



Havering
LONDON BOROUGH

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Date 31st October 2023

www.havering.gov.uk

London Borough of Havering (20035775) - Correspondence between LB Havering and the Applicant concerning Upminster Cemetery and South Essex Crematorium.

Dear Sir,

At Issue Specific Hearing 8, LB Havering set out its concerns around the impact the closure of Ockendon Road for up to ten months would have on Upminster Cemetery and South Essex Crematorium. The Council has been having several discussions with the Applicant on this matter and I enclose the most recent correspondence between the Council and the Applicant, for your information.

Yours faithfully,

Daniel Douglas

Team Leader Transport Planning

The Havering you want to be part of



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27th September 2023

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Matt Palmer
Executive Lead Lower Thames Crossing
National Highways
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Dear Mr Palmer,

As you will be aware, the Leader and members of his Cabinet will be meeting with the appointed Contractor for the northern section of the Lower Thames Crossing project, Balfour Beatty, later today. I understand that the Senior Responsible Owner for the project, Shaun Pidcock, will also be in attendance, and we look forward to the discussion.

You will recall that I wrote to you last August setting out the Council's clear concerns about the proposed full road closure of Ockendon Road during the construction period, and what a 19-month closure could mean financially for the Council.

It is welcome that in the last few months, National Highways (NH) have confirmed that the full closure period will be capped at 10 months.

LB Havering has welcomed this reduction in its written submission to the Planning Inspectorate, but we have also reiterated that 10 months is still considered too long, and that we would like to work with the appointed Contractor, as well as NH, to find ways of reducing this closure period further.

The letter sent to you last August set out in some detail the potential implications for the full closure of Ockendon Road on the Upminster Cemetery and South Essex Crematorium (SEC) from a revenue perspective. The potential implications on Council revenue has now been updated to reflect the 2022 year and can be found on the following page.

Potential Financial Implications

Year	Number of burials – calendar year	Number of cremations – calendar year	Cemetery & Crematorium income generated in a financial year
2019	515 - Inc CR's	2,995	£4,823,045.65
2020	495 - Inc CR's	3,306	£5,322,477.00
2021	511 - Inc CR's	3,158	£5,011,698.41
2022	517 – Inc CR's	2,837	£4,833,745.00

Geographical - Cremations

Year	Cremation fee	Number of cremations – calendar year	Percentage of cremations from the east / north east of the borough	Potential loss of:
2019	£905.00	2,995	16% of 2,995 = 479 479 * 905	£433,495.00
2020	£955.00	3,306	17% of 3,306 = 562 562 * 995	£536,710.00
2021	£995.00	3,158	17% of 3,158 = 536 536 * 995	£533,320.00
2022	£995.00	2,837	15% of 2,837 = 425 425 * 995	£422,875.00
Average potential loss over the last four year period				£481,600.00

Geographical - Burials

Year	Fee	Number of burials (FBB) or cremated remains (CR's) – calendar year	Percentage of burials from the east / north east of the borough	Potential loss of:
2019 FBB	£2,132 + 1,360 = £3,492	343	16% of 343 = 55 55 * 3,492	£192,060.00
CR's	£258	172	16% of 172 = 27 27 * 258	£6,966.00
Total for year				£199,026.00

2020 FBB	£2140 + 1,380 = £3,520	350	16% of 350 = 56 56 * 3,520	£197,120.00
CR's	£260	145	16% of 145 = 23 23 * 260	£5,980.00
Total for year				£203,100.00
2021 FBB	£2,200 + 1,420 = £3,620	295	16% of 295 = 47 47 * 3,620	£170,140.00
CR's	£268	216	16% of 216 = 35 35 * 268	£9,380.00
Total for year				£179,520.00
2022 FBB	£2,200 + 1,420 = £3,620	313	16% of 313 = 50 50 * 3,620	£181,000.00
CR's	£268	204	16% of 204 = 32 32 * 268	£8,576.00
Total for year				£189,576.00
Average potential loss over the last four year period				£192,805.50

** - A very basic average worked out by combining a resident lawn grave fee and interment fee, calculating 16% of the burials from the north of the borough and multiplying. Resident, non- resident, lawn, traditional and after burial memorial fees are all unknowns.*

As can be seen, the average annual income for burials and cremations from east and north-east of the borough over the last four years has been over £670,000. For individual years, such as 2021 for example, it has been in excess of £700,000.

As I am sure you will appreciate, even with a road closure cap of ten months, this still has the potential of a significant loss of income for the Council should funeral directors advise grieving families to use other crematoria in the sub-region. This could have a “legacy” impact with families then deciding to use other cemeteries and crematoria in the future.

You may also be aware that in Havering’s Local Impact Report, the Council set out its concerns with the proposed diversion routes that will be in place for the duration of the Ockendon Road closure. Furthermore, the outline Traffic Management Plan for Construction indicates that some of these roads are also proposed to be used as construction vehicle routes to access site compounds.

The Council has set out in some detail its concerns and has put forward proposals for mitigation to increase resilience on some of these roads. This information can be found in paragraphs 7.2.26 and Tables 6 and 7 of the Local Impact Report submitted at Deadline 1. For ease, I have also set this information out in Appendix A to this letter.

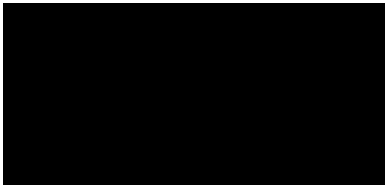
The Council would very much like to work with NH and its appointed Contractor, to ensure that appropriate mitigation is in place so that Havering’s road network remains resilient during the construction period, and once the scheme is operational. We very much hope our conversation with Balfour Beatty on Wednesday will be the start of an ongoing dialogue on these matters, which will continue beyond the DCO Examination.

I would also like to take the opportunity to reiterate that it is a legal requirement that a Medical Referee (MR) attends the SEC each day in person to scrutinise cremation paperwork. This must happen before a cremation takes place. If a MR gets caught in traffic and cannot get to the SEC in time, a cremation cannot go ahead. Such an incidence occurring would lead to a serious complaint, financial loss/compensation claim and reputational damage.

Havering remains firmly of the view that it is within its right to seek financial recompense from NH for the injurious effects of any loss of revenue for Upminster Cemetery and Crematorium during the construction period.

At the very least, every effort should be made to minimise the impact the closure of Ockendon Road will have on the local area, and this reducing the closure time period as much as practicable, and delivering appropriate mitigation.

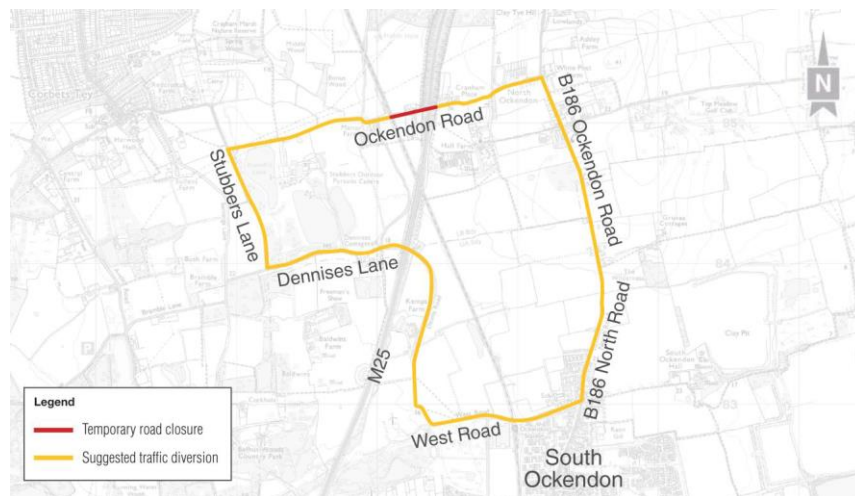
Yours Sincerely,



Daniel Douglas
Team Leader Transport Planning

Appendix A –Havering Local Impact Report (REP1-249)

Figure 12 – Proposed Ockendon Diversion Route



Source: National Highways

The issues identified above will require further information and provision of more detailed proposals for construction traffic management. This will need to include:

- More detailed information on vehicle types and frequency of access required.
- More detailed layouts for the access points onto the network to ensure that vehicles can use them without impeding the progress of other vehicles.
- Whether compound accesses and turning areas can be formed within the red line boundary. The oTMPfC does not provide information on the design of the compound accesses and, consequently, feasibility of the exact access provision cannot be assessed.
- Feasibility of junctions on rural roads to facilitate the movement of large, slow-turning vehicles and facilitating these safely.
- Feasibility of using narrow rural roads for diverted vehicles or construction vehicles which depends on the number and type of vehicles.
- Consideration needs to be given to the temporary provision for bus stops and pedestrian access to these.
- The traffic management plan and diversion routes focus more on construction vehicles and non-construction diverted vehicles due to traffic management plans. Planning for, and assessment of, the impact of construction worker traffic has not been considered fully.

Tables 6 and 7 below set out in detail the issues with the proposed construction and diversion routes.

Short term construction route

Route: Warley Street, B187 St Mary's Lane, B186 Clay Tye Road, Ockendon Road and B186 North Road

Road crossings: Ockendon Road to east and west of M25 overbridge.

Table 6 - Concerns Identified

TW SHEET	REF.	LOCATION	ISSUE DESCRIPTION
44/45	ST1	B186 Warley Street to north of Shoeburyness railway bridge	The Warley Street compound is not within LB Havering boundary but the utilities works access to the south is within the boundary.
		Warley Street Compound Access	Vertical alignment over railway bridge hampers visibility from the Warley Street compound and also from the utilities access.
	ST2	Utilities Offline Access to south of railway bridge	<p>Speed limit reduces from NSL to 40mph at the LB Havering boundary (at the utilities access) however it is likely speeds will be higher.</p> <p>Accident clusters on the railway bridge itself and also at the junction of B186 Warley Street and the industrial estate.</p> <p><i>Visibility requirement for access points should be for 100kmph design speed in DMRB CD109 ~ 215 metres. Does not look achievable. Reduced visibility at the posted speed limits may cause accidents with slow moving vehicles at the access points. Vegetation clearance required to achieve adequate turning space and visibility splays.</i></p> <p><i>Which vehicles require access for the utilities access? The access seems to accommodate a 3.5t panel van however any larger will swing out into opposing lanes. Culverted access – ensure structural integrity of culvert if frequent use.</i></p> <p><i>Other notes: Bus stops need to be accommodated, hazard of O/H utilities in verges.</i></p>

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TW SHEET	REF.	LOCATION	ISSUE DESCRIPTION
44	ST03	B186 Warley Street / B187 St Marys Lane junction	<p>Speed limit is 40mph, however speeds likely to be higher due to amenable alignment. Increase in numbers of larger vehicles, moving slower, as a result of construction.</p> <p>Southbound forward visibility appears to be around 100 metres, with northbound visibility slightly more. This does not meet DMRB CD109 requirements however given location, MfS could be applied.</p> <p>Indications of safety concerns with alignment given the physically protected right turn.</p> <p><i>Temporary speed limit reduction may be appropriate to reduce traffic speeds.</i></p>
44	ST04	B187 St Marys Lane / B186 Clay Tye Road	<p>No existing traffic flow data at present to determine dominant movements. HGV movement restricted to west due to LEZ and weight restriction of 3.5t.</p> <p>Rigid HGVs can make the turn at the mini-roundabout, however articulated vehicles will straddle all lanes.</p> <p>Visibility from Clay Tye Road reduced to the east which will not aid movement of larger vehicles.</p> <p><i>Can we improve this junction at all? Traffic control?</i></p>

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44	ST05	B187 M25 overbridge – long term haul road crossings to east and west of overbridge	<p>M25 overbridge may reduce visibility – requires 120m at 40mph to DMRB CD109. Vegetation clearance will be required. There has been one serious incident in the vicinity of the easternmost crossing point, in the location of the existing farm access.</p> <p><i>Road crossing arrangement will calm traffic speeds and needs to be clearly signed.</i></p> <p><i>Other notes: hazard of O/H utilities in verges.</i></p> <p>The overbridge clearance height is 4.1m on the warning signage. <i>Is clearance height to M25 overbridge sufficient for movement of any construction traffic?</i></p>
43	ST06	B186 Clay Tye Road – Utilities access at Clay Tye Farm	<p>Mainline is 5.5m wide and speed limit is 40mph. Actual speeds likely to be higher due to straight alignment and lack of junctions. This gate has clearly been used as an access as it has a lockable gate. Access is not shown on OS base.</p> <p><i>How often will this gate be used as all vehicles will swing out into the opposing lane? What vehicles will be used?</i></p>
43	ST07	B186 Clay Tye Road junction with Ockendon Road	<p>Signed from Ockendon Road as 40mph however there is a 30mph gateway to the north of the junction. Visibility from the junction and forward onto the junction appears to meet DMRB CD109 requirements for 40mph at around 200m. Speeds from the south should be reduced by the presence of the new chicane.</p> <p>Turning movements already undertaken by buses and should be fine for articulated vehicles.</p> <p><i>Minimise construction movements to the south since B186 to the south is reduced in width to between 5.0 and 5.5m, plus the route passes through South Ockendon hence the chicane.</i></p>

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43	ST08	<p>Construction crossings of Ockendon Road, to east and west of M25 overbridge</p> <p>Temporary closure of this section to all traffic (Ockendon Road diversion considered in Table 2)</p>	<p>Speed limit 40mph, residential properties but not a sense of place. <i>Requirements of DMRB CD109 at 40mph should be applied to the design of crossing points.</i></p> <p>TW drawings indicate that the eastern crossing point is within the M25 overbridge structure footprint. <i>The access point needs to be confirmed. Visibility splays in all directions will need to consider overbridge parapets.</i></p> <p><i>Bus stops to the east of the overbridge will need to be relocated outside the traffic management for the crossing. Temporary bus stops will be required, a new crossing provided between the two bus stops and potentially new footway to access the bus stops.</i></p> <p><i>More detail required on the PROW diversion to the south and how this will link to the bus stops that are relocated.</i></p> <p><i>Turning vehicles out of the crossing points may cause concern swinging out into traffic since overbridge structure restricts movement. This <u>may</u> only be a hazard outside of the period when the temporary closure is in place since after this, only 'crossing' of Ockendon Road is required.</i></p>
42	ST09	B186 Clay Tye Road, junction with Fen Lane	<p>Fen Lane is narrow and not appropriate for numbers of larger vehicles. Access for utilities to be taken from the Medebridge compound further south (see table 5). Vehicles larger than a rigid HGV will struggle to make the turn into Fen Lane safely.</p> <p><i>Ensure that utilities construction access is not taken down Fen Lane.</i></p>
42	ST10	B186 North Road between Fen Lane and M25 Compound Access	<p>30mph in South Ockendon rising to 40mph at a gateway 235 metres south of Fen Lane. Traffic speeds likely to be higher given straight alignment. Mainline is 6.0m wide which is ok for two larger vehicles to pass but not at high speed. Serious accident at Helipad Road junction (no details).</p> <p><i>Minimise construction traffic movements along this section.</i></p>

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42/43	ST11	<p>General Note</p> <p>B186 Clay Tye Road between B187 and M25 Access Compound</p>	<p>Clay Tye Road varies in width between 5.0m (immediately south of junction with Ockendon Road) to 6.2m (north of junction with Ockendon Road). In general, the width appears to be approximately 5.5m.</p> <p>This would not be considered sufficient to allow easy passing of 2 larger vehicles, however it is recognised that this route is already a bus route and carries commercial (HGV) traffic.</p> <p>It would be preferable to minimise the diverted and construction traffic using Clay Tye Lane south of the Ockendon Lane junction.</p> <p>Forecast traffic flows show that due to the Ockendon Road closure, traffic flows on this section will be reduced during the construction periods and will rise again once removed. This is a benefit to this route, which bisects through villages.</p>
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Ockendon Road diversion online route

Route: Ockendon Road, Stubbers Lane, Dennises Lane, West Road, B186 North Road, avoiding closure of Ockendon Road. Shown on Plate 4.13 of the OTMP.

Closure: Ockendon Road c. 150m in length, phases 4 to 7 of construction phase plan and detailed on page 55 of the OTMP.

Notes: Much of the B186 North Road / Ockendon Road is used by buses anyway and so should be ok for larger vehicles and buses to use.

Table 7 - Concerns identified

TW SHEET	REF.	LOCATION	ISSUE DESCRIPTION
43	ORD01	Ockendon Road junction / with Stubbers Lane	<p>Diversion of traffic including all non-construction HGV, buses (service 370) and farm vehicles.</p> <p>40mph speed limit on all approaches, ghost island for right turners into Stubbers Lane.</p> <p>Two serious incidents here in last 5 years.</p> <p>Forward visibility around bend on Ockendon Road is around 50m or less. Forward visibility onto Stubbers Lane from the east is also not to standard. <i>DMRB CD109 visibility requirements apply here.</i></p> <p>Regards turning, larger vehicles cannot use the right turn pocket effectively so will be waiting in the middle of the road.</p> <p><i>Junction arrangement needs to be reviewed for duration of the works. Could priorities be changed? Traffic island will need to be removed to facilitate all movements by larger vehicles.</i></p> <p>Stubbers Lane is approximately 5.0m in width although it narrows immediately north of the junction with Dennises Lane due to a tree within the verge.</p> <p>5.0m would not be considered sufficient to allow passing of 2 larger vehicles on a frequent basis and would lead to deterioration of highway edges and verges.</p> <p>Forecast traffic flows are shown to increase traffic on Pike Lane and Pea Lane rather than Stubbers Lane i.e., not reflective of the diversion in place. The appropriateness of Pike Lane and Pea Lane are discussed in more detail in Table 8 below.</p>

TW SHEET	REF.	LOCATION	ISSUE DESCRIPTION
			<i>Stubbers Lane is in general more consistent in width along its length and therefore should this be promoted as a more appropriate link for diverted and construction traffic? Do passing places need to be considered on Stubbers Lane if this is the case?</i>
43	ORD02	Ockendon Road Closure	<p>The closure on TW drawing 43 looks to be 350m rather than the 150m suggested.</p> <p>If a vehicle does not heed the road closure signs and approaches the closure on Ockendon Road, is there a turning area available?</p> <p>From the west on Ockendon Road, the last turning area within the highway is at the junction with Pike Lane. The turning movement will take up the carriageway for both rigid and articulated HGV however at this time vehicular movements on Ockendon Road should be very low.</p> <p><i>There is a need to identify turning locations to either side of the diversion to ensure large vehicles do not use Pike Lane nor Church Lane to avoid the closure.</i></p> <p><i>Are bus services that would operate along Ockendon Road (service 370) intending to use the diversion and also continue to service those properties to the west and east of the length of the closure? How will this be facilitated if so.</i></p>
42	ORD03	Stubbers Lane junction / with Dennises Lane	<p>Both have centreline markings indicating that they are at least 5.0m in width. However, this is not acceptable width for two large vehicles passing.</p> <p>Stubbers Lane at this end, is the start of the LEZ. 40 mph on both roads.</p> <p>Forward visibility onto junction from Dennises Lane in each direction should meet DMRB standard.</p> <p>Visibility from Stubbers Lane is very much reduced by vegetation but not easily measured from OS Base. The southbound approach to the junction is also very narrow. Two large vehicles on Stubbers lane will struggle to pass each other particularly at the pinch point.</p>

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TW SHEET	REF.	LOCATION	ISSUE DESCRIPTION
			<p>Large vehicles should be able to pull into Stubbers Lane and wait for a large vehicle to pass the pinch point but need to ensure that the vehicles are visible when stationary for drivers on Dennises Lane.</p> <p>Already evidence of overrun of verges when turning indicating that larger vehicles may struggle to perform the manoeuvre within the highway boundary. A standard bus can achieve this movement without other vehicles in the junction.</p> <p><i>Do passing places need to be considered on Stubbers Lane?</i></p> <p><i>Careful planning of signage of diversion route and potential for larger vehicles to be using Stubbers Lane. Stationary vehicles warning?</i></p>
42	ORD04	Dennises Lane between Stubbers Lane junction and M25 overbridge.	<p>Dennises Lane varies in width between 4.3m and 5.0m along this length to the east of Stubbers Lane. It widens out to more than 5.5m to the east of the junction with Pea Lane.</p> <p>This would not be considered sufficient to allow passing of 2 larger vehicles on, and would lead to deterioration of highway edges and verges.</p> <p>Forecast traffic flows show that during the diversion, an increase of over 300 2-way PCU trips are recorded in the AM peak at the M25 overbridge. This is around 3 vehicles a minute in each direction.</p> <p><i>Do passing places need to be considered on Dennises Lane? If Stubbers Lane is used rather than Pea Lane, then passing places may be needed between Stubbers Lane and Pea Lane junctions.</i></p> <p>Red line boundaries indicated to the north of Dennises Lane and to either side of the M25. Are there any access requirements for these areas?</p> <p><i>Is clearance height to M25 overbridge sufficient for movement of any construction traffic?</i></p>

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42/43	ORD05	General Note	<p>The above issues ORD01 to ORD04 indicate concerns with the diversion route.</p> <p>The diversion will be in place for a number of months. It is not clear what the diversion route would be in the occurrence of a closure of Stubbers Lane, Dennises Lane and B186 North Road / Clay Tye Road, since it has been shown that Pea Lane, Pike Lane and Fen Lane are not considered appropriate as diversion routes.</p>
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Our ref: CAS-02550-Z9M7G9

12 October 2023

Dear Daniel,

Impact of Lower Thames Crossing (LTC) on Upminster Cemetery and South Essex Crematorium

I am writing in response to your letter to our Executive Director, Matt Palmer, dated 27 September 2023, regarding the London Borough of Havering's ongoing concerns about the impact of the closure of Ockendon Road on its operations at Upminster Cemetery and Crematorium during the Lower Thames Crossing project's construction period. The letter was sent on the same day as the introductory meeting between us, our contractor (Balfour Beatty), and the Council. From the outset, I would like to thank the Council for its productive engagement at this meeting. We look forward to opportunities to repeat this following conclusion of the DCO examination.

I acknowledge the updated data provided by the Council about the potential revenue implications of a closure and the reasoning employed. I note the Council's consistent position that it is within its rights to seek financial compensation from National Highways for injurious effects of any loss of revenue from Upminster Cemetery and Crematorium during the construction period.

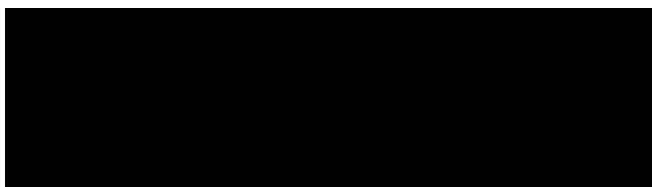
National Highways' position remains as set out in our letter of 3 February 2023, and in our response to the Council's recent Local Impact Report. Section 10 of the Compulsory Purchase Act 1965 provides persons with an interest in land, but where no land is acquired, to a right to compensation for injurious affection to the claimant's interest caused by the execution of the works. Were the Council to put forward a claim in due course (should it feel that it has the necessary evidence to support it) National Highways would consider any claims on their individual merits, once received, in line with the National Compensation Code. The operation of the Code is a specialist area of

law and as promoter of the project, National Highways cannot give advice regarding claims.

Our responses have been clear that we wish to work with the Council and our Contractor, Balfour Beatty, during and after the DCO examination to explore opportunities to reduce the level of impact in an open and constructive way. I am very pleased that we were able to introduce senior Balfour Beatty representatives to the Council on 27 September 2023 to hear your thoughts first hand. I appreciate the time taken by you and councillors to attend. I am confident that this was a positive development in our relationship that will extend throughout construction. As my colleagues explained during the meeting, the examination must take place against a reasonable worst-case scenario. A 10-month cap on the Ockendon Road closure duration best meets this definition. Balfour Beatty will carry out detailed planning of the works and traffic management aiming to minimise disruption, in consultation with the Council, in accordance with the objectives laid out in the project's Outline Traffic Management Plan for Construction (oTMPfC), after DCO consent is granted. The engagement carried out to date has provided a useful head-start for this work.

I note the Council's detailed concerns about resilience of its roads forming part of proposed diversion and construction access routes. During the remainder of the DCO examination period, our Negotiations and Construction teams will work constructively with the Council to explore these concerns. This will lay a firm foundation for dialogue, which you rightly observe will continue after the examination.

Yours sincerely,



Sarah Collins
Head of Land, Property and Compensation
Lower Thames Crossing