

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

(Planning Inspectorate Reference: TR010021)

**London Borough of Tower
Hamlets**

(Reference no: SILV-396)

**Further Written Representations
for Deadline 6 – 5th April 2017**

1. GENERAL INTRODUCTION

These are further Written Representations submitted on behalf of the London Borough of Tower Hamlets (LBTH) (“the Council”) in relation to the application by Transport for London (TfL) for a Development Consent Order (DCO) for the Silvertown Tunnel (Planning Inspectorate reference TR010021).

These Representations take into account the submissions made at deadline 5 by TfL particularly the Buses Minimum Opening Year Scenario Analysis (document 8.103) and the Applicant’s Update Note (document 8.105). In addition account has been taken of the matters discussed at the Examination Panel on 28th and 29th March 2017 and more recently the outcome of the further discussions that took place at a meetings held on 3rd April 2017 between TfL and the three Host Boroughs. At this latter meeting discussions took place on a number of documents and amendments to the DCO which TfL propose to submit at Deadline 6.

On the assumptions that the outcome of the discussions that took place on 3rd April will be reflected in the Deadline 6 Submissions made by TfL, these written representations provide an update on the council’s concerns and objections submitted at Deadline 5.

2. THE COUNCIL’S CURRENT CASE

In its Deadline 5 Submission, the Council reviewed current progress on the Silvertown Tunnel Scheme DCO in relation to the 4 key objectives it considered should be met by the Scheme. The general conclusion was that those objectives would be largely met in the light of the substantially updated and revised versions of the Monitoring and Mitigation Strategy (M&MS), the Charging Policies and Procedures, the Bus Strategy and the updated version of the DCO.

However, notwithstanding general support for the Scheme as now proposed, the council expressed concerns about some of the detailed wording of those documents and also made suggestions for further mitigation. These Written Representations report on progress that has been made in addressing those concerns since the submission of the Deadline 5 Representations.

2.1 Monitoring and Mitigation Strategy

In its Deadline 5 Submission the Council supported the principles set out in the revised version of the M&MS submitted by TfL at Deadline 4 but raised a number of detailed points. These were summarised in Appendix A to the Update Report (document 8.105) submitted by TfL at Deadline 5. Following the meeting held on 3rd April 2017, the council is pleased to note that TfL has committed to submit a further

version of the M&MS that addresses all the concerns set out in Appendix A of the Update Report.

The council has consistently expressed concerns about the socio economic impacts of the User Charge and therefore welcomes the proposal to include a much more comprehensive version of Appendix D that sets out in more detail a wider range of socio economic metrics that will be monitored.

The council is also continuing to discuss with TfL a Sustainable Transport Fund to be used when mitigation measures of the sort listed in the M&MS cannot be implemented (due to lack of feasibility, practicability, conflict with local policy etc).

Subject to detailed review of the Deadline 6 Submission, the council considers that the M&MS will be acceptable as a Certified Document for inclusion in Schedule 14 of the DCO

2.2 Charging Policies and Procedures

In its Deadline 5 submission the Council particularly welcomed the proposed support for low income residents set out in policies 5 and 6 which help to address the council's concerns that host borough residents on low incomes would suffer from disbenefits as a result of the imposition of User Charges on Tunnel users. Following the meeting held on 3rd April, it has now been clarified that the exemption from Registration Fees for all host borough residents will be available for the first year after opening and Policy 5 is being amended accordingly. In respect to Policy 6 which provides for a 50% discount to host borough residents in receipt of certain benefits it is understood that consideration will be given to higher discounts prior to Scheme opening.

Because of the potential delays the process might cause, the council had previously also expressed concern about the various references in both the M&MS and Charging Policies to referring matters to the Secretary of State for final decision. However, having discussed and considered the matter further, the council is now satisfied that, since all such references relate only to pre Scheme opening, undue delays in approving mitigation or user charging are unlikely to occur.

2.3 Bus Strategy

In its various Written Representations the council has consistently made clear that the economic benefits provided by these bus services must be secured since they will primarily benefit low income groups particularly bearing in mind the very low level of car ownership in the borough.

However the council was willing to consider that the bus provision presented in the case for the Scheme, which includes up to 37.5 buses per hour in each direction [through the tunnel], would not necessary have to be provided on Day 1 of the operation of the Scheme.

Therefore, the commitment set out in the Bus Strategy (document 8.82) to provide a minimum level of 20 buses per hour during the peak periods was considered acceptable provided that there was still a commitment to the ultimate provision of 37.5 buses in line with that which has been accounted for in the Economic Case and Business Case and Benefits for the proposed scheme.

The council also notes that Buses Minimum Opening Year Scenario Analysis (document 8.103) submitted by TfL at Deadline 5 suggested that a high proportion of the public transport economic benefits could be secured with lower bus provision by varying the bus routes from those included in the Assessed Case. In the light of the above analysis discussions are taking place with TfL on the wording of either the DCO or the Bus Strategy as an alternative means of securing the public transport benefits assumed in the Assessed Case.

The council noted in its Deadline 5 submission that the Mayor's commitment to provide a residents discount for a period of time after opening This is proposed to be provided by a £2million one off funding allocation for the provision of concessionary bus travel to residents of the Host Boroughs once the scheme is open. The Council was concerned about the lack of practical detail as to how this would be provided but now accepts that further consideration of detailed proposals would be more appropriate closer to Scheme opening in the light of social and economic circumstances at that time.

Finally, in order to ensure a long term commitment to buses, the Council also reiterated its previous request that the Silvertown Tunnel bus lane provisions set out in Schedule 11 (i.e. restricting general traffic from the inside lanes) should be made permanent. LBTH remains concerned that the powers prescribed in Article 60 (1)(f) would not allow a robust assessment of the implications of revocation of the bus, taxi and HGV priority proposed over one lane in direction of Silvertown tunnel.

If the applicant is not willing to agree to this, they should set out either in a Requirement or in the Bus Strategy (or any other acceptable means) how the full traffic, environmental and socio-economic impacts of removing the bus and HGV priority lanes would be addressed.

2.7: Cycling

The council notes that a commitment to the cycle bus is now included in a legal agreement with the borough. The council accepts that this an appropriate

mechanism for securing the commitment, but is still of the view that the scheme should operate for a minimum of 5 years after Scheme opening unless it can be clearly demonstrated that the service is not being supported by cycle users.

3. AMENDMENTS TO THE DCO

Article 50: Classification of Roads

LBTH confirms it has no objections to the reclassification to GLA Roads of the borough roads listed in Schedule 10, Part 1, paras 16-18, and would request that responsibility for the roads listed be transferred to the GLA prior to the commencement of construction of the Scheme.

Article 58: Transfer of Benefit of Order

The council notes that it is not the current intention to transfer any functions contained in the DCO in respect of user charging, the Monitoring and Mitigation Strategy or the operation of STIG, but is still of the view that the wording of the Article should clarify the intentions of TfL in respect these matters.

Schedule 1: Part 1: Requirements

Requirement 7: Monitory and Mitigation Strategy

Following further clarification from TfL the council now accepts that it is appropriate for the Secretary of State to approve the pre-opening traffic mitigation as stated in paragraphs 1-5 of Requirement 7. In addition it is understood that a further amendment is being proposed in relation to pre-opening traffic mitigation which seeks to provide for further consultation with the borough in which the mitigation is proposed to take place prior to submission to the Secretary of State. The council confirms that the proposed amendment is supported.

Requirement 13: Cross River Bus Services

As discussed in section 2.3 above, although the council supports the commitment to 20 buses an hour on opening although the Requirement needs to be redrafted in such a manner that it make clear that TfL is committed to meet to secure the public transport benefits set out in the Assessed Case. The council is awaiting an updated proposal from TfL on this matter.