

# SILVERTOWN TUNNEL

Volume 8

## 8.121 Document Explaining DCO Amendments

### TR010021

APFP Regulation 5(2)(b)

Revision 0

Planning Act 2008

Infrastructure Planning (Applications: Prescribed  
Forms and Procedure) Regulations 2009

April 2017

THIS PAGE HAS INTENTIONALLY BEEN LEFT BLANK

---

## Silvertown Tunnel

---

---

# Document Explaining DCO Amendments 8.121

---

Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure)  
Regulations 2009

*Document Reference:* 8.121

*Regulation Number:* 5(2)(b)

*Author:* Transport for London

Rev.	Date	Approved By	Signature	Description
0	10/04/2017	David Rowe (TfL Lead Sponsor)		For Deadline 7

THIS PAGE HAS INTENTIONALLY BEEN LEFT BLANK

## SILVERTOWN TUNNEL

### EXPLANATION OF AMENDMENTS MADE TO THE DRAFT DCO AT DEADLINE 7 (REV 6)

#### 1. INTRODUCTION

- 1.1 This document provides a commentary on changes made to the draft Development Consent Order ("dDCO") in the version submitted at Deadline 7 (10 April 2017) (DCO Revision 6), compared with the version of the dDCO submitted at Deadline 6 (DCO Revision 5). The Applicant's revised draft DCO (Revision 6) is document 3.1 (Revision 6), and an electronic comparison between the two versions has also been submitted.
- 1.2 In broad terms, the changes made in the latest dDCO have been made for the following reasons:
- 1.2.1 changes arising from continued discussions with the host boroughs and other local authorities, statutory undertakers and landowners; and
  - 1.2.2 other points which the Applicant has identified as requiring amendment.
- 1.3 Given that Deadline 7 is the final deadline of the examination, the Applicant has also sought to comment in this document on certain amendments sought by third parties where changes are not proposed to be made to the dDCO by the Applicant. This commentary should be read alongside the various previous submissions made by the Applicant on third parties' proposed amendments to the DCO, particularly:
- 1.3.1 chapter 14 of the Applicant's comments on Borough Local Impact Reports and Written Representations (REP2-035);
  - 1.3.2 chapters 5 and 7 of the Applicant's Deadline 5 Update Note (REP5-004); and
  - 1.3.3 the Applicant's post-DCO Issue Specific Hearing document (REP6-075).
- 1.4 It should be noted that as previously noted, the ordering of the articles in the dDCO has changed, given this is the last deadline of the examination. Any new articles added to the dDCO during the examination had been added to the end of the dDCO, so as not to confuse cross-references contained in interested parties' representations. However, these new articles (what were articles 69 (*Restrictions on other works in the river Thames*) and 70 (*Disposals by the Greater London Authority*)) have now been moved to more appropriate locations within the dDCO. As a result, there are a number of cross-referencing changes. This document accordingly refers to the revised article numbering in the Deadline 7 version of the dDCO.
- 1.5 Lastly, attached at **Appendix 1** of this document is confirmation that the dDCO has been 'validated' as being in the form of the Statutory Instrument template. It should be noted that, due to some small last minute changes outside of working hours such that validation could not take place, the final form of the Deadline 7 dDCO has not been validated. However, given these changes were only minor, the Applicant considers it is likely not to have affected the status of the dDCO's 'validation'. The Applicant is willing to provide evidence that the dDCO in its final form is in validated form, or, if found to be necessary, make formatting changes to ensure it is.

2. TABLE OF CHANGES TO THE DRAFT DCO

Provision in revised draft DCO (rev 6) and/or issue	Brief description and explanation
Overall	Various cross-referencing and formatting changes have been made.
Article 2	A new definition of "the 1968 Act" has been added to reflect the need for a definition of the Port of London Act 1968, given its use throughout the dDCO.
Article 3	<p>A minor amendment has been made to paragraph (1) to reflect that, under the terms of article 30, there could be a number of 'maintenance periods' depending on when a particular part of the authorised development has been completed. Similar amendments have been throughout the dDCO for the same reason.</p> <p>A further minor amendment has been made in article 3(3) (which was added at Deadline 6) just to confirm the identity of the relevant enactment.</p> <p>A new article 3(4) has been added to make clear how, following any maintenance period under article 30(14), the Port of London Act 1968 will apply to any works or operations <i>within</i> the Silvertown Tunnel. The PLA has communicated to the Applicant that it considers such works would be subject to the usual river works licensing regime. The Applicant does not consider it appropriate, given the purpose of that regime, for a river works licence to be required for activities taking place within the Tunnel <i>connected with the Applicant's functions</i>. As such, this article carves out such activities from being subject to the river works licensing regime which the Applicant considers to be appropriate. The PLA has agreed to the inclusion of this provision.</p> <p>At Deadline 4, the Applicant made an amendment to this article to make clear that the legislative disapplications brought into effect by this article apply to both the construction period and the 5 year maintenance period provided for under article 30. The Applicant considers this to be appropriate, in the context of the similarity of the powers conferred during the maintenance period under article 30 to those conferred during construction. Without this, the purpose of the DCO regime being a 'one stop shop' for consents would be somewhat undermined - suitable protections for affected regulators would be provided by the protective provisions, which would also apply during the same disapplication period.</p>
Article 15	This article has been re-ordered to follow legislative drafting convention.
Article 39	A number of interested parties have, throughout the examination, queried the 'early' application of certain operational provisions in the dDCO to the Blackwall Tunnel from the commencement of <i>construction</i> of the Silvertown Tunnel. As stated in the Applicant's response to FWQ DC57, the overarching purpose of this article (what was article 38) remains the same as that stated in the EM; it is to assist in the effective management of the Blackwall Tunnel during the construction of the Silvertown Tunnel. Specific justification for each 'early' provision was provided in that FWQ response. As such, no further amendments are proposed to this article.
Article 40	A minor amendment has been made to this article to reflect the insertion

Provision in revised draft DCO (rev 6) and/or issue	Brief description and explanation
	of new article 3(4).
Article 44	A number of interested parties have, through the examination, raised questions on the wording of this article (what was article 43). The Applicant has sought to allay certain concerns, by adding in a definition of 'emergency'. However, it is not proposed to add more prescriptive wording to this article in terms of procedures to be followed in anticipation of a tunnel closure. The Applicant requires an element of flexibility, but the interested parties should take comfort from the fact that the Applicant is a public body and that it will always need to exercise any tunnel closure powers in the context of its statutory network management duties.
Article 48	The Applicant considers that a compromise solution has been reached with the PLA on this provision (what was article 47), which deals with third party works and apparatus. To address the PLA's concerns, a new provision has been added to the PLA's protective provisions to provide that the Applicant must inform applicants for consent under article 48 of the possible need for a PLA licence for the applicant's works or apparatus, and to give the PLA notice of any consent given under this article. This has been agreed with the PLA.
Article 49	The Applicant has sought to improve the drafting of this provision, but the amendments do not change the intention or effect of it.
Article 51	The London Borough of Tower Hamlets has throughout the examination made reference to the fact that any roads to be 'transferred' to the Applicant should be transferred prior to construction. The Applicant considers this should not be written on the face of the DCO in this provision (what was article 50), as detailed discussions will take place between the parties on 'asset transfer' arrangements which would deal with the terms of such transfer.
Article 53	What was previously article 69 has been amended following discussions with the PLA. Following these minor changes (predominantly focussed around the scenario where the river Thames is widened due to works to river walls), the parties have now agreed the drafting of this article.
Article 58	The Applicant is not proposing to amend this provision, having considered the various comments made on it throughout the examination (this provision was originally article 56). The Applicant considers it would be entirely inappropriate for this DCO to interfere with the Applicant's funding and policy-making structures. Fundamentally, any obligations contained in the DCO are binding and need to be fulfilled – otherwise, it is a criminal offence under the Planning Act 2008. There is therefore clear incentive for the Applicant to deliver these commitments, notwithstanding what the DCO might provide in terms of funding mechanisms. As for suggestions that the user charging revenue should be applied towards a further package of river crossings, the Applicant considers this would be (a) pre-determining policy; and (b) inappropriately directing the Applicant how to direct its funds, particularly in light of its statutory duties. Further commentary on this is set out in the Applicant's post-DCO Issue Specific Hearing document (REP6-075).
Article 60	The Applicant is aware that a number of parties have raised concerns about the terms of article 60 (what was article 58). The Applicant

Provision in revised draft DCO (rev 6) and/or issue	Brief description and explanation
	considers that no amendments are required to this provision as it contains adequate safeguards and the principles set out in the article are widely precedented in statutory orders. Please see the Applicant's commentary on this provision in the Applicant's Summary of Case (document reference: 8.122).
Schedule 1	A clarificatory amendment has been added to Work No. 4, following discussions with Brenntag, to reflect that car park works will be carried out under this Work. An environmental appraisal of such works was included in the Applicant's change request.
Schedule 2, Proposed new requirements	In its Deadline 6 submissions (REP6-003), Silvertown Homes Limited proposed two new requirements. The Applicant does not consider that these are appropriate for inclusion within the dDCO, as they do not meet the 'tests' that DCO requirements must meet in accordance with paragraph 4.9 of the NNNPS and paragraph 206 of the National Planning Policy Framework. For more detail, please see the Applicant's comments on this in its response to interested parties' Deadline 6 submissions (document reference: 8.123).
Schedule 7	This Schedule has been amended for the same reason as Work No. 4 – just to confirm, following discussions with Brenntag, that works to car parking would be undertaken.
Schedule 9	The Applicant has sought to improve the drafting of paragraph 1 of Schedule 9, but the intention and effect remains the same.
Schedule 13	<p>Minor amendments have been made to Part 4 of Schedule 13, following discussions with the Port of London Authority. As mentioned above in respect of article 48, a new provision has been added requiring the Applicant to give notice within 5 business days of giving consent under that article, as well as notifying any 'applicants' under that article of the river works licensing regime. In addition, a small amendment to paragraph 49(2) has now enabled the parties to reach agreement on the protective provisions and, indeed, the Applicant considers, agreement on the entirety of the drafting of the dDCO.</p> <p>The Applicant considers it has made positive progress in discussions with the Environment Agency ("the EA"). Following the final dDCO ISH on 29 March, the parties have been discussing the principle of the Applicant providing temporary flood defence measures where it has control during the construction of the works or their initial maintenance of a river wall which is not a 'fit for purpose' flood defence. The protective provisions in Part 5 of Schedule 13 have been amended by the Applicant following these discussions to seek to address the EA's concerns. However, the EA has not yet agreed to these amendments. The Applicant considers the protective provisions to be appropriate in respect of river wall maintenance, as the Applicant must:</p> <ul style="list-style-type: none"> <li>• undertake a number of surveys and submit a number of plans in respect of the condition of the river walls;</li> <li>• when it submits to the EA plans of works for approval, the Applicant can suggest temporary flood defence measures for the purpose of providing a fit for purpose flood defence which must be approved by the EA and thereafter maintained whilst the Applicant is undertaking construction or maintenance</li> </ul>

Provision in revised draft DCO (rev 6) and/or issue	Brief description and explanation
	<p>works on site; and</p> <ul style="list-style-type: none"> <li>• alternatively, if the EA considers appropriate, it can <i>require</i> the Applicant to install and maintain to the EA's satisfaction temporary flood defence measures (for the purpose of providing a fit for purpose flood defence) whilst the Applicant is undertaking construction or maintenance works on site.</li> </ul> <p>In this light, the Applicant considers its proposed solution to be entirely appropriate in that it would not be liable to improve any river walls which have fallen below a 'fit for purpose' standard prior to it taking possession of them (which is the equitable position as this is due to the landowners not bringing these walls up to standard (and the EA not utilising its statutory powers to require this)) <u>but</u> there are safeguards in place to ensure, by way of temporary measures, that a fit for purpose flood defence would be in place.</p> <p>The Applicant is not clear at this stage as to what the EA's issue with this proposal is, given that it should provide the requisite comfort that when TfL is on site, an adequate flood defence would be in place. When TfL is not on site, the riparian landowners would be responsible for the river walls, and the EA could use its existing statutory powers to enforce this obligation. The intention of article 3(3) added at Deadline 6 is to make this clear.</p> <p>Three other outstanding points remain between the Applicant and the EA, in relation to which the Applicant considers no amendment is appropriate:</p> <ul style="list-style-type: none"> <li>• The EA considers that the definition of 'the flood defences' should not be limited to those within the Order limits or the 1mm settlement contour. The Applicant considers that it should be, given the use of the defined term (e.g. in paragraph 54, where the outcome could arguably be that <i>any</i> flood defence - i.e. <u>within or outside</u> the Order limits - would be subject to the provision) and the fact that the Applicant has limited powers outside of the Order limits. The Applicant is aware that the EA is looking, to an extent, at the protective provisions for its benefit contained in the Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014 where the EA's favoured definition is included. However, it is used in a different context within that Order. The Applicant's obligations should only extend to flood defences within the Order limits or within the 1mm settlement contour.</li> <li>• The EA consider that paragraphs 58(7) and (8) are not appropriate, given that they bind third parties. The Applicant takes a different view. The DCO will be a piece of secondary legislation - it is not a contract. The Secretary of State accepted identical provisions in the Docklands Light Railway (Woolwich Arsenal Extension) Order 2004.</li> <li>• The EA is seeking a wider indemnity provision in article 61 which the Applicant does not agree to, given it goes beyond what has been agreed by the EA in other works Orders to</li> </ul>

Provision in revised draft DCO (rev 6) and/or issue	Brief description and explanation
	<p>date.</p> <p>The Applicant will continue to discuss these provisions with the EA and will update the Secretary of State if any further agreement is reached. However, absent an agreement, the Applicant's position is that the protective provisions contained in the version of the dDCO submitted at Deadline 7 should be included in the made DCO (if the application is granted).</p>
Schedule 14	<p>Amendments have been made to reflect revised versions of documents submitted at Deadline 7.</p> <p>The Applicant has included at <b>Appendix 2</b> of this document an explanation as to its approach in respect of the documents included within the definition of 'the Environmental Statement' in the dDCO.</p>

## APPENDIX 1 – SI TEMPLATE VALIDATION

## WILSON George

---

**From:** no-reply@publishing.legislation.gov.uk  
**Sent:** 10 April 2017 17:31  
**To:** ELLIS Frances  
**Subject:** Internet - VALIDATION SUCCESS: SI Validation for SilvertownTunnelDCORev64.doc (6 Warnings)

Dear Ms Ellis,

Thank you for submitting your document 'SilvertownTunnelDCORev64.doc' for validation.

The document has validated successfully.

**Please note:** Your document contains 6 warnings which may indicate an error, it is good practice to check and correct these.

Please check the warnings and resubmit the document. To view your online validation report please click <https://publishing.legislation.gov.uk/validation/2017-04-10/3>. For documents of 25 pages or less an interactive web version of the report is available in addition to the PDF report.

*This is a system-generated email sent on behalf of the [SI Support Team](#).*

*Support reference: <https://publishing.legislation.gov.uk/validation/2017-04-10/3>*

If you consider this email spam, please block using the Mimecast option on your Outlook toolbar. See the Information Security Intranet pages for details. If you have clicked on a suspect link or provided details please report to the IT Service Desk immediately.

## APPENDIX 2 – DOCUMENTS INCLUDED IN THE DEFINITION OF THE ENVIRONMENTAL STATEMENT

The Applicant has been updating Schedule 14 to the dDCO throughout the Examination, such that the definition of 'the Environmental Statement' (which refers to the documents contained in this Schedule as being 'the Environmental Statement') includes reference to a number of documents submitted during the course of the Examination. The documents the Applicant has included go beyond those comprised in the application ES itself. The result of this is that the 'Environmental Statement' has now been defined to include documents that supersede or are supplemental to the application ES (or parts thereof) and which report likely significant effects or mitigation measures where such effects or mitigation measures are secured by the DCO.

In summary, therefore, the definition includes those documents that either:

- a) have superseded an ES chapter, figure, drawing or appendix; or
- b) are supplementary to the ES as submitted.

In this context, the Applicant has in **Table 1** below set out the reasons why it considers each of the environmental documents (with shortened titles for the purposes of this note) set out in that table and which were submitted to the Examination do or do not fall within category (b) above (and therefore whether they have been included in the definition). The Applicant has not included in that table the documents included in the definition which fall into category (a), as these simply replace elements of the submitted ES and so clearly form part of it. These are also set out in the Applicant's *Application and Examination Document Tracker* (submitted alongside this document at Deadline 7).

None of the information that the Applicant has submitted and included within the ES definition is 'further environmental information' for the purposes of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended), as none of the information has been submitted to remedy a 'deficient ES' and nor has it been submitted in response to an Examining Authority Rule 17 request for information that seeks to remedy any such deficiency.

The information submitted has sought to clarify or supplement previously submitted environmental information. The information has been presented through the Examination process and third parties have, thereby, been given the opportunity to comment on it.

The documents referred to in Table 1 (below) comprise, therefore, 'any other' information (as referenced in Regulation 2(1) of the above Regulations).

**Table 1**

Document	Included in Definition?	Reasons
REP1-093 Tfl Rule 17 Response	No	This document explains the impact of the <i>Client Earth</i> judgment on the ES, but does not contain any assessments or provide more detail on the results of any assessment. It therefore should not be included within the definition of the ES.
REP 1-151 FWQ AQ Report Appendix E: Silvertown AQ Results: Reference Case and Assessed Case modelled concentrations for NO2, PM10 and PM2.5	No	This document presented only some outputs from the computer modelling which underpinned the assessment set out in Chapter 6 of the ES (as updated). It therefore represents just one small set of outputs of the model that underpins the assessment and does not form the assessment itself.
REP1-151 FWQ AQ Report Appendix K: Draft	Yes	This document contains a noise and air quality assessment for the 400 over height

Document	Included in Definition?	Reasons
HGV Management Strategy		vehicles anticipated to route through the Silvertown Tunnel. It is therefore supplemental to the original ES.
REP 1-156 – REP1-165 Appendices to the Applicant’s response to First Written Questions on Geology and Soils	No	These documents are the preliminary data and risk assessments that <u>informed</u> the ES assessment, but are not the assessment itself, and do not identify effects that are not already assessed in the ES.
REP 1-166 FWQ NV Report Appendix E: Hoola Noise Technical Note	Yes	This document provides an assessment of the effects of the scheme in relation to particular receptors, and can therefore be considered as supplementary detailed information to the ES.
REP 1-166 FWQ NV Report Appendix F: NIR Assessment	Yes	This document is a supplementary assessment to the main assessment carried out in the ES – setting out that no properties would be eligible for NIR mitigation on the basis of the application construction noise assessment. As such, it is appropriate that this forms part of the ES.
REP1-173 FWQ MR Report Appendix A: Preliminary Viability Assessment for RSA	No	This document is an example of how one stage of the Receptor Site Assessment process could be carried out. It will be carried out again as part of that process at detailed design, and as secured by the CoCP. It is therefore not appropriate for this to be a certified document.
REP2-036 Appendices to Comments on Borough LIRs and WIRs Appendix A: Explanation of Baseline NV Monitoring in Newham	No	This document is a response to LB Newham’s queries as to how and where baseline monitoring was carried out. It provides ‘colour’ to part of the ES, but is not part of the assessment itself.
REP2-036 Appendices to Comments on Borough LIRs and WIRs Appendix C: Noise and Vibration Mitigation Technical Note	No	This note explains the mitigation measures that the Applicant has <u>not</u> brought forward as part of the Scheme. It clearly therefore cannot be part of the ES itself.
REP2-036 Appendices to Comments on Borough LIRs and WIRs Appendix D: Additional Noise Survey Data	Yes	This document is included within the definition as it provides more detail on the Scheme baseline and the locations of the Applicant’s survey data.
REP2-041 Updated Air Quality and Health Assessment	Yes	This document supplements chapter 6 of the ES to explain the changes that arise as a result of the changes to DEFRA Emissions Factor Toolkit. As such, this is supplemental to the ES and is included in the definition of the ES.
AS-046 Proposed Non-Material Changes Report	Yes	This document includes an assessment of the changes to the scheme to ensure that

Document	Included in Definition?	Reasons
		they could be considered non-material. As otherwise the ES would not have assessed the operations proposed by this report, it is appropriate for it to be included in the definition of the ES.
AS-047 Addendum to proposed change request	Yes	As above.
REP3-020 PCC Plant Environmental Appraisal	Yes	This report demonstrates how this construction option falls within the parameters of the ES, and, as stated within it, was submitted to provide more explicit information on this option. Particularly in light of the 'NEWT' test that has been introduced to the CoCP, it is considered appropriate that this report is included within the definition of the ES.
REP3-021 STP Environmental Appraisal	Yes	As above.
REP3-028 Response to ISH Action Point 8.2 from Environmental ISH of 18 January 2017 - effect of Client Earth judgement on AQ modelling	No	This note is an information paper explaining in text form how the <i>Client Earth</i> judgment should be taken into account when considering the efficacy of the assessment methodology. It is therefore not appropriate or necessary for this to be included in the definition of the ES.
REP3-031 Appendices 1-6 of Written Summary for Environmental ISH Appendix 1: NCV Methodology	No	Details of the NCV methodology are already provided as an Appendix to the Biodiversity Action Plan and Mitigation Strategy (ES Appendix 9H). This note simply provides a summary of this so does not need to be included in the definition of the ES.
REP3-031 Appendices 1-6 of Written Summary for Environmental ISH Appendix 4: Consideration of Enderby Wharf within ST AQ Assessment	No	This note provides an explanation of matters that are already included in Chapters 6 and 17 and Appendix 17A. It does not add anything to that which is in the ES, so does not need to be included in the definition of the ES.
REP3-031 Appendices 1-6 of Written Summary for Environmental ISH Appendix 5: Hoola AQ Technical Note	Yes	This document provides an assessment of the effects of the scheme in relation to particular receptors, and can therefore be considered as supplementary detailed information to the ES.
REP3-031 Appendices 1-6 of Written Summary for Environmental ISH Appendix 6: Euro VI buses impacts on Hoola	No	The commitment to Euro VI buses is secured through a DCO Requirement, however this did not arise as a result of this paper. This paper simply explains what difference the introduction of this commitment may make to the AQ results at this one location, rather than across the whole Scheme. It would not be appropriate for the indicative results at this one location to form part of the ES as it is only one illustrative example.
REP3-032 Appendices 7-	No	This document simply sets out how the

Document	Included in Definition?	Reasons
13 of Written Summary for Environmental ISH Appendix 7: Reliability of Euro VI buses Emissions results		results of Euro VI testing should be considered. It is not supplementary to the ES.
REP3-032 Appendices 7-13 of Written Summary for Environmental ISH Appendix 8: Air Quality Results in Southwark and Lewisham	No	As explained in this note and throughout this Examination, the Applicant considers that air quality modelling in Southwark and Lewisham is not required as the AADT change figures for these areas as a result of the Scheme do not trigger such testing under DMRB. However, as a result of representations, a limited amount of modelling was undertaken on those roads with the highest increases in traffic flows. This note can therefore be considered to be a form of 'sensitivity testing', but does not form part of the ES itself.
REP3-032 Appendices 7-13 of Written Summary for Environmental ISH Appendix 10: Indicative Plans of Low noise and high friction surfacing	No	These documents are indicative. As explained at this hearing, the location of low noise surfacing will be approved by the relevant planning authority under Requirement 12 (and was already submitted under the application ES), and high friction surfacing will not be determined until a Road Safety Audit is carried out at a later date. These plans should therefore not form part of the ES definition.
REP3-032 Appendices 7-13 of Written Summary for Environmental ISH Appendix 11: Envisaged Construction Techniques, Duration and Hours of Working for Marine Piling	Yes	This forms part of the ES definition, because as paragraph 1.1.7 of the note sets out, it describes the methodology (drawn together from existing application document) upon which the ES assessment was based.
REP3-032 Appendices 7-13 of Written Summary for Environmental ISH Appendix 12: Technical Note Assessment of Jetty Pile Scour in the Nearshore	No	This note provided technical detail to assuage the concerns of the Environment Agency only. It is therefore not appropriate for it to form part of the ES definition.
REP4-047 520+ OHV Scenario Noise Impacts	No	As described in the Summary of Case from the Environmental Hearing of 18 January (REP3-016), the Applicant considers that 520+ OHV vehicle movements through the Silvertown Tunnel is not the appropriate figure, having assessed the correct figure as 400 (as set out above). However, further to representations, the Applicant carried out this testing as a sensitivity test, to show what the results of that figure would be. However, given that the Applicant has

Document	Included in Definition?	Reasons
		suggested that the 400 vehicle figure should form part of the ES, it would not be appropriate for this sensitivity test to also form part of it as well.
REP4-048 Wharves Access Impact Technical Note	No	This note simply provides information to the PLA that the results of the ES in respect of the impacts of access to the wharves are correct. As can be seen from the note, all such impacts derive from the design of the Scheme and the mitigation measures already developed. The note therefore does not add anything to the ES and so does not need to be included.
REP4-054 Response to SWQ CL Report Appendix A: PCC Plant indicative visualisation	Yes	This provides a visual aid to the PCC appraisal already included in the definition of the ES above. It is therefore appropriate for this also to be included in the definition.
REP4-061 Response to SWQ ME Report Appendix B: Underwater Noise Technical Note	Yes	This document provides further detail on the methodology for the underwater noise assessment and is therefore supplemental to it. It is therefore included in the ES definition.
REP4-062 Response to SWQ SW Report Appendix A: River Wall Technical Note	No	This report simply provides a summary of the different options for works to the river wall at detailed design. It is therefore not part of the assessment process and does not need to be included in the ES definition.
Deadline 6 Submission: Marine Policy Statement Compliance Statement	Yes	This document specifies in more detail how the Scheme complies with the MPS by reference to the various parts of the ES. It is therefore supplemental to the ES and has been included in the definition.