

Royal Borough of Greenwich

Silvertown Tunnel Development Consent Order

Deadline 6 Submission

5th April 2017

I. Introduction

This submission contains RBG's responses to the Applicant's Deadline 5 submissions; however discussions concerning the Monitoring and Mitigation Strategy triggers, the contents of the revised Bus Strategy, the drafting of dDCO Requirements and Legal Agreements are on-going with TfL at the time of writing.

The Council welcomes the fact there has been substantial progress made on the outstanding issues which it raised in its Deadline 5 response (20th March 2017), and at the ISH on 28th and 29th March 2017.

A subsequent meeting was held on 3rd April 2017 with TfL and the Host Boroughs where the following matters were focused upon:

- Monitoring and Mitigation Strategy
- Bus Strategy
- Charging Policy and Procedures Document

The progress made towards agreeing these documents is included in the section below.

2. Outstanding matters:

The following matters, detailed in RBG's earlier submissions, remain unresolved at Deadline 6 as the Council understands that revised drafts of the documents will form the Applicant's Deadline 6 submission:

2.1 Code of Construction Practice

- The use of Brewery Wharf for the movement of materials by river. RBG registered its concern over the inclusion of Brewery Wharf as a site to be used for the movement of materials in its Local Impact Report (paragraphs 197 - 200). RBG maintains the position that this wharf is not a viable option given the potential impact of the use of this site on the World Heritage Site of Greenwich, and the length of haulage routes on borough and local roads.
- The lack of a CEMP: RBG would still wish to see the CEMP as part of the DCO.
- HGV routes: RBG would wish to see safeguards for the north south routes which run parallel to the A102 between (and including) Maze Hill and Charlton Lane (including Westcombe Hill) by their being specifically excluded from available route options in this paragraph.
- Proportion of materials transported by river:
 - It is proposed materials re used on site are counted as deemed to have been transported by river. RBG has concern that this could considerably reduce the use of river transport and instead would wish to see a clause which requires 55% of all (suitable) materials entering of leaving the worksites to be transported by river.

- The lack of a commitment to a minimum amount the 55% by worksite (rather than as a whole)
- Proposed mitigation: The document now states that the proposed mitigation has to be deemed necessary by the contractor. RBG requires a level of surety that the mitigation measures will be implemented when required and not left to the discretion of the contractor.

2.2 Bus Strategy

Although generally content with the document RBG cannot agree to the certification of the current submission for the reasons outlined in the Council's Deadline 5 response, and at the March ISH.

This primarily relates to wording by the Applicant in paragraph 3.3.1 of the revised draft and in Schedule 2 of the dDCO to the provision of (a minimum of) 20 bph, from the original provision of 37.5 bph in the opening year.

Further discussions have been entered into with TfL, but at this stage the Applicant has not provided a revised wording (or detailed supporting evidence) which gives RBG comfort on the quantum of bus related benefits which would be provided by this minimum number of bus movements. The commitment to bus services has, in the view of RBG, to be at a level which secures the Business Case and Social and Economic benefits cited in the application and which underpins the Environmental Statement.

A form of words which the ExA may wish to consider for R13 to potentially address this has been discussed by the HBs and is contained in the dDCO section of this response.

Additionally the revision requires the inclusion of the detail of how the bus concession would be developed with the HBs prior to scheme opening/at time of refreshed assessment

2.3 Monitoring and Mitigation Strategy

RBG is in agreement to the certification of the document if the Deadline 6 draft is revised to include the clarification of the role of the Secretary of State in agreeing pre-opening mitigation. Furthermore Table F (types of mitigation) includes detail of low income support for bus use.

RBG would also require the inclusion that TfL will commit to supporting the preparation of the legislation for the charging of Woolwich Ferry (should it be required).

2.4 Charging Policy and Procedures Document

Discussion with TfL at the 3rd April meeting centered on the level of discount which should be made available to low income tunnel users who are not currently proposed to be exempt from the charge. This should include users of powered two wheeled vehicles.

While RBG is clearly cognisant of the need to manage demand as a primary driver of discount decisions, the question to TfL was whether the ability to introduce a tiered discount of up to 90%

for the most economically disadvantaged residents could be considered without inducing traffic at a significant level. Whilst further work is necessary on the detail of discounts, the initial findings are this higher level discount would apply to very few movements; a revision to the document was requested which reflected the ability to include this tiered approach.

Consequently RBG is in agreement to the certification of the document if the Deadline 6 submission is revised to show:

- Low income discount described as minimum 50% with potential for further targeted benefits for specific users (subject to not undermining scheme objectives).
- Clarification over the period for registering free for accounts for residents – this should be for the first year registered - not just for those registering in a 56 day window prior to the Scheme's opening, as implied in the current wording.

2.5 **dDCO Revisions**

There has been ongoing discussion with the Applicant over potential amendments to the dDCO. This includes, primarily, revisions to Requirement 7 and Requirement 13.

Requirement 7 - on the 5th April a revised draft was sent to the HBs which RBG are in the main content with, and reflects the discussion held with TfL, although some further clarification over the securing of the timelessness of the implementation of mitigation has been sought through the revisions to the M&MS.

Requirement 13 – RBG has not had sight of any revision to the drafting, and consequently the Council is suggesting that the following form of words is considered in place of the 'minimum of 20bph' contained in the D5 dDCO.

Suggested draft revision to R13 for the ExA's consideration:

*TfL must implement a cross-river bus service provision using the tunnels which **delivers the same or greater levels of public transport benefits (as quantified in the pre-Scheme Refreshed Case modelling) as those identified in the Assessed Case without any reduction in any other user benefits generated by the Scheme** from the date on which the Silvertown Tunnel opens for public use and thereafter must keep under review and secure the provision of bus services through the tunnels in accordance with the Bus Strategy.*

If the Applicant fails to agree this then RBG would wish the requirement to revert to the quantum modelled in the AC and the wording should be:

*TfL must implement and secure the provision of not less than **37.5 buses** per hour during the peak periods in each direction through the tunnels from the date on which the Silvertown Tunnel opens for public use and thereafter must keep under review and secure the provision of bus services through the tunnels in accordance with the Bus Strategy.*

2.6 Provision of a Sustainable Transport Fund

Detail of this was submitted by RBG at Deadline 5. Following further discussions with TfL there is still no agreement on its provision, or that of an alternative fund, to deal with the unintended consequences of the scheme. These are specifically for issues which are not currently managed by the mitigations agreed to date as part of the M&MS.

The Host Boroughs have sought to achieve agreement for such a fund to support the mitigation of unintended consequences of the scheme or where other mitigation is not feasible (due to land take) or not desirable (due to local policy), or where M&MS mitigation is unable to deliver the level of flows assumed in the Assessed Case .

RBG would wish to see TfL required to enter into such an agreement, secured either as part of a revised M&MS or as a Legal Agreement.

If it is contained within the M&MS then RBG would wish that payment is calculated on a per vehicle exceedences basis, at an agreed monitoring location, for a period of 3 years from scheme opening. A specific example is an exceedence of the assumed vehicle flows in Greenwich Town Centre.

Alternatively if the contribution was through a Legal Agreement RBG would wish it to be as an agreed sum payable per annum for 3 years, and not linked directly to a monitoring trigger.

2.7 Legal Agreement

The drafting of the legal agreement between RBG and the Applicant is progressing, and a revised version has been sent to the Council for comment. This will be returned to TfL with additional comments before Deadline 7.