



Official

Ref: 2530-TDWAY-TTTUN-990-ZZ-CO-700183

Secretary of State for Environment Food and Rural Affairs
Seacole Building
2 Marsham Street
London
SW1P 4DF

Secretary of State for Housing Communities and Local Government
2 Marsham Street
London
SW1P 4DF

17th January 2020

Dear Secretaries of State,

The Thames Water Utilities Limited (Thames Tideway Tunnel) Order (SI:2014/2384)¹

Application dated 14th August 2019 for a non-material change to realign the main tunnel in the vicinity of the King Edward Memorial Park Foreshore (KEMPF) worksite and to provide consent for the construction of a connection tunnel between the KEMPF CSO drop shaft and the main tunnel

Further to our application for a non-material change to The Thames Water Utilities (Thames Tideway Tunnel) Order (SI:2014/2384) (as amended) (DCO), and our letter dated 8th October 2019 requesting that the determination of the application be briefly postponed, Thames Water Utilities Limited (Thames Water) and the Port of London Authority (the PLA) completed an agreement for the lease and permanent acquisition of the additional subsoil land required to implement the proposed amendment on Friday 10th January 2020. Thames Water have now secured the additional land required to deliver the amendment proposed by agreement. A letter confirming this is provided in Appendix 1.

As a result of this agreement, the compulsory purchase powers which were being sought as part of the proposed amendment are no longer required. We therefore request that the draft DCO

¹ As amended by the Thames Water Utilities Limited (Thames Tideway Tunnel) (Correction) Order 2015 (SI:2015/723), the Thames Water Utilities Limited (Thames Tideway Tunnel) (Amendment) Order 2017 (SI:2017/659), the Thames Water Utilities Limited (Thames Tideway Tunnel) (Amendment) Order 2018 (SI:2018/1262) and the Notice of Variation No.1 (17 March 2015) and Notice of Variation No. 2 (17 August 2017) in respect of the deemed Marine Licence.

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Amendment Order and Land Plan submitted for approval with our original non-material amendment application are replaced with the revised documents enclosed with this letter, and that determination of the application for the KEMPF site is based on the revised materials.

The draft DCO Amendment Order enclosed removes the amendments proposed in our original non-material amendment application to Schedule 13 (Land of which only subsoil more than 9 metres beneath the surface may be acquired) and Schedule 14 (Land of which temporary possession may be taken). The amended Land Plan shows the revised limits of deviation (LOD) for the main tunnel which are shown on the amended Works Plans and Section drawings and is submitted for approval for consistency with those drawings. We also enclose a revised addendum to the book of reference for information. This document demonstrates that the PLA is the only person with an interest in the additional area of subsoil land to be included within Order limits, and that the subsoil land is subject to agreement between the PLA and Thames Water for temporary and permanent acquisition dated 10th January 2020. Appendix 2 shows which of the application documents submitted with our original application have been revised. Appendix 3 is provided to show the plans which are now submitted for approval and which plans are submitted for information.

Consultation on the proposed amendment application closed on 20th September 2019. A total of five representations were received in response to the proposed amendments. None of these representations raised any objections. The PLA confirmed that they had previously indicated that they had no objection in principle to the amendments and made no comments on the application. Historic England were content with the arguments set out for the proposed amendment and did not consider that the proposed change to the main tunnel alignment presents specific issues in respect of the potential for wider impacts on the historic environment than previously considered. The Greater London Authority had no objection to the amendment proposed. The London Borough of Tower Hamlets are supportive of the amendments proposed as the proposals would avoid further delay to the project. The Environment Agency confirmed their view that the amendment should be approved.

Given the limited and positive content of the consultation feedback, and on the basis that the amendment now proposed in the revised documents submitted with this letter will reduce the scope of the non-material amendment previously consulted on, it is our view that no further consultation on the amendments proposed is needed.

For the reasons set out above, we request that the draft DCO Amendment Order and Land Plan submitted for approval with our original non-material amendment application are replaced with the revised documents enclosed with this letter, and that determination of the application for the KEMPF site is based on these revised materials.

Yours sincerely,



Liz Wood-Griffiths
Head of Consents Authority

Appendix 1
Letter from TWUL dated 16th January 2020



Andy Mitchell,
Chief Executive Officer
Tideway
Cottons Centre
Cottons Lane
London
SE1 2QG

Thursday 16 January 2020

Dear Andy,

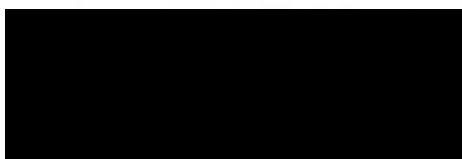
The Thames Water Utilities (Thames Tideway Tunnel) Order 2014

Thames Water Utilities Limited (Thames Water) has the benefit of The Thames Water Utilities Limited (Thames Tideway Tunnel) Order (SI:2014/2384) (as amended) ("the DCO") together with Bazalgette Tunnel Limited (trading as Tideway).

On 16 August 2019, Tideway submitted an application for a non-material amendment to the DCO in relation to minor changes in the vicinity of the King Edward Memorial Park Foreshore (KEMPF) worksite (the NMA Application). The NMA Application seeks to realign the main tunnel (east) to the south of the shaft at KEMPF and provide consent for the construction of a short connection tunnel between the shaft and the main tunnel.

The proposed amendment seeks consent to increase the area of Order Land associated with the realigned main tunnel at subsoil level only. The additional subsoil land is the ownership of the Port of London Authority (the PLA). Thames Water have been in discussions with the PLA for the subsoil transfer in line with an existing agreement with the PLA.

On Friday 10 January 2020, the amendment to that property agreement with the PLA, was concluded. We can confirm that Thames Water now have the necessary rights over the subsoil land to enable the amendment to the main tunnel alignment at KEMPF to be implemented.



John Sullivan
Head of Tideway Integration Group

Appendix 2
Schedule of Application Documents. Amended documents shown in red

Document	Description
Application Statement (2530-TDWAY-TTTUN-990-ZZ-RG-704426)	This document demonstrates and confirms that the proposed amendments are not material and will not result in any new, or materially different, significant environmental effects.
Draft DCO Amendment Order	This document sets out the proposed changes to the DCO. Revised Draft Amendment Order submitted with tracked changes.
Existing Works Plan and Section main tunnel sheet 49	Works Plan and Section Main Tunnel Sheet 49 DCO-WP-000-ZZZZZ-010050
Existing Works Plan and Section main tunnel sheet 50	Works Plan and Section Main Tunnel Sheet 50 DCO-WP-000-ZZZZZ-010051
Existing Land Plan main tunnel sheet 49	Land Plan Main Tunnel Sheet 49 DCO-LP-000-ZZZZZ-030040-Rev 2
Updated Plans See Appendix 3 for details.	Revised Works Plan and Section Main Tunnel Sheet 49 DCO-WP-000-ZZZZZ-010050 – Rev 1 Revised Works Plan and Section Main Tunnel Sheet 50 DCO-WP-000-ZZZZZ-010051 -Rev 1 Revised Land Plan Main Tunnel Sheet 49 DCO-LP-000-ZZZZZ-030040-Rev 3 Replaced with: Revised Land Plan Main Tunnel Sheet 49 DCO-LP-000-ZZZZZ-030040-Rev 4 Updated Site Location Plan DCO-PP-24X-KEMPF-250001-Rev 1
Book of Reference Addendum No. 1	Update to the Book of Reference revised to show Thames Water interest in additional plots within Order limits.
Consultation and Publicity Statement (2530-TDWAY-TTTUN-990-ZZ-RG-704424)	Statement setting out details of the steps that have been taken by the applicant to comply with the requirements of Regulations 6 and 7 of the 2011 Regulations, including a copy of the notice prepared in accordance with Regulation 6.

Appendix 3
Schedule of Updated Plans

Plan Number (DCO)	Plan Title	Plan Number (substituted)
DCO-WP-000-ZZZZZ-010050	Works Plan and Section Main Tunnel Sheet 49	DCO-WP-000-ZZZZZ-010050-Rev1 For Approval
DCO-WP-000-ZZZZZ-010051	Works Plan and Section Main Tunnel Sheet 50	DCO-WP-000-ZZZZZ-010051-Rev1 For Approval
DCO-LP-000-ZZZZZ-030040-Rev2	Land Plan Main Tunnel Sheet 49	DCO-LP-000-ZZZZZ-030040-Rev4 For Approval
	Site Location Plan	DCO-PP-24X-KEMPF-250001-Rev 1 For Information