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**London Borough of Havering (20035775) – Written summary of oral comments made at Issue Specific Hearings 8, 9 and 10.**

Dear Sir,

Thank you for the opportunity to submit a written summary of the oral comments LB Havering delivered at Issue Specific Hearings 8, 9, and 10.

Written summary of oral comments made at Issue Specific Hearing 8

LB Havering updated the Panel on the progress that had been made regarding a matter concerning the restoration and associated mitigation concerning North Ockendon Pit. This site is identified as a Site of Scientific Interest and Nature Conservation (SINC).

The location of the main M25 Compound, located to the east of the M25, would result in a 7.3% loss of that SINC. The Council had concerns which were set out in item 2.1.96 of LB Havering's Statement of Common Ground (SoCG) submitted at Deadline 5 (REP5-105), with the Applicant needing to secure appropriate compensation and mitigation for the impact on that part of the SINC.

The Applicant provided the Council with clarity around the level of compensation and mitigation and, importantly, how that site will be restored. The Council can confirm that this item will now be moved from "under discussion" to "matter agreed" and this will be reflected in the next iteration of the SoCG that will be submitted at a future deadline.

LB Havering updated the ExA on the situation concerning Upminster Cemetery and South Essex Crematorium (SEC) and the concern around the impact construction work, and more specifically the closure of Ockendon Road, would have on that site.

LB Havering confirmed that it had commented on this issue in greater detail in section 9 of its Local Impact Report (LIR) (REP1-249). LB Havering confirmed that the concern is the potential loss of income for the Council in relation to that site.

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The cemetery and crematorium itself is located on Ockendon Road, to the west of a proposed road closure that will be required as part of the scheme.

The Council welcomes that the Applicant has now capped the closure period at ten months, which has been reflected in the most recent iteration in the Outline Traffic Management Plan for Construction (oTMPfC) (REP5-056)

The SEC is one of the busiest in the Country with around 3,000 cremations a year. The Council has in excess of 300 burials a year at Upminster Cemetery as well, so the clear concern is the impact the closure would have on the ability for funerals to access the site, and the “knock on” impact that this could have on a day-to-day basis if there are project delays. The Council is also concerned about the long-term legacy, should funeral directors advise bereaved families to go elsewhere owing to the disruption.

Section 9 of the LIR has set out the potential financial implications of that for the Borough. Around 16-17% of cremations come from the east or north-east of that site, so there is a potential for £500,000 to £700,00 of lost income for the Council.

There have been several letter exchanges between LB Havering and the Applicant, the most recent of which the Council wrote to the Applicant on 27 September 2023, and Havering received a prompt response from the Applicant in early October. As far as compensation is concerned, the Council and the Applicant are agreeing to disagree on this point at the present time.

The Council intends to submit both letters at Deadline 6 so that the Panel has a copy of them and so they are a matter of public record.

The Council will be meeting with the Applicant in the coming weeks to discuss what mitigation can be put in place in the roads surrounding Ockendon Road to build resilience into the wider network to minimise the impact the Ockendon Road closure will have on the Cemetery and the SEC. (Post Hearing note – A meeting between LB Havering and the Applicant has been arranged for Friday 10<sup>th</sup> November).

There are other Crematorium facilities in the wider region, such as neighbouring authorities, but if people are going to use those facilities because of the impact of the Ockendon Road works, that will clearly impact on the SEC. Whilst an option for extended opening hours could be looked at, that would have a cost implication for the Council both through extended operating costs and staffing. The Council intends to submit to the Panel at Deadline 6 an idea of what an extended opening regime would look like in monetary terms.

#### Written summary of oral comments made at Issue Specific Hearing 9

- 7 Hole Farm Community Woodland

LB Havering raised concerns about the access arrangements to and from Hole Farm Community Woodland in the neighbouring Borough of Brentwood. There are concerns that Havering residents will have trouble accessing the site and that this would be discussed further at Issue Specific Hearing 10.

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## Written summary of oral comments made at Issue Specific Hearing 10

### 3) Wider Network Impacts Update

The Council continues to be concerned that there has been no movement from the Applicant on the Wider Network Impacts Management and Monitoring Plan (WNIMMP) since it was submitted as part of the initial planning application back in October 2022 (APP-545).

The Council set out its concerns around lack of compliance with the National Policy Statement National Networks (NPSNN) at Deadline 1 (REP1-253). Thurrock Council references a number of paragraphs from the NPSNN within their own representation, two specific references Havering would like to bring to the ExA's attention include para. 3.2: *"In delivering new schemes the Government expects applicants to avoid and mitigate environmental and social impacts"* and para. 5.202: *"The consideration and mitigation of transport impacts is an essential part of the government's wider policy objectives for sustainable development"*.

The Council is concerned that there is a distinct lack of monitoring locations along the Havering road network. There are only three monitoring locations in Havering, one on the M25/J29, one on M25/J28 and one just to the west of M25/J29 on the A127. It is recognised that the Applicant will consult with local highway authorities on further monitoring locations as part of engagement ahead of the final management plan being submitted to the Secretary of State (SoS) for approval, and LB Havering very much hopes that the Council's requests for additional monitoring locations are considered at this point.

The Council also continues to be concerned about how the Applicant suggests host local highway authorities should fund wider network impacts. As it currently stands, the Applicant is suggesting within the WNIMMP that LHA's submit funding bids to deal with wider network impacts. In particular, in its Deadline 4 submission (REP4-180), the Applicant suggested that the Council bids for Local Implementation Plan (LIP) funding to fund mitigation measures.

The Council has set out in several Deadline submissions, including REP3-086, why funding arrangements for London Boroughs are very much different to highway authorities operating outside of the GLA boundary. Furthermore, the Council set out in its Deadline 5 submission (REP5-106) why LIP funding for mitigation measures would not be appropriate. LIP Funding is specifically to implement the Mayor of London's Transport Strategy at a local level. This is used for delivering walking, cycling and bus priority measures that support the Mayor's Vision Zero and Healthy Streets agendas. It cannot be used to mitigate the impacts of a third-party scheme.

If any funding submission to TfL was to include schemes that were proposed to mitigate against such impacts, they are likely to be rejected by TfL. It should be pointed out that effectively what the Applicant is asking host local highway authorities to do, is to compete against each other for funding to mitigate the impacts of a third-party scheme, which Havering does not consider appropriate.

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LB Havering offered further comments regarding the Applicant's earlier comments on wider network impacts and policy compliance. Havering challenged the comment made by the Applicant concerning no longer being in the space of "Predict and Provide" from a policy perspective and that the "Decide and Provide" approach had not been applied by the Applicant. If this had been case, then greater scenario testing would have been carried out during scheme development.

With regards to how the triggers were developed in the Silvertown Tunnel Mitigation and Monitoring Strategy, Transport for London (TfL) (the applicant for this particular DCO) consulted and worked closely with the host boroughs and other boroughs to develop a set of triggers. A similar approach could be taken for the WNIMMP for the Lower Thames Crossing (LTC) scheme.

With regards to the Silvertown Strategy, the Council would wish to draw the Panel's attention to paragraph 3.5.2 which is the area of influence that is cited from which monitoring and management will be developed, and it is cited in paragraph 3.5.2 that the geographical scope of the area of influence can be altered over time. Figure 3.1 actually cites a monitoring area and defines not only the monitoring area but a buffer zone as well.

#### 4. Public Rights of Way (PRoWs) and Non-Motorised User (NMU) Routes

- A) Legal Status of proposed NMU routes and PRoW's

The Council continues to be concerned that Havering residents will not have safe and direct access to the new community Woodland at Hole Farm in the neighbouring borough of Brentwood.

The Council is of the view that a new dedicated NMU route should be created to provide a connection from the base of the proposed new A127 Footbridge to the west of M25/J29, which would provide a link up to Folkes Lane Woodland.

The Council has held discussions with the Applicant on this over a number of months and welcomes the initial feasibility work that the Applicant has undertaken. This feasibility work has looked at the potential for a dedicated NMU route but has now indicated to Havering that should the Council wish to progress the project further, an application through Designated Funds would have to be submitted. The Applicant has indicated that the route would not be delivered as part of the LTC project.

The Council is of the view that, given the new footbridge is being implemented to mitigate the impact of the LTC project, the NMU route should be installed as part of the project.

The Council considers Folkes Lane to not be suitable for a significant increase in NMUs. The Applicant's own feasibility work has indicated that the 85 percentile for the road is 41mph in a 30 mph road and 21% of vehicles are Goods vehicles.

In terms of the proposed A127 Footbridge itself, the Council is of the view that an at-grade crossing would not be suitable for this particular stretch of road, considering it has a speed limit of 70mph and considerable volume of traffic. The Applicant also looked at a number of options when considering a crossing which included a signalised junction at the A127 Front Lane junction, an at-grade crossing at the A127/Front Lane junction, and a grade separated crossing as proposed. Havering intended to submit this paper at Deadline 6.

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- c)Future Maintenance

The Council is seeking Commuted Sums for ongoing maintenance for assets that the Applicant is looking for Havering to adopt. Specifically, this relates to the diversion of footpath 252 which will be diverted over the Essex Thameside railway line and the new LTC Road. The Applicant is seeking Havering to pick up maintenance responsibilities for the section of the road that goes over the railway line.

LB Havering does not have the financial budgets to take on additional structures being delivered by a third party.

- d) Construction Impacts

The Council has set out in some detail in Table 3 of its LIR (REP1-249) the impact construction works will have on pedestrian access, particularly impacts on crossing points and potential mitigation measures. Havering welcomes that the Applicant has submitted comments on Table 3 and looks forward to discussing this further with the Applicant at a meeting to be arranged for the near future (Post meeting note, a meeting between LB Havering and the Applicant has been arranged for Thursday 9<sup>th</sup> November).

Yours faithfully,

Daniel Douglas

**Team Leader Transport Planning**

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