

TRANSPORT FOR LONDON

LOWER THAMES CROSSING – COMMENTS ON SUBMISSIONS MADE AT DEADLINE 3

DEADLINE 4: 19 SEPTEMBER 2023

1. Introduction

- 1.1 This document sets out comments from Transport for London (TfL) on submissions made at Deadline 3 of the Lower Thames Crossing Development Consent Order (DCO) examination
- 1.2 TfL has limited its comments to a small number of submissions made at Deadline 3, so this document is structured with a section for each relevant document.

2. Applicant's draft DCO v5.0 (REP3-078)

- 2.1 TfL welcomes the changes made to requirements 6 (contaminated land and groundwater) and 8 (surface and foul water drainage) so that local highway authorities will be consulted on the discharge of these requirements and will be alerted to contaminated land being identified, regarding matters relevant to their functions. This will ensure that TfL will be consulted on matters affecting its assets.

3. Applicant's outline Landscape and Ecology Management Plan v3.0 (REP3-I07)

- 3.1 The Applicant has responded to requests made by TfL and has now included TfL as a relevant stakeholder in Table 2.1 of this document. TfL welcomes this change although notes that it should be listed as a local highway authority rather than as an 'other body'. TfL also welcomes the confirmation that highway authorities will be included in the advisory group in the update made to paragraph 4.1.13. These changes will ensure that TfL has an appropriate role for landscaping on its network delivered by the Project that it will be responsible for maintaining.

4. Applicant's localised traffic modelling v2.0 (REP3-I27) and Appendix L – Havering and TfL junctions forecasting report (REP3-I31)

- 4.1 TfL notes that the Applicant has now submitted its localised traffic modelling report (REP3-I31) for 12 junctions in Havering, all but one of which is on the TfL Road Network (TLRN). A version of this document was shared with TfL prior to the submission of the DCO application, although some updates to the report have been made in the version submitted to the examination. There have been adjustments to some degree of saturation percentages and one additional junction has been identified as requiring further investigation.
- 4.2 As stated in paragraphs 3.23 to 3.29 of TfL's Written Representation (REPI-304), TfL remains of the view that the Applicant's localised traffic modelling is not robust. The Applicant purely extracted data from its strategic model (the Lower Thames Area Model, LTAM), rather than using any survey data to validate the assessments to ensure the models were accurately representing current traffic conditions in the base year. The modelling considers each junction in isolation without reflecting that, in some cases, queues from one junction will impact on adjacent junctions.

4.3 TfL notes that while the Applicant has provided some commentary on the new localised traffic modelling submitted in section 6 of REP3-I27, referring to Appendices J, K and M, it has omitted any commentary on the modelling of junctions in Havering (Appendix L). TfL suggests the Applicant should provide some commentary on Appendix L or explain why it does not consider this appropriate.

4.4 TfL maintains that its own junction modelling undertaken jointly with the London Borough of Havering, submitted as Appendix A of REPI-304, provides a considerably more robust assessment of the impact of the Project on these junctions. It is based on traffic surveys undertaken in Spring 2023 while still making use of the Applicant's forecasts to identify the impact of the Project. This modelling identifies three junctions where the additional traffic generated by the Project will directly result in significant worsening of congestion at these junctions to the point where mitigation is required. TfL considers that the Applicant being unwilling to commit to any form of mitigation of the traffic impacts of the Project to be inconsistent with both national and local planning policy, as discussed extensively at Issue Specific Hearing (ISH) 4, with TfL's submissions reported in paragraphs 3.6 to 3.14 of TfL's written summary of oral submissions made at ISHs 3 to 7, submitted to the examination at Deadline 4.

5. Applicant's response to Interested Party comments made on the draft DCO at Deadline 2 (REP3-I44)

5.1 Regarding paragraph 8.1.1 of REP3-I44, and as stated in paragraphs 2.1 and 3.1 above, TfL welcomes the changes made to the draft DCO and outline Landscape and Ecology Management Plan to include local highway authorities or TfL as a consultee. TfL agrees with the Applicant that this matter is now closed.

5.2 In response to the London Borough of Havering's request for protective provisions for the protection of local highway authorities, which the Applicant notes in paragraph 8.2.1 was supported by TfL, the Applicant responds in paragraph 4.1.1 to state that it has previously set out its position that these are not required, and will instead consider the protective provisions put forward in the context of negotiating a side agreement. TfL welcomes that the Applicant has more recently changed its position, stating orally at ISHs 4 and 7 that it would be submitting its preferred form of protective provisions for the protection of local highway authorities at Deadline 4. TfL will review these once submitted and provide comments at Deadline 5.

6. London Borough of Havering's comments on the Applicant's submissions at Deadline 2 Appendix 1 – draft DCO (REP3-I83)

6.1 TfL has reviewed the London Borough of Havering's additional comments on the Applicant's responses. TfL notes that the position of the London Borough of Havering is entirely consistent with TfL's position with regard to the need for an additional article in the DCO to cover an Implementation Group, an additional requirement for a monitoring and mitigation strategy, and the need for protective provisions for the protection of local highway authorities in schedule I4 of the DCO. TfL has made its own representations on these matters in various submissions.