

## Silvertown Tunnel: Deadline 4 Representation

### London City Airport

March 2017

N04/110116D

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1. London City Airport (LCA) is an international point to point airport located in the Royal Docks area of the London Borough of Newham. It is a major transport facility in close proximity to the proposed Silvertown Tunnel.
2. In July 2016, LCA was granted planning permission by the Secretary of State for the City Airport Development Programme 1 (CADP1, application reference 13/01228FUL). CADP1 provides for a significant expansion of the existing terminal, seven additional aircraft stands, parallel taxiway and other associated infrastructure to accommodate passenger growth to 6.5 million by 2025. The project will create an additional 1,600 permanent jobs at the airport by 2025 and a further 500 construction jobs. It is intended to commence construction of CADP1 by summer 2017.
3. Beyond CADP the Airport's published Master Plan (2006) forecasts growth at the airport to 8 million passengers by 2030.
4. Surface access is critical to the proper functioning of the Airport, with some 70% of passengers travelling to and from the airport by public transport, through the Docklands Light Railway, bus services and black taxi services. The efficient operation of the highway network in the vicinity of the Airport is vital to LCA's customers and staff. A congested network can affect the ability of passengers to make designated flight times which, in turn, could compromise the performance and attractiveness of the Airport. Furthermore traffic delays to staff accessing the Airport will also compromise operational efficiency.
5. LCA has previously made representations on the Silvertown Tunnel draft Development Consent Order (dDCO) through the following means:
  - Written representation (30<sup>th</sup> August 2016);
  - Oral representation at the Issue Specific Hearing on the dDCO (19<sup>th</sup> January 2017); and
  - Written representation at third deadline (27<sup>th</sup> January 2017).
6. LCA representatives also attended the Issue Specific Hearing on Traffic/Transport Modelling, Forecasting, User Charging and Economic Issues on 17<sup>th</sup> January 2017.
7. LCA recognises that additional capacity is required for river crossings in East London. Therefore, LCA supports the principle of the Silvertown Tunnel.
8. Notwithstanding this, and following review of relevant dDCO documents and attendance at the Issue Specific Hearings, LCA objects on three grounds:

- a. the composition of the Silvertown Tunnel Implementation Group (STIG);
- b. the powers of the Silvertown Tunnel Implementation Group (STIG); and
- c. insufficient assurances of increases to cross-river bus services if required post-opening.

**A. Composition of the Silvertown Tunnel Implementation Group (STIG)**

9. LCA is a major transport facility serving London and beyond. It is a licensed aerodrome operator and statutory undertaker in close proximity to the proposed Silvertown Tunnel. The efficient operation of LCA is reliant on the operation of the surface access infrastructure and the local highway network in particular.
10. LCA is not, therefore, in the category of other private entities and landowners in the vicinity of the tunnel; being a major transport provider, it is more similar to Highways England (which is represented) or TfL (in its many operating capacities).
11. In particular, LCA has a direct and legitimate interest in the Monitoring and Mitigation Strategy which is one of the key matters on which the STIG is consulted pursuant to Article 65(5). LCA should have the ability to make direct representations through the STIG in respect of the Monitoring and Mitigation Strategy.
12. In light of this, and notwithstanding the comments made by the London Borough of Newham in response to the Examining Authority's written questions, we remain of the view that LCA should be considered a key stakeholder and should be a member of the STIG.

**B. The Powers of the Silvertown Tunnel Implementation Group (STIG) in respect of the Monitoring and Mitigation Strategy and commitment to post-opening monitoring**

13. LCA welcomes some of the changes in respect of the Monitoring and Mitigation Strategy (March 2017) notably that, pursuant to Requirement 7 of the dDCO, the Secretary of State for Transport will have to approve a pre-opening mitigation scheme which the STIG will have had an opportunity to influence. In addition, the inclusion of mitigation triggers is welcome.
14. However, LCA remains concerned that, in circumstances where there is no independent oversight or control over TfL, the STIG is only a consultative body when it comes to post-opening mitigation with no right of approval; TfL still only has to have regard to any recommendation made by the STIG (Article 65(6) and Requirement 7).
15. As the requirements of the Monitoring and Mitigation Strategy are presently drafted, ultimately it is TfL itself who determines (post-opening):
  - i. Whether triggers for mitigation have been reached;
  - ii. Whether permanent or temporary mitigation is required;
  - iii. Whether the requirement for mitigation is solely or largely attributable to the Scheme and therefore whether TfL will carry out any mitigation at all;
  - iv. The type of mitigation that should be required; and

- v. When mitigation will be undertaken (and when it will be funded).
16. This is an unusual situation where mitigation is not yet identified or built into the scheme. With this in mind, LCA considers that a much more rigorous requirement is needed for post-opening mitigation, to ensure that all reasonable and necessary mitigation is brought forward and delivered with independent oversight from the relevant local planning authorities or the Secretary of State for Transport (as per pre-opening mitigation), whilst still being informed by input from the STIG.
  17. It is considered that TfL should be required to obtain the approval of the local planning authority or Secretary of State for Transport to the output of monitoring (including any proposed mitigation and a programme of work) not only pre-opening, but also post-opening. TfL should then be required to undertake any approved mitigation in accordance with the approved programme. We suggest that a fixed point in time should be identified (such as 3 years after opening) where TfL is obliged to bring forward, for the approval of the Secretary of State for Transport, details of the type and timing of any further mitigation measures that are required.
  18. Just as TfL has acknowledged that third party oversight is appropriate in respect of the pre-opening mitigation, so too should third party oversight be required in respect of post-opening mitigation. LCA remains of the view that these matters should not be left to TfL alone even though it has a statutory role as highway authority. That role and its duties involve many conflicting considerations (e.g. available funding and prioritizing measures across the entire TfL road network) which risk the timely delivery of necessary mitigation works.

### **C. Cross-River Bus Services**

19. LCA welcomes the amendments to Requirement 13 of the dDCO requiring TfL to deliver a minimum frequency of cross-river bus services and to secure the provision of bus services through the tunnels in accordance with the Bus Strategy.
20. LCA also welcomes the specific Commitments set out in the submitted Bus Strategy (March 2017). LCA has a keen interest in seeing improved public transport provision across the river for its staff and passengers.
21. We note that Requirement 13 only commits TfL to providing not less than 20 buses per hour during peak periods in each direction through the tunnels, although there is an expectation of reaching and potentially exceeding 37.5 bus services per hour in the following years. Requirement 13 requires TfL to keep the level of bus provision under review and this is echoed in Commitment 5 of the Bus Strategy. However, there is no oversight of TfL's review and no requirement for the frequency to increase as predicted.
22. As such, we consider that TfL should be required to carry out a review of the frequency of services at a specified time post-opening in consultation with the STIG and obtain the

approval of the relevant local planning authority or Secretary of State for Transport to the proposed output of the review which it should be required to implement.

23. We note that the requirement for TfL to consult the STIG on the provision of cross-river bus services post-opening has been removed from Article 65 of the dDCO; we do not consider that this is justified simply on account of committing to providing a minimum frequency of services upon the opening of the tunnel.