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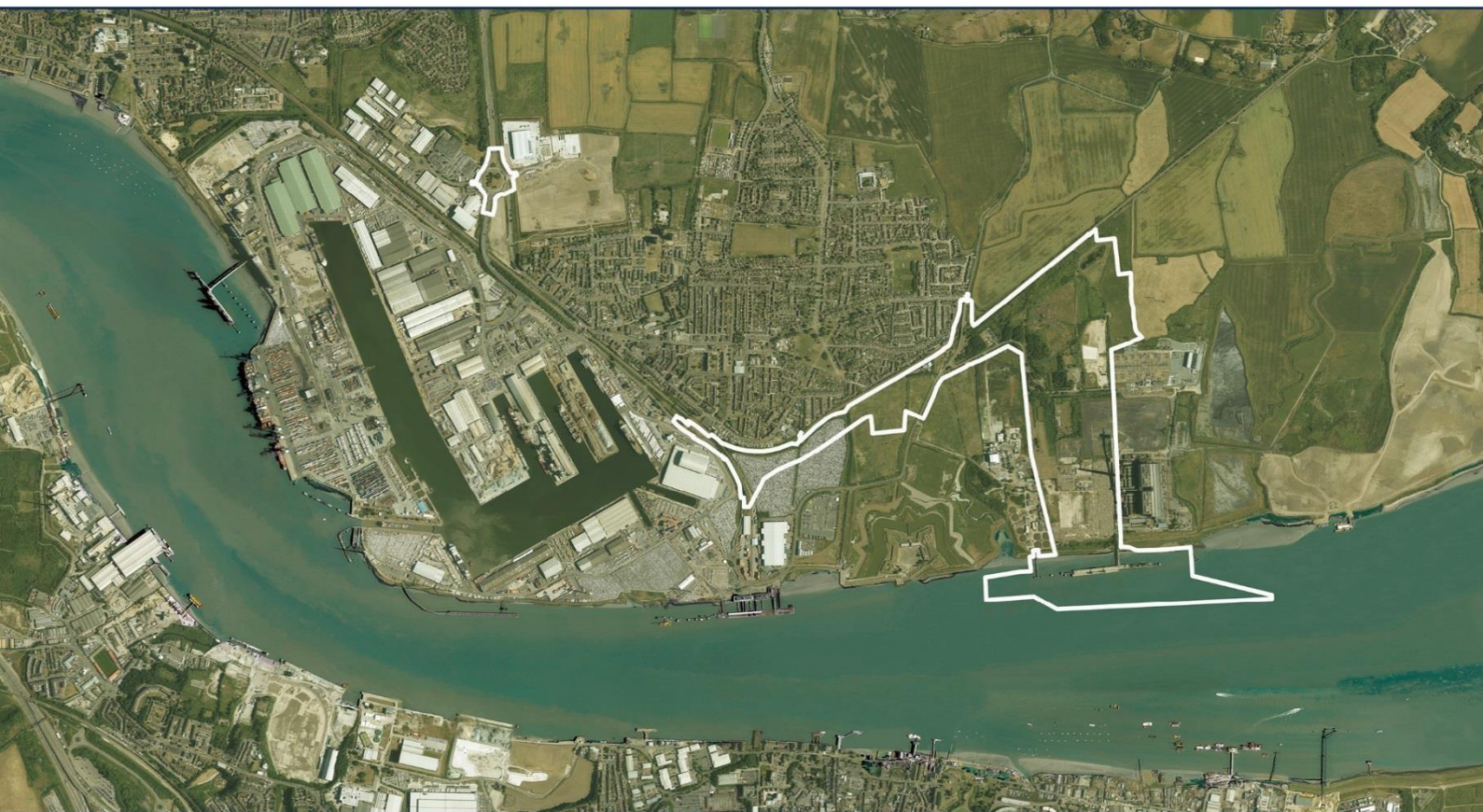
PROPOSED PORT TERMINAL AT FORMER TILBURY POWER STATION

TILBURY2

TR030003

ASDA ROUNDABOUT DCO POWERS AND
POTENTIAL SCOPE OF WORKS

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PORT OF TILBURY

PLANNING ACT 2008

**PROPOSED PORT TERMINAL AT FORMER TILBURY POWER STATION
'TILBURY2'**

ASDA ROUNDABOUT: DCO POWERS AND POTENTIAL SCOPE OF WORKS

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1.0 INTRODUCTION

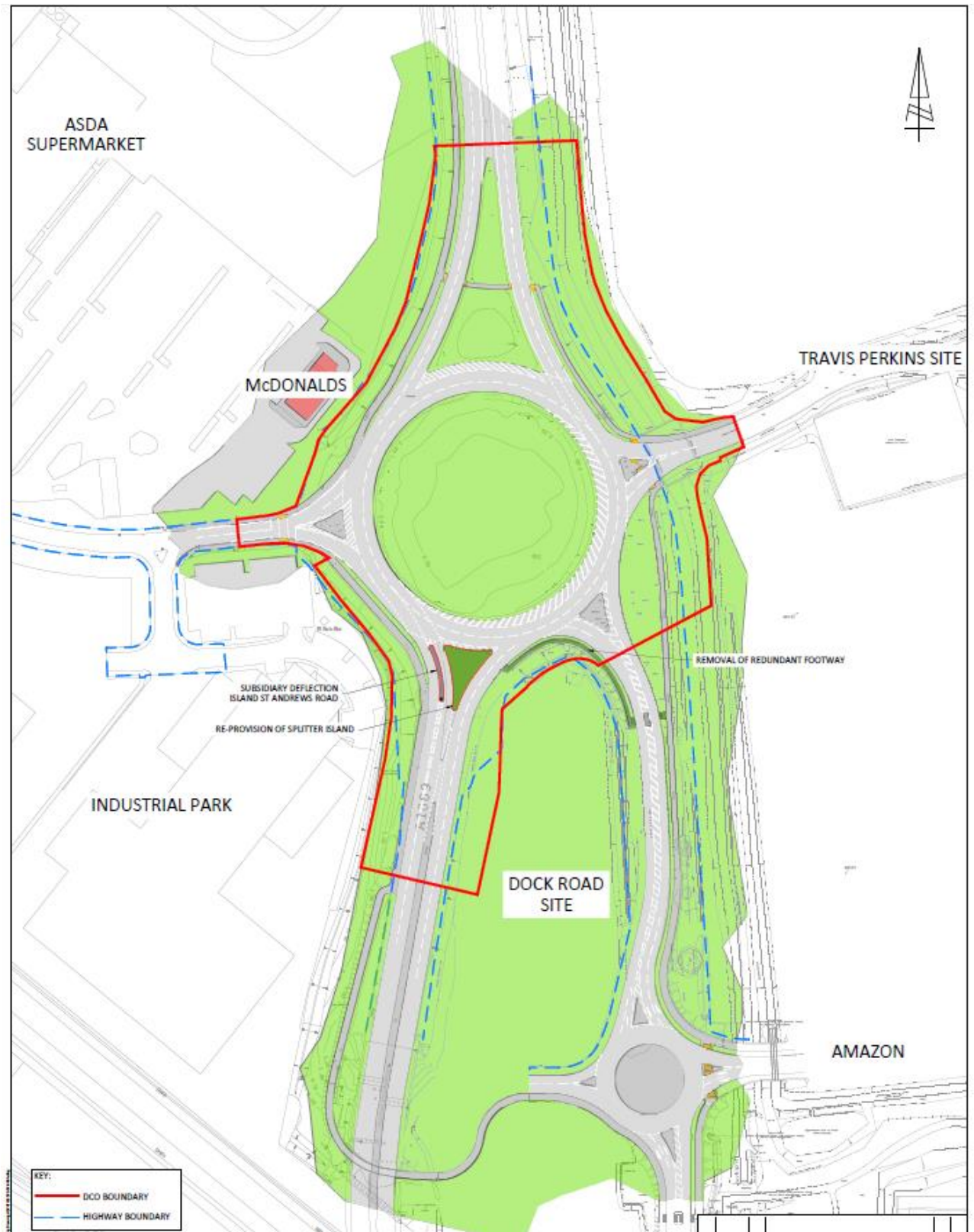
- 1.1 In its written and oral representations to date, Highways England has indicated that it does not yet agree with the proposals for mitigation works at the Asda Roundabout (see, for example, the Statement of Common Ground submitted at Deadline 3 (PoTLL/T2/EX/93)).
- 1.2 In setting out this position, Highways England has indicated that additional works may be required to those currently proposed at the roundabout, and has raised concerns that such additional works would not be within the scope of the DCO.
- 1.3 This note has been prepared to demonstrate that whilst the DCO and its associated plans have been prepared on the basis of the application proposals and would cover the most likely modifications to the proposed works at the Asda Roundabout, they are drawn sufficiently widely that any other additional works would be likely to fall within the scope of the powers of the DCO.

2.0 PROPOSED ASDA ROUNDABOUT WORKS AND POTENTIAL ALTERNATIVES

- 2.1 The proposed ASDA Roundabout works which form part of the DCO application are set out at Sheet 5 of the General Arrangement Drawings.
- 2.2 In summary the mitigation comprises:
- subsidiary Deflection Island on St Andrews Road;
 - re-provision of splitter island; and
 - removal of footway.
- 2.3 The measures proposed will mitigate the impact of additional traffic created by Tilbury2 as follows:
- reduce traffic speeds on St Andrews Road – the entry path radius will be reduced, requiring vehicles to slow;
 - increase traffic capacity on St Andrews Road – the separate approach lanes will have improved geometrics which benefit capacity;
 - improve safety on St Andrews Road – the removal of pedestrian/vehicle conflict, with the alternative segregated route now available beneath St Andrews Road, will enhance safety;
 - improve lane utilisation - separate approach lanes will enable both lanes to be better utilised with reduced interaction at the entry to the roundabout; and
 - improve capacity and safety on Thurrock Park Way – the reduced speed of vehicles from St Andrews Road will increase the gaps between vehicles on the circulatory carriageway past Thurrock Park Way, increasing the opportunity for vehicles to enter the roundabout. Similarly, it will improve drivers' ability to safely 'judge' those gaps and thus reduce the likelihood of shunt type accidents at the entry (caused by the hesitation of the lead driver).
- 2.4 This is the scheme that has been taken forward to application as Work No. 11 in Schedule 1 to the DCO. The red line boundary at the Roundabout has been drawn sufficiently widely to allow for working space, and any detailed tweaks to the scheme at detailed design stage. Temporary possession powers have also been applied for, to give PoTLL the ability to take possession of the land to carry out the works.
- 2.5 Without such temporary possession powers, PoTLL would have to seek permission from multiple land interests in order to commence and finalise the works, which under Requirement 7 of the DCO need to be completed

before the CMAT and RoRo terminals can open. These powers ensure that these mitigation measures can be brought forward in a timely fashion.

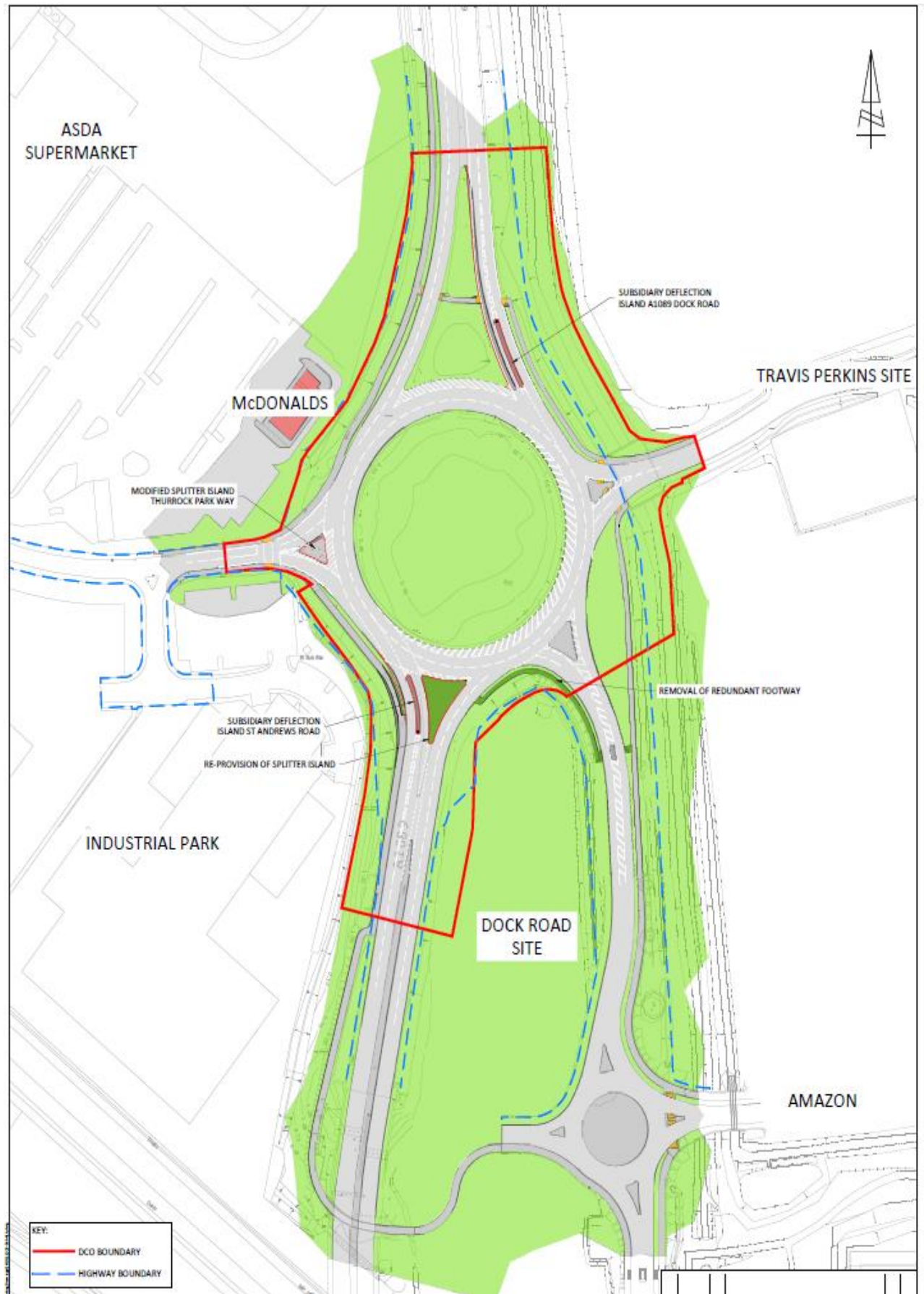
2.6 The proposed works are set out in illustrative form below:



- 2.7 Whilst the mitigation measures proposed are considered to be appropriate, PoTLL has prepared illustrations of some potential alternative mitigation schemes in response to comments received by Thurrock Council and Highways England.
- 2.8 Whilst illustrative and only examples, they are presented here to show that the most likely alternative works would all fall within the Order limits, with the exception of speed limits, the consequences of which are explained below.
- 2.9 The comments received on the mitigation measures proposed above (and as contained in the TA) and the impact on the ASDA roundabout can be grouped into three categories: capacity improvements; DMRB design compliance; and pedestrian and cycle safety.
- 2.10 The three sections below describe and illustrate example schemes to respond to these comments.

Capacity Improvements

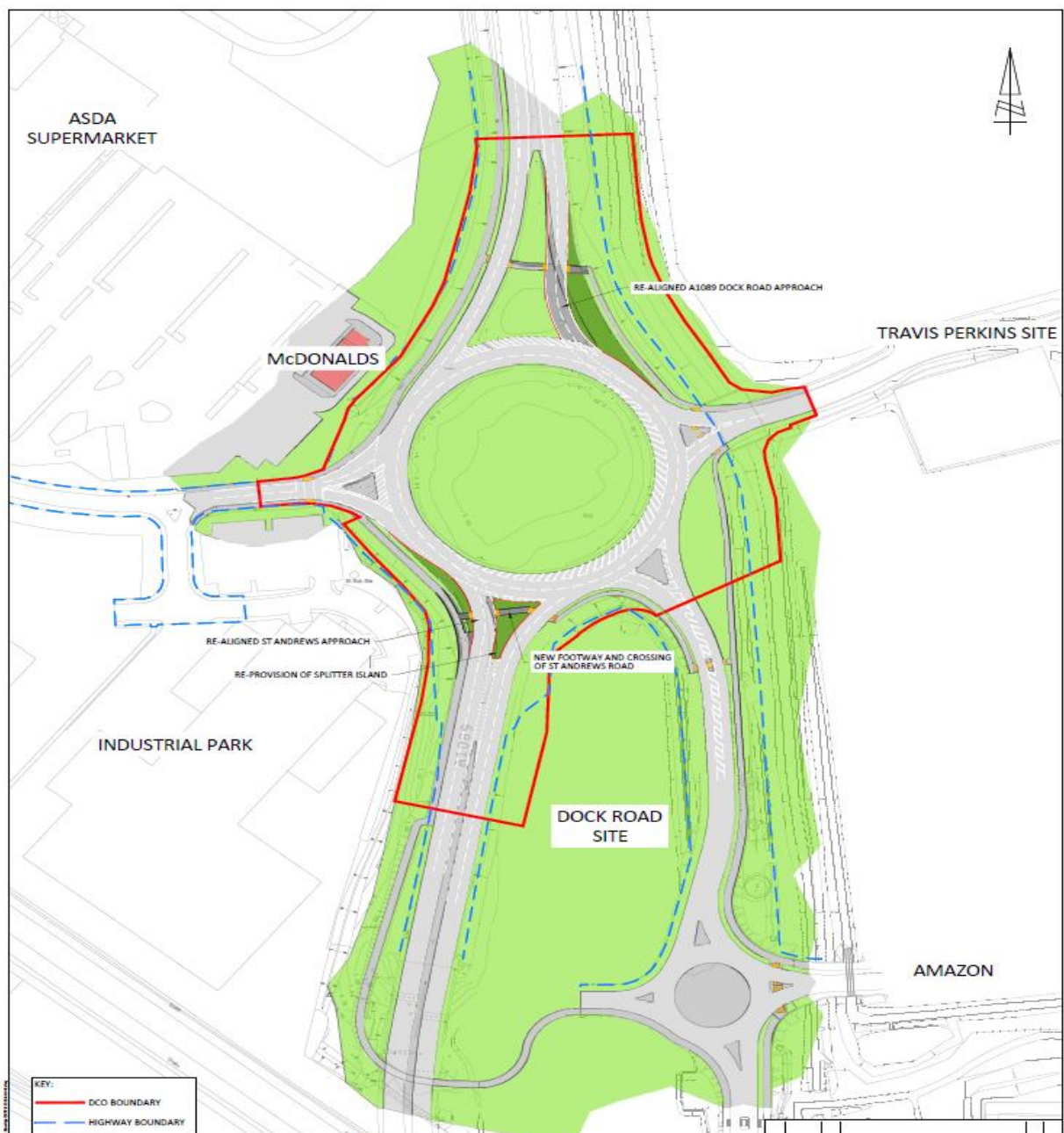
- 2.11 The improvement illustrated overleaf provides extra capacity on A1089 St Andrews Road, A1089 Dock Road and Thurrock Parkway thus reducing the level of queuing and delay on these approaches. In summary the modifications comprise:
- subsidiary deflection island on St Andrews Road;
 - subsidiary deflection island on A1089 Dock Road;
 - modified splitter island Thurrock Park Way;
 - re-provision of splitter island; and
 - removal of footway.



DMRB design compliance

2.12 The improvement illustrated below comprises modifications to the A1089 St Andrews Road approach and the A1089 Dock Road approach to modernise the layout to achieve DMRB compliance (it should be noted that all of the schemes are DMRB compliant). Essentially, the scheme comprises changes to the approaches to ensure vehicles negotiate the roundabout at a safe speed. In summary the modifications comprise:

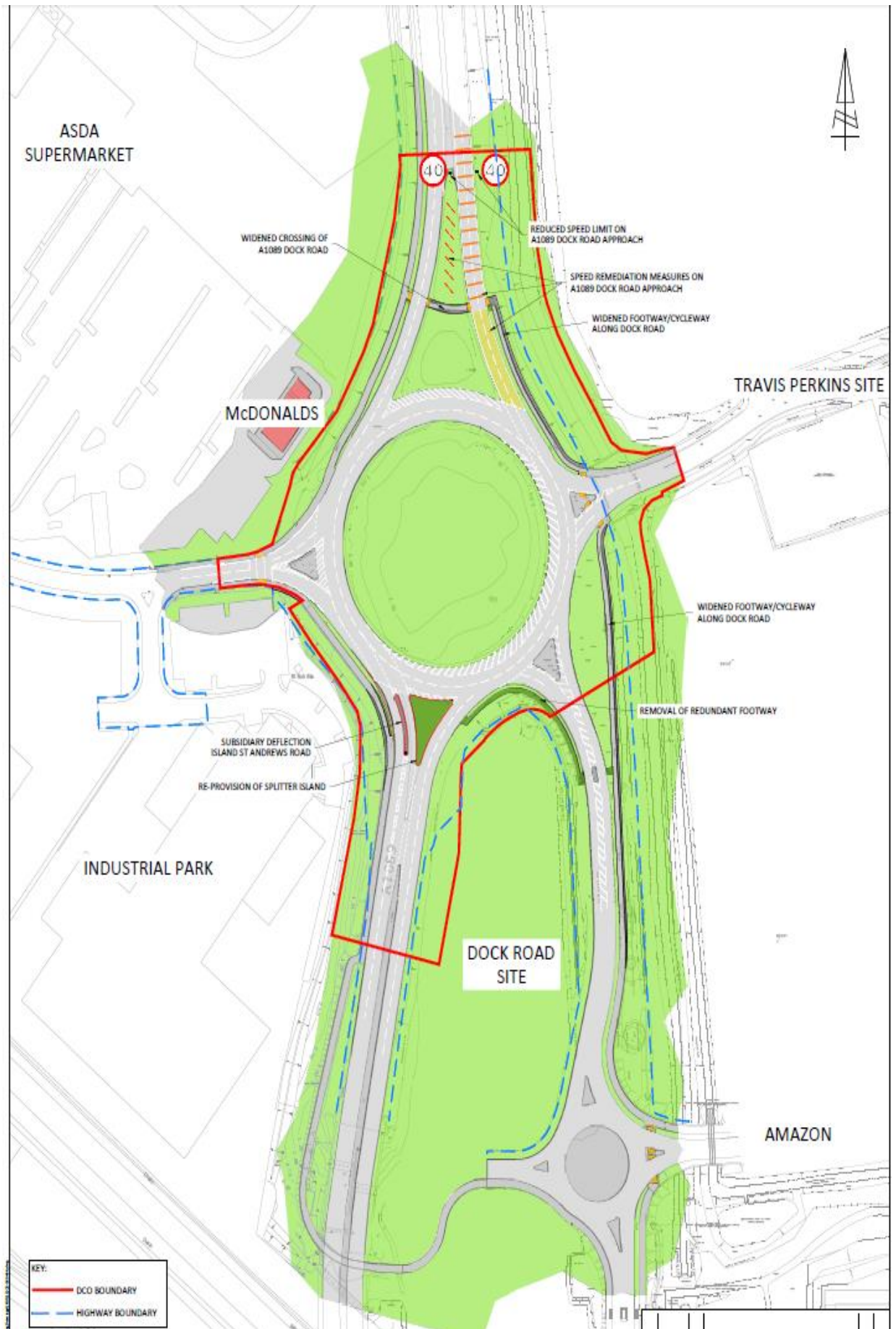
- re-aligned St Andrews Road approach;
- re-aligned A1089 Dock Road approach;
- re-provision of splitter island; and
- new footway and crossing of St Andrews Road.



Pedestrian and Cycle Safety

2.13 This improvement illustrated overleaf provides modifications to pedestrian and cycle facilities around the roundabout. It would provide safer crossings and widened footways and cycleways providing complete connections to a modern and consistent standard around and across all arms of the junction. In summary, the modifications comprise:

- subsidiary Deflection Island St Andrews Road;
- re-provision of splitter island;
- removal of footway;
- widened footway cycleway along Dock Road;
- widened crossing of A1089 Dock Road;
- reduced speed limit on A1089 Dock Road Approach; and
- speed remediation measures on A1089 Dock Road Approach.



3.0 DCO POWERS FOR HIGHWAY WORKS OUTSIDE THE ORDER LIMITS

3.1 Whilst the above illustrations have shown that it is more than likely that the mitigation works on the SRN will be able to take place within the Order limits, and the draft DCO's powers for highway works within the Order limits are broad and capable of applying to any of these schemes, it may be the case that at detailed design some elements of mitigation (or the management of it) will fall outside the Order limits – as seen from the above, examples of this could include the removal of footway, or the imposition of speed limits.

3.2 Such street works and the provision of traffic regulation measures outside the Order limits would be authorised through the draft Tilbury2 DCO as follows:

- Article 8: Provides that PoTLL may, for the purposes of the authorised development, enter on so much of any street and break up or open the street, with the consent of the street authority. This would cover all of the types of work suggested in the illustrations above if such similar activities had to take place outside the Order limits.
- Article 13: Provides that PoTLL may temporarily stop up, alter or divert any street for the purposes of carrying out the authorised development, with the consent of the street authority. This would allow for a wider scope of working space further along the arms of the Asda roundabout if required, for example.
- Article 15: Provides that PoTLL may enter into agreements with street authorities as to the construction, strengthening, maintenance, stopping up, alteration or diversion of any street whether or not they form part of the authorised development.
- Article 51(3): Provides that PoTLL may impose or suspend traffic regulation measures on any road, so far as is necessary or expedient in relation to the construction, maintenance and operation of the authorised development. This would enable a wider imposition of speed limits than currently proposed, if required.
- Paragraph 85 of the protective provisions for the benefit of highway authorities: Provides that the highway authorities may require PoTLL to occupy any part of a highway in order to construct and maintain traffic regulation measures to protect the safety of road users. This would, for example, allow for the provision of safety cones and lane closures outside of the Order limits.
- The above provisions should be seen in the context of the definition of 'the authorised development' in the DCO, being the works listed in Schedule 1 and 'any other development' within the meaning of the

Planning Act 2008 authorised by this Order' – this would therefore include works under article 8.

- 3.3 In relation to street works, it can be seen that such powers are subject to the consent of the street authority. As such, in allowing PoTLL to carry out the works, the authority would also permit PoTLL to possess the relevant highway land to carry the works out. This negates the need for any separate power of temporary possession.
- 3.4 In any event, it would not be reasonable or appropriate (given the relevant policy tests) for such a power to be applied for on such a wide basis, as it would be a 'just in case' power, given that the starting point remains that the application proposals are sufficient to mitigate the impact of Tilbury2 on the SRN.
- 3.5 The DCO powers described above are very well precedented, and reflect the fact that a detailed design had not yet been developed. As such, these powers relating to highway works are needed to take account of the minor modifications that detailed design may bring.
- 3.6 In this context, it should also be noted that no significant environmental effects were reported in the Environmental Statement (APP-031) for the proposed minor works at Asda Roundabout. Given the limited scope of the alternative schemes possible, and their similarity to the proposed works at Asda Roundabout, i.e. minor works within the highway boundary, such alternative works would fall within the parameters of the Environmental Statement.

4.0 CONCLUSION

- 4.1 This note has sought to demonstrate that any alternative proposals to the application proposals for works at the Asda roundabout would be likely to fall within the scope of the powers of the DCO, whether or not within the Order limits.
- 4.2 If they are not within the Order limits, they would nevertheless fall within the highway boundary and thus within the ambit of a variety of powers in the DCO, as described in this note. This would also apply to any works not shown on the illustrations in this note.
- 4.3 Temporary or permanent traffic regulation measures could be imposed by PoTLL on any street where necessary or expedient, but Highways England could also require PoTLL to put in place such measures pursuant to their protective provisions.
- 4.4 As such, even if agreement on the outline design of the necessary mitigation measures is not able to be reached during the Examination, the Examining Authority can be confident that the mitigation measures for the Asda Roundabout agreed in due course by Highways England's under its protective provisions will be able to be delivered pursuant to the DCO.