

**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 7 – 10th 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 6 by TfL and the outcome of further discussions with TfL over outstanding areas of concern.

The following is an update of progress made on those issues.

2. THE COUNCIL’S CURRENT CASE

2.1 Monitoring and Mitigation Strategy

The council’s Deadline 5 and 6 representations raised the need for a ‘Sustainable Transport Fund’.

Discussions with TfL culminated with agreement on types of measures that would be covered by such a fund and are included in paragraphs 5.2.7 and 5.2.8 of the M&MS (rev 1). The text of these paragraphs also go some way to stating the purpose of having a ‘back stop’ capability should the types of mitigation measures listed in Appendix F not be deliverable and/or successful in mitigating the impacts of the scheme.

Paragraphs 5.2.7 and 5.2.8 do not refer to a ‘fund’ as such and agreement has not been reached on the mechanism for payment into a fund, though reference is made in para 5.2.7 to ‘making available support to the affected local authority to implement these measures as appropriate’. The council is of the view that the best method to achieve this is by Legal Agreement between TfL and LBTH with payment based either on congestion levels (in exceedance of that forecasted in the refreshed assessment) or in lieu of funding for mitigation measures (that TfL were willing to provide) that are not practicable.

2.2 Bus Strategy

The Council commented in its Deadline 6 representations that it was willing to consider a minimum level of cross river bus provision level of 20 buses per hour during the peak periods 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, the Business Case and the Equalities cases for the proposed scheme.

Despite ongoing discussions since Deadline 6, the council has not reached agreement with TfL on the exact wording on this matter. The council is of the view that Requirement 13 should be amended to provide certainty that the bus provision will offer the benefits described in the Assessed Case.

The council has not reached agreement with TfL regarding the powers in Article 60 (1)(f) of the DCO to revoke the TRO contained in Part 3 of Schedule 11 giving bus, taxi and HGV priority on the nearside lane of the Silvertown Tunnel.

Revocation of the TRO would permit general traffic to use the nearside lane effectively doubling capacity of the tunnel. The traffic and environmental impacts of this are likely to be significant and should be subject to a robust assessment of the sort that the *Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996* does not provide.

The Council submit that Article 60 (1)(f) should be amended to exclude Part 3 of Schedule 11. If the applicant wished to revoke the priority TRO in future they would be required to amend the DCO. In the view of the Council, such a change would likely require an updated Environmental Statement and thus constitute a material change to the DCO.

2.3 Cycling

The council notes that a commitment to the cycle bus is now included in a legal agreement with the borough, a draft version of which is attached to these representations. The council and TfL are continuing to discuss the minimum length of time that the scheme should operate before being reviewed.

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.

Article 60: Traffic Regulation Measures

(1)(f) should be amended so the power to revoke, amend or suspend any order made does not apply to the Prescribed Routes contained in Part 3 of Schedule 11.

Schedule 1: Part 1: Requirements

Requirement 7: Monitory and Mitigation Strategy

The council's Deadline 6 representations confirmed our agreement that the Secretary of State to approve the pre-opening traffic mitigation as stated in paragraphs 1-5 of Requirement 7. The council supports the amendments paragraph 2 of Requirement 7 related to extended consultation requirements with boroughs in which the mitigation is proposed to take place prior to submission to the Secretary of State.

Requirement 13: Cross River Bus Services

As discussed in section 2.2 above, although the council supports the commitment to 20 buses an hour on opening 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 final proposal from TfL on this matter presented in revision 5 of the DCO does not address the Council's concerns.