

Royal Borough of Greenwich

Silvertown Tunnel Development Consent Order

Deadline 7 Submission

10th April 2017

1. Introduction

Despite ongoing discussions and emails with the Applicant following Deadline 6 submissions the following matters, detailed in RBG's earlier submissions, remain unresolved at Deadline 7.

2. Outstanding matters at Deadline 7:

2.1 Code of Construction Practice

- The request for the de-scoping of Brewery Wharf has been declined by the Applicant at D6 (pg 25 of the Amendments to the dDCO and comments on the CoCP) but TfL comment that RGB will be the ultimate decision maker of HGV routings so it is in their control to discount this wharf. 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 and should be de-scoped by the Applicant.
- The lack of a CEMP: RBG would still wish to see the CEMP required as part of the DCO.
- HGV routes: Although 3.1.7 specifies the principle routes (other routes to be agreed by the LPA approved CTMP), RBG would wish to see named safeguards for the north south routes which run parallel to the A102 between (and including) Maze Hill and Charlton Lane (including Westcombe Hill) as part of the DCO.
- 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 or leaving the worksites to be transported by river.
 - The lack of a commitment to a minimum amount of the 55% by worksite (rather than as a whole). TfL's response at D6 was that the breakdown of number of movements by each side of the river was not appropriate as this "could stifle

flexibility” and would constrain the construction methods. RBG does not find this acceptable.

- Proposed construction mitigations: D6 amendments to 1.4.10 and 1.4.11 have provided a level of assurance to RBG over the agreement of mitigation and the role of the LPA.

2.2 Bus Strategy

Although Requirement 13 and the Bus Strategy have been discussed at length by the Applicant and the Host Boroughs (HB) since D6, at the time of completing this submission revised wording had not been fully agreed.

The Bus Strategy revisions suggested by the HB related primarily to Commitment 5 and the ability to validate the refreshed case public transport benefits.

For the Panel’s information the form of words for Commitment 5 suggested by the HBs reads:

As part of the refreshed assessment described in section 2.1 and 2.2 of the Monitoring and Mitigation Strategy TfL must assess the likely public transport user benefits over a 5 year period of the indicative service pattern of buses modelled in the Assessed Case.

TfL must then prepare a service pattern for bus services using the Blackwall and Silvertown Tunnels for the first five years of operation which delivers not less than the likely monetised public transport user benefits delivered by the Assessed Case service pattern as evaluated in the refreshed assessment. This refreshed case modelling of public transport user benefits must be subject to independent audit and verification.

TfL must implement the strategy and must secure the provision of not less than the minimum level of bus services specified in the 'cross river bus services' requirement in Schedule 2 to the DCO for the duration of the monitoring period.

The refreshed assessment carried out under Commitment 1 must use the indicative bus network that was used by TfL when preparing the Assessed Case and must assume the same service levels. The monetised economic user benefits will be estimated using the same appraisal methodology as set out in the Economic Assessment Report.

The commitment to bus services has, in the view of RBG, to be at a level demonstrated in the Assessed Case and which secures the Business Case and Social and Economic benefits cited in the application, and which underpins the Environmental Statement.

A revised suggested form of words for R13 is contained in section 2.5 of this response.

2.3 Monitoring and Mitigation Strategy

A key issue in this document is in 4.28 where it states that triggers will be reviewed in light of the refreshed assessment and agreed with STIG.

The concern with this level of flexibility being written in to the document means that the triggers cited in the current MMS are not those which are necessarily secured. While the base in the refreshed case may well change the underlying aim is to secure levels at (or better than) the ES, a concern is managing to effectively write this into the documentation to ensure it is secured by any revised triggers.

Stated preference surveys

Discussions and an exchange of emails with the Applicant on 10.4.17 has confirmed that specific reference to SP surveys will be made in in Para 1.1.2 of the D7 submission.

Refreshed Case

Paragraph 2.2 and Fig 2.1 look to the scope and methodology of the Refreshed Case, however it is the view of RBG that this (like the earlier models) would benefit from the inclusion of and an independent audit including the validation of elements of the bus coding and public transport and socio economic benefits realised.

Woolwich Ferry

Commitment to supporting the preparation of the timely legislation for the charging of Woolwich Ferry (should it be required) has still not been added to the D6 document, although the complexities of applying a charge to the ferry are noted:

5.2.6 The implementation of a user charge at adjacent crossings would subsequently be considered as a potential mitigation if such management measures were deemed to be insufficient for mitigating the impact or otherwise not appropriate. The legal powers necessary to implement any user charge, as well the potential need for any amendments to existing legislation, would be duly considered as part of this process.

And as part of Appendix F:

Mitigation	Effect	Delivery	To address these impacts:			
			Traffic	AQ	Noise	Other
Introduction of a user charge at adjacent crossings	A user charge could be introduced at adjacent river crossings. This would provide a mechanism for managing demand at other river crossings.	TfL would administer this through its existing powers under section 295 of, and Schedule 23 to, the Greater London Authority Act 1999. In the case of the Woolwich Ferry it would be necessary to repeal or amend the Metropolitan Board of Works Act 1885.	✓	✓	✓	

RBG would therefore wish to see the timely implementation of this addressed as part of a revised Requirement 7.

Support for sustainable transport measures

The D6 M&MS states:

5.2.7 In the unlikely event that mitigation measures implemented to address an adverse Scheme impact have not proved sufficient to directly and fully mitigate it, residual impacts may remain. In these circumstances, if in the opinion of TfL and the affected local authority these residual impacts are sufficient to justify offsetting by strategic or local measures to encourage the take up of sustainable and active travel, TfL would consider implementing or making available support to the affected local authority to implement these measures as appropriate.

5.2.8 Such measures could range from enhancements to pedestrian and cyclist infrastructure on the local highway network, to the provision of additional cycle parking, travel planning for residents, schools and businesses and other ‘soft’ measures. These offsetting measures would be proportionate to the scale of the residual impacts remaining and could be delivered by the relevant local authority subject to agreement with TfL.

RBG welcomes the fact that this is now referenced in the above paragraphs. We note that TfL cite the circumstances and measures applying to the fund, however there is no commitment to its provision, or detail of either the funds available or how payments would be triggered.

RBG would therefore still wish to see this fund required to be part of a Legal Agreement and to be managed by the LPA as set out in our D6 response.

Bus Shuttle and Emirates Air Line

Neither of these schemes is currently contained within the M&MS.

The provision of a Bus Shuttle (the investigation of which was required by the Mayor as part of 'greening' the scheme) has not been included by the Applicant as it is not considered to be an integral part of the scheme. Its provision is however being progressed by Legal Agreement between TfL and RBG.

The EAL as a sustainable/active travel link on the direct alignment of the proposed tunnel is not considered by the Applicant, however as an environmental enhancement RBG believes the Applicant should be required to examine the charges applied for local residents, in the same way cross river bus and car discounts are being proposed. Currently the EAL attracts a premium cost for use by active travel cross river commuters.

2.4 dDCO Revisions

There has been ongoing discussion with the Applicant over potential amendments to Requirement 13 in order to ensure that the level of public transport benefit at the time of the Scheme's opening (and modelled as part of the refreshed case) is equal to the level of benefit identified in the Assessed Case.

The post D6 revision of the Requirement and the need for independent validation of the refreshed case has not able to be agreed for this final deadline by the Applicant. For information the suggested revision to Commitment 5 of the Bus Strategy by the HB is shown in section 2.2 of this document.

Failing to have reached agreement with the Applicant on a final form of words, the revision RBG would now wish the ExA to consider for the Requirement's first two clauses are:

Requirement 13:

(1) Before the Silvertown Tunnel opens for public use TfL must carry out an independently validated economic assessment of the proposed bus services using the tunnels in accordance with the method set out in the bus strategy.

(2) TfL must secure the provision of bus services which –

(a) Provide not less than the public transport user benefits established in the assessment carried out under sub-paragraph (1) AND

(b) Must not be less than 20 buses per hour during peak periods in each direction through the tunnels for the duration of the monitoring period.

2.5 Legal Agreement

The drafting of the legal agreement between RBG and the Applicant is progressing, and a revised version was returned to TfL with additional comments before Deadline 7.

The primary issue outstanding remains the failure by the Applicant to include the provision of a Sustainable Transport Fund as part of this document.