

Application by Transport for London for an Order Granting Development Consent for the Silvertown Tunnel Project

Agenda for the Issue Specific Hearing on the Development Consent Order

This document sets out the agenda for the Issue Specific Hearing (ISH) on the Development Consent Order (DCO) that was notified by the Examining Authority (the Panel) on 10 February 2017.

As per the notification letter, we would like to remind Interested Parties (IPs) to please confirm to the Silvertown Tunnel Case Team by 12 noon, Tuesday 21 March 2017, whether they intend to attend this ISH. It would greatly assist in the organisation of this hearing if you inform us if you plan to attend, even if you do not wish to speak.

Date: Wednesday 29 March 2017

Time: Following the close of the Compulsory Acquisition Hearing, but **not before 1.00 pm**.

Venue: Intercontinental London, The O2, 1 Waterview Drive, London, SE10 0TW.

Access and Parking: By Underground to North Greenwich Station. Paid parking available at venue and fully disabled accessible. A map to the venue can be viewed [here](#).

Purpose of the Issue Specific Hearing

- I. Clarify issues around how the draft DCO is intended to work – what is to be consented, the extent of the powers and what requirements, provisions and agreements are proposed including those necessary to secure mitigation;
- II. Establish or confirm the views of other Interested Parties as to the appropriateness, proportionality or efficacy of proposals.

Participation, conduct and management of hearing

All Interested Parties (IPs) are invited to attend the hearing. Each IP is entitled to make oral representations at the hearing. However, this is subject to the Panel's power to control the hearing.

Guidance under the Planning Act 2008 (PA 2008) and the Infrastructure Planning (Examination Procedure) Rules 2010 provide that at hearings it is the Panel that will probe, test and assess the evidence through direct questioning of persons making oral representations. Questioning at the hearing will therefore be led by a member of the Panel, supported by other Panel members. For most matters the Panel will conduct the hearing in a round table format.

Cross-questioning of the person giving evidence by another person will only be permitted if the Panel decides it is necessary to ensure representations are adequately tested or that a person has had a fair chance to put their case. The hearing will run until all IPs have made their representations and responded to the Panel's exploration of the matters in accordance with the agenda set.

Please note that the following agenda is indicative and may be amended by the Panel at the start of the hearing session. Furthermore, the Panel may wish to raise other matters arising from submissions, and pursue lines of inquiry in the course of the discussion which are not on the agenda.

Agenda

- 1. Welcome, introductions and arrangements for this Issue Specific hearing.**
- 2. The Panel will expect all participants to have studied the revised draft of the DCO submitted by the Applicant for D4 [REP4-026] together with the revised Explanatory Memorandum [REP4-028] and the Applicant's Document 8.81 Explaining the DCO amendments [REP4-043] and the Applicant's answers to the Panel's SWQ on DCO Wording [REP4-052].**

The Panel will therefore invite IPs to confirm that they are content with the amendments made, or if not to indicate why not without straying into the following two agenda items.

The Applicant will be given opportunity to respond if necessary, again having regard to the following two agenda items.

- 3. The ExA will introduce the further changes suggested by the Panel in the draft DCO issued on 20 March 2017.**

The Applicant and IPs will be given opportunity to respond having regard to the following agenda item.

- 4. The Panel will ask the Applicant to introduce any further changes that are being put forward following agreement with any or all of the following:**

- Environment Agency (EA)
- Port of London Authority (PLA)
- Marine Management Organisation (MMO)
- Host Boroughs
- Other IPs

These IPs and any others will be asked to confirm their agreement and any other IPs will be invited to comment with response as necessary by the Applicant.

5. Any other textual changes sought on the face of the DCO.

The Panel will go through the DCO, article by article and Schedule by Schedule inviting comment or making suggestions where further changes might be warranted.

6. Any further amendments sought or required to supporting documents that would be certified under Schedule 14 to the extent not covered at the preceding ISH on outstanding matters including environmental considerations on 28 March 2017, the OFH on that day and the immediately preceding CAH.

The Panel will invite IPs and the Applicant to draw attention to any changes necessary to supporting documents that would be certified and make any further suggestions arising from the final group of hearings.

7. Consideration of the proposed s106 DCO Agreements with Royal Borough (RB) of Greenwich and London Borough (LB) of Newham [as Appended to the Applicant's answers to the EXA's SWQ on DCO Wording [REP4-052] and any other s106 or other agreements sought.

The Panel will invite IPs to comment on the text of the proposed DCO Agreements and the Panel may itself wish to raise additional points with any response as necessary from the Applicant.

The Applicant will be invited to explain how the provisions of the proposed Agreements meet the requisite tests in policy and statute concerning planning agreements.

IPs will be invited to comment on the necessity or otherwise of any further agreements or undertakings.

8. Any other matters relevant to the wording of the DCO.

9. Action Points – It should be noted that signed and sealed copies of the proposed s106 undertaking will be required by the Panel before the close of the examination, i.e. preferably by D6 but at the latest D7.

10. Close of the ISH on the wording of the DCO and related documents.

Please note: The agenda may be subject to change and elaboration at the discretion of the Panel. The Panel will arrange for comfort breaks. The hearing will close at the conclusion of business. Interested parties who have registered to speak in advance will be provided with a seat at the table and microphone access. Individuals who have not registered in advance may participate at the discretion of the Panel.