the Council of the London Borough of Waltham Forest;
- (o) Highways England, or any other person which in place of Highways England—
 - (i) is for the time being the traffic authority for the Dartford river crossings between Dartford, Kent and Thurrock, Essex; or
 - (ii) is for the time being the traffic authority for the proposed new river crossing known as the Lower Thames Crossing east of Gravesend, Kent and Tilbury, Essex, if the crossing is granted development consent under the 2008 Act; and
- (p) any other person or body TfL considers appropriate.

(3) Each body mentioned in paragraph (2)(b) to (2)(p) above must notify TfL of the identity of its nominated representative.

(4) If ~~the chair or~~ any person nominated under paragraph (3) cannot attend a STIG meeting, the nominating body may nominate a person (on an occasional or standing basis, as it determines) to act as the nominating body’s substitute representative at the meeting.

(5) TfL must consult the other members of STIG ~~may consider on~~ the following matters relating to implementation of the authorised development—

- (a) implementation of the [the extent, nature and duration of monitoring strategy to be implemented in accordance with its provisions; the monitoring and mitigation strategy;]
- (b) implementation of the traffic impacts mitigation strategy [the monitoring reports produced in accordance with its provisions; the monitoring and mitigation strategy;]
- ~~(c) the level of charges from time to time required to be paid for use of the tunnels under article 53 and any exemptions and discounts;~~
- (c) (d) any proposed revisions to the charging policy under article 52; and
- ~~(e) for a period ending three years after the Silvertown Tunnel has been opened to traffic, reviewing TfL’s proposals for cross river bus services through the Silvertown Tunnel and how those proposals have been implemented;~~

(d) the level of charges required to be paid for use of the tunnels under article 53 and any exemptions and discounts.

~~and may make recommendations to TfL accordingly.~~

(6) In taking any decision in respect of any of the matters set out in paragraph (5), TfL must have regard to any recommendations or representations made by STIGa member of STIG in response to the consultation carried out under that paragraph.

(7) Unless otherwise agreed by STIG, TfL must convene and chair a meeting of STIG at least twice a year on a date to be determined by TfL, including on each occasion that TfL publishes a monitoring report in accordance with the monitoring and mitigation strategy.

~~(8) The first meeting of STIG must be held not less than three years before the date on which the Silvertown Tunnel is expected to be open for public use. Meetings of STIG must be held at least once a year on a date to be determined by TfL, until such time as the monitoring strategy and the traffic impacts mitigation strategy have been implemented in accordance with their provisions; except in the first year after the Silvertown Tunnel has been opened for public use when STIG must meet twice in that year with a gap (so far as practicable) of approximately six months between the first and second meeting. Once the monitoring strategy and (6) the traffic impacts mitigation strategy have been implemented in accordance with their provisions, STIG will meet as determined by TfL, but not more frequently than once a year.~~
open for public use.

~~(7) In order for a meeting of STIG to be quorate there must be present—~~

~~(a) a representative from at least two of the Councils of the Royal Borough of Greenwich and the London Boroughs of Newham and Tower Hamlets;~~

~~(b) a representative from TfL; and~~

~~(c) two representatives from the other bodies listed in paragraph (2)(a) to (p) above.~~

(9) Except as otherwise provided for in this article, STIG may determine its own procedures ~~provided that—~~

~~(a) all questions or other matters coming before or to be decided by STIG are decided by a simple majority of those present and voting at the meeting;~~

~~(b) a person appointed as a substitute under paragraph (4) above may cast a vote;~~

~~(c) in the case of an equality of votes cast the chair will have a second or casting vote; and~~

~~(d) a vote must be taken if requested by any one representative present.~~

~~(9) STIG may establish committees, sub-committees and working groups for any purpose it considers appropriate and appoint their membership, which may include persons other than those representatives appointed in accordance with paragraph (3). STIG may delegate any of its functions under paragraph (5) to any such committee, sub-committee or working group.~~

~~(10) The operation of STIG must be reviewed annually by a committee of STIG consisting of one representative from each of the Councils of the Royal Borough of Greenwich and the London Boroughs of Newham and Tower Hamlets, and representatives of TfL.~~

~~(11) Failure by any body mentioned in paragraph (2)(a) to (p) above to appoint a representative to STIG, or any defect in any such representative's appointment, will not invalidate STIG's acts or proceedings.~~

(10) (12) Part VA of the Local Government Act 1972 (Access to meetings and documents of certain authorities, committees and sub-committees) and the Public Bodies (Admission to Meetings) Act 1960 do not apply to STIG or to its meetings or proceedings.

(11) TfL must publish on its website agendas, reports, minutes and other relevant documents relating to the operation of STIG as soon as reasonably practicable after they become available.

Service of notices

66.—(1) A notice or other document required or authorised to be served for the purposes of this Order may be served—

(a) by post;