



VICTORIA EMBANKMENT FORESHORE CONSULTATION AND PUBLICITY STATEMENT

**To support a proposed non-material amendment
application to the Thames Water Utilities (Thames
Tideway Tunnel) Order (as amended)**

Handling instructions for the protective marking shown are provided in the Protective Markings Standard (document reference: 2362-TDWAY-TTTUN-990-ZM-PS-700002).

TIDEWAY

VICTORIA EMBANKMENT FORESHORE CONSULTATION AND PUBLICITY STATEMENT

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TIDEWAY

VICTORIA EMBANKMENT FORESHORE CONSULTATION AND PUBLICITY STATEMENT

List of contents

| | | |
|----------|--|----------|
| 1 | Introduction | 3 |
| 2 | Publicising the Application | 4 |
| 3 | Consultation Undertaken | 4 |

Appendix A - Copy of the regulation 6 (2) Form of Notice

Appendix B - Land Plan and Consultation Boundary

Appendix C - List of prescribed parties notified under s56 of the Planning Act

Appendix D - Statement of Reasons prepared by the Department of Food and Rural Affairs and the Ministry of Housing, Communities and Local Government (on behalf of the Secretaries of State) to limit the extent of consultation

Appendix E - Copy of regulation 6 (2) template letter and notice

1 Introduction

- 1.1 Bazalgette Tunnel Limited (trading as ‘Tideway’) has the benefit of The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014 (SI:2014/2384) (as amended)¹ (“the DCO”) by virtue of a transfer of powers by Thames Water Utilities Limited dated 24 August 2015 made pursuant to Article 9 of the DCO.
- 1.2 The DCO (as amended) granted consent for a ‘*wastewater storage and transfer tunnel*’ (a “nationally significant infrastructure project” as defined in sections 14 and 29(1A) of the Planning Act 2008) between operational Thames Water sites at Acton Storm Tanks and Abbey Mills Pumping Station. The project comprises of one main tunnel which will capture and store combined sewage from combined sewer overflows (“CSOs”) along its route and transfer the sewage to Abbey Mills Pumping Station. From there the Lee Tunnel will transport the sewage for treatment at Beckton Sewage Treatment Works. Twelve connection tunnels will link flows from CSO drop shafts to the main tunnel.
- 1.3 Bazalgette Tunnel Limited is making an application for a non-material amendment to the DCO under section 153 and paragraph 2(4) of Schedule 6 of the Planning Act (as amended). The application is seeking to:
- amend the description of the work in Work No 16c (xi) and 16c (xii) of Schedule 1 Part 1 (Authorised Development);
 - amend the following plans:
 - the Demolition and site clearance (sheet 2 of 2) - DCO-PP-16X-VCTEF-180007 Rev2
 - the Site Works Parameter plan - DCO-PP-16X-VCTEF-180008 Rev4
 - the Proposed Site Features Plan - DCO-PP-16X-VCTEF-180011 Rev1
 - the Proposed Landscape Plan (sheet 1 of 2) - DCO-PP-16X-VCTEF-180012 Rev2
 - the Proposed Landscape Plan (sheet 2 of 2) - DCO-PP-16X-VCTEF-180013 Rev1
 - the Proposed mooring access details - DCO-PP-16X-VCTEF-180027 Rev1
 - the As existing and proposed river elevation impact on listed structure (sheet 1 of 2) - DCO-PP-16X-VCTEF-180047 Rev1
 - revise the references to these plans in Part 4 of Schedule 2 of the 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), the Thames Water Utilities Limited (Thames Tideway Tunnel) (Amendment) Order 2020 (SI:2018/268), the Thames Water Utilities Limited (Thames Tideway Tunnel) (Amendment) Order 2020 (SI:2018/862), 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.

References

- revise the references to these plans in Requirements VCTEF 3, VCTEF 4, VCTEF 7, VCTEF 10 and VCTEF 15 in the Table at paragraph 16 of Schedule 3 (Requirements);
- revise the Requirement title of VCTEF 3 and VCTEF 11 to remove references to temporary and permanent;
- amend the Description of alteration in column 3 of Schedule 5 (Streets Subject to Alteration of Layout) for the VCTEF site.

- 1.4 This Consultation and Publicity Statement is submitted under regulation 7A of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) (“the 2011 Regulations”) in support of the application to amend the DCO and provides:
- a. a copy of the notice prepared in accordance with regulation 6 of the 2011 Regulations; and
 - b. details of compliance with the requirement of regulations 6 and 7 of the 2011 Regulations.

2 Publicising the Application

- 2.1 Bazalgette Tunnel Limited confirms compliance with the requirements of regulation 6 of the 2011 Regulations as follows:
- a. the notice of the application, including the matters prescribed under regulation 6(2) of the 2011 Regulations is to be published in the Evening Standard for two consecutive weeks (being 1st September 2022 and 8th September 2022 editions).
 - b. The notice of the application will confirm (among other things) that:
 - i. A copy of the application documents will be deposited free of charge at Charing Cross Library, 4-6 Charing Cross Rd, London WC2H 0HF during library opening hours Monday to Sunday until Sunday 9th October 2022.
 - ii. the application documents will be available for inspection via the Planning Inspectorate website.
- 2.2 A copy of the form of notice is provided at Appendix A of this Statement.

3 Consultation Undertaken

- 3.1 In accordance with regulation 7(3) of the 2011 Regulations, Bazalgette Tunnel Limited obtained the consent of the Secretaries of State to limit the extent of consultation required under regulation 7(2) of the 2011 Regulations to the following persons:
1. Thames Water Utilities Limited who also have the benefit of the DCO
 2. Greater London Authority
 3. City of Westminster

References

-
4. London Borough of Lambeth
 5. The Health and Safety Executive
 6. Natural England
 7. Historic Buildings and Monuments Commission for England (Historic England)
 8. London Fire Brigade (relevant fire and rescue authority)
 9. Mayor's Office for Policing and Crime - Metropolitan Police Service (relevant police authority)
 10. Environment Agency
 11. The relevant highway authority
 12. Transport for London
 13. The Water Services Regulation Authority
 14. Relevant Statutory Undertakers with an interest in plots 13a to 28 at Victoria Embankment Foreshore identified in the Book of Reference submitted with the original application for the Development Consent Order (plus any additional Statutory Undertakers who have introduced new apparatus within these plots). The plots are shown on drawing DCO-LP-000-ZZZZZ-030025-Rev4.
 15. The Crown Estate Commissioners
 16. Marine Management Organisation
 17. Port of London Authority
 18. Those persons with an interest in plots 13a to 28 at Victoria Embankment Foreshore identified in the Book of Reference submitted with the original application for the Development Consent (the appropriate land referencing having been updated accordingly). The plots are shown on drawing DCO-LP-000-ZZZZZ-030025-Rev4.
 19. The RAF Memorial Trust
- 3.2 The Land plan showing the consultation boundary for the site is provided in Appendix B
 - 3.3 A list of the prescribed parties that have been notified in accordance with regulation 7 of the 2011 Regulations and section 56(2)(a), (b) and (c) of the Planning Act is included in Appendix C of this Statement.
 - 3.4 A copy of the Statement of Reasons prepared by the Department for the Environment, Food and Rural Affairs and the Department for Levelling Up, Housing, and Communities (on behalf of the Secretaries of State) is provided at Appendix D of this Statement.
 - 3.5 Bazalgette Tunnel Limited confirms compliance with the requirements of regulation 7 of the 2011 Regulations on the basis that a copy of the notice of the application prepared in accordance with the requirements in regulation 6(2) of the 2011 Regulations was sent to every party identified above on the day of the application. A copy of the consultation notice will also be posted at the worksite.

References

- 3.6 A copy of the template letter and notice is provided at Appendix E of this Statement.

Appendix A Appendices

Appendix A - Copy of the regulation 6 (2) Form of Notice

Appendix B - Land Plan and Consultation Boundary

Appendix C - List of prescribed parties notified under s56 of the Planning Act

Appendix D - Statement of Reasons prepared by the Department of Food and Rural Affairs and the Ministry of Housing, Communities and Local Government (on behalf of the Secretaries of State) to limit the extent of consultation

Appendix E - Copy of regulation 6 (2) template letter and notice

Appendix A - Copy of the regulation 6 (2) Form of Notice

SECTION 153 AND SCHEDULE 6 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011 (AS AMENDED)

The Thames Water Utilities Limited (Thames Tideway Tunnel) Order (SI:2014/2384) (as amended by The Thames Water Utilities Limited (Thames Tideway Tunnel) (Correction) Order (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), the Thames Water Utilities Limited (Thames Tideway Tunnel) (Amendment) Order 2020 (SI:2020/268), the Thames Water Utilities Limited (Thames Tideway Tunnel) (Amendment) Order 2020 (SI:2020/862) and Notice of Variation No. 1 (17 March 2015) and Notice of Variation No. 2 (17 August 2017) in respect of the Deemed Marine Licence

An application has been made by Bazalgette Tunnel Limited to the Secretary of State for Environment, Food and Rural Affairs and the Secretary of State for Levelling Up, Housing and Communities to make a non-material change to the above mentioned Development Consent Order (“DCO”). The contact details of the applicant are: Bazalgette Tunnel Limited of Cottons Centre, Cottons Lane, London SE1 2QG. Bazalgette Tunnel Limited may also be contacted by telephone: 0800 030 8080, or email: info@tideway.london

The amendment proposed seeks approval for:

- the Tattershall Castle to remain moored in its current location at the junction of Victoria Embankment and Horse Guards Avenue; and
- the permanent removal of the service mooring which was previously located to the east of the junction of Horse Guards Avenue and Victoria Embankment.

The application documents and plans showing the nature and location of the land concerned are available for inspection on the Planning Inspectorate website at:

<https://infrastructure.planninginspectorate.gov.uk/projects/london/thames-tideway-tunnel/>

The application documents may also be inspected, free of charge, until Sunday 9th October 2022 at Charing Cross Library, 4-6 Charing Cross Rd, London WC2H 0HF. Opening hours are Monday 9.30am-8pm, Tuesday 9.30am-7pm, Wednesday 10.00am-7pm, Thursday and Friday 9.30am-7pm, Saturday 10.30am-2pm, Sunday 11.00am-5pm.

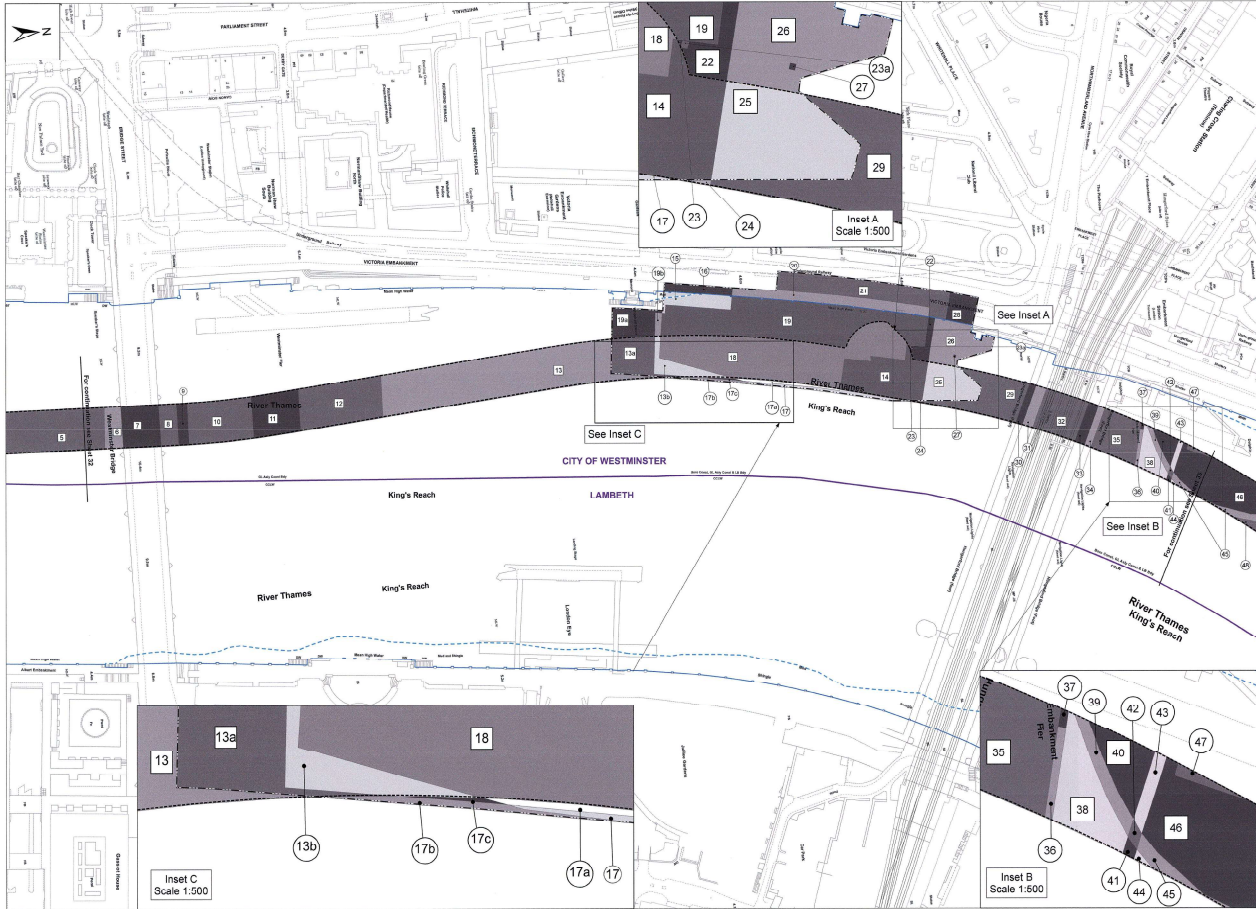
Requests for copies by post of any of the documents may be made to info@tideway.london. A copying charge of £50 may be requested. Electronic copies will be provided free of charge.

For more information on the proposed non-material change application please contact Liz Wood-Griffiths via the telephone number and email address set out above.

Responses concerning the proposed non-material change should be sent to the Planning Inspectorate by email to thamestunnel@planninginspectorate.gov.uk, or in writing to: National Infrastructure Planning, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN by Sunday 9th October 2022. Please quote “Thames Tideway Tunnel project - Non-Material Change WW010001” on any correspondence. If you have difficulty in submitting a representation by email, please contact thamestunnel@planninginspectorate.gov.uk or 0303 444 5000 and a member of the Planning Inspectorate’s case team will be able to assist.

Please note that any representations received by the Planning Inspectorate in response to the consultation will be handled in compliance with the United Kingdom’s General Data Protection Regulation and published on the relevant page of the Planning Inspectorate’s Infrastructure Planning Portal (<https://infrastructure.planninginspectorate.gov.uk/projects/london/thames-tideway-tunnel/>) with all personal information removed.

Appendix B - Land Plan and Consultation Boundary



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Key:

- Limits of deviation (LoD)
- Limits of land to be acquired or used (LLAU)
- Local authority boundary
- Mean Low Water
- Mean High Water

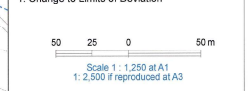
Land in relation to which it is proposed to extinguish, suspend or interfere with any easements, servitudes and other private rights: City of Westminster

Number on Plan: 16, 20, 21 and 28

We, Lindsay Speed and Sarah Fairbrother, are authorised by the Secretaries of State for Communities and Local Government and Environment, Food and Rural Affairs, to certify that this plan is a true copy of a plan entered in accordance with section 2 of the Thames Tideway Tunnel Act 2017.

0.3, September 2014

- Notes:
- Rev 1: 1. Symbology of local authority boundary has changed
 - Rev 2: 1. Change to LLAU and permanent and temporary acquisition or use land areas at Victoria Embankment Foreshore
 - Rev 3: 1. Addition of Mean Low Water and Mean High Water to key and change in symbology of Mean Low Water
 - Rev4: 1. Change to Limits of Deviation



Location: Project wide London

Document Information: Application for Development Consent

Land plan: Main tunnel sheet 33
 Book of plans - section 3
 DCO-LP-000-ZZZZ-030025 - Rev 4
 January 2014



| City of Westminster | | | |
|--|---|--|--|
| Unrestricted powers to acquire or use land | Powers limited to acquisition of subsoil only | Powers limited to temporary use of land or acquisition of rights | Powers limited to acquisition of subsoil or temporary use of land or acquisition of rights |
| Number on Plan | Number on Plan | Number on Plan | Number on Plan |
| 13b, 17a, 17b, 18, 19, 19a and 20 | 5-13, 24, 28-47 and 48 | 15-17, 17b, 19a, 21, 22, 23a, 25, 27 and 28 | 13a, 14, 23 and 25 |

Appendix C - List of prescribed parties notified under s56 of the Planning Act

Table 1 – Persons notified under S56

Victoria Embankment Foreshore

| Consultee body | Classification under the s56 of the Planning Act 2008 | Include in NMA Consultation | Comment |
|--|---|-----------------------------|-------------------------------|
| Thames Water Utilities Limited | Beneficiaries of the 2014 DCO | Yes | Beneficiaries of the 2014 DCO |
| Greater London Authority (Mayor of London) | S56 (2)(c) | Yes | |
| City of London | s56(2)(b) | No | No identified interest |
| London Borough of Ealing | s56(2)(b) | No | No identified interest |
| London Borough of Hammersmith and Fulham | s56(2)(b) | No | No identified interest |
| London Borough of Hounslow | s56(2)(b) | No | No identified interest |
| Royal Borough of Kensington and Chelsea | s56(2)(b) | No | No identified interest |
| London Borough of Lambeth | s56(2)(b) | Yes | |
| London Borough of Lewisham | s56(2)(b) | No | No identified interest |
| Royal Borough of Richmond upon Thames | s56(2)(b) | No | No identified interest |
| London Borough of Southwark | s56(2)(b) | No | No identified interest |
| London Borough of Tower Hamlets | s56(2)(b) | No | No identified interest |
| City of Westminster | s56(2)(b) | Yes | |
| London Borough Wandsworth | s56(2)(b) | No | No identified interest |
| London Borough of Bexley | s56(2)(b) | No | No identified interest |

Table 1 – Persons notified under S56

Victoria Embankment Foreshore

| Consultee body | Classification under the s56 of the Planning Act 2008 | Include in NMA Consultation | Comment |
|---|---|-----------------------------|--|
| London Borough of Bromley | s56(2)(b) | No | No identified interest |
| London Borough of Camden | s56(2)(b) | No | No identified interest |
| London Borough of Croydon | s56(2)(b) | No | No identified interest |
| London Borough of Hillingdon | s56(2)(b) | No | No identified interest |
| London Borough of Merton | s56(2)(b) | No | No identified interest |
| Spelthorne Borough Council | s56(2)(b) | No | No identified interest |
| The Health and Safety Executive | s56(2)(a) such persons as may be prescribed | Yes | |
| The National Health Service Commissioning Board and the relevant clinical commissioning group | s56(2)(a) such persons as may be prescribed | No | No identified interest Amended by Article 6 of The Infrastructure Planning (Prescribed Consultees and Interested Parties etc.) (Amendment) Regulations 2013 |
| Natural England | s56(2)(a) such persons as may be prescribed | Yes | |
| The Historic Buildings and Monuments Commission for England | s56(2)(a) such persons as may be prescribed | Yes | Historic England |
| The relevant fire and rescue authority (London Fire Brigade) | s56(2)(a) such persons as may be prescribed | Yes | London Fire Brigade |
| The relevant police authority (Mayor's Office for Policing and Crime - Metropolitan Police Service) | s56(2)(a) such persons as may be prescribed | Yes | Metropolitan Police Service |

Table 1 – Persons notified under S56

Victoria Embankment Foreshore

| Consultee body | Classification under the s56 of the Planning Act 2008 | Include in NMA Consultation | Comment |
|---|---|-----------------------------|--|
| The Environment Agency | s56(2)(a) such persons as may be prescribed | Yes | |
| Relevant AONB Conservation Boards | s56(2)(a) such persons as may be prescribed | No | No identified interest The works do not affect an AONB |
| The Homes and Communities Agency | s56(2)(a) such persons as may be prescribed | No | No identified interest Amended by Article 6 of The Infrastructure Planning (Prescribed Consultees and Interested Parties etc.) (Amendment) Regulations 2013 |
| The Joint Nature Conservation Committee | s56(2)(a) such persons as may be prescribed | No | No identified interest |
| The Commission for Rural Communities | s56(2)(a) such persons as may be prescribed | No | Abolished in 2013 |
| The Maritime and Coastguard Agency | s56(2)(a) such persons as may be prescribed | No | No identified interest Amendment will not affect the maritime or coastal environment, or the shipping industry |
| The Civil Aviation Authority | s56(2)(a) such persons as may be prescribed | No | No identified interest Amendment will not affect an airport |
| The Highways Agency | s56(2)(a) such persons as may be prescribed | No | No identified interest Amendment will not affect roads for which the Secretary of State for Transport is the highway authority |
| Integrated Transport Authorities (ITAs) and Passenger Transport Executives (PTEs) | s56(2)(a) such persons as may be prescribed | No | No identified interest |

Table 1 – Persons notified under S56

Victoria Embankment Foreshore

| Consultee body | Classification under the s56 of the Planning Act 2008 | Include in NMA Consultation | Comment |
|--|---|-----------------------------|--|
| | | | Amendment will not affect relevant ITA or PTE transport area |
| The relevant highway authority | s56(2)(a) such persons as may be prescribed | Yes | |
| Transport for London | s56(2)(a) such persons as may be prescribed | Yes | |
| The Water Services Regulation Authority | s56(2)(a) such persons as may be prescribed | Yes | |
| The Coal Authority | s56(2)(a) such persons as may be prescribed | No | No identified interest Site is not within an area of past, present or future coal mining |
| The relevant internal drainage board | s56(2)(a) such persons as may be prescribed | No | No identified interest. Proposal will not increase the risk of flooding |
| Canal and Rivers Trust | s56(2)(a) such persons as may be prescribed | No | No identified interest |
| Trinity House | s56(2)(a) such persons as may be prescribed | No | No identified interest Proposal will not affect navigation in tidal waters |
| Public Health England, an executive agency of the Department of Health | s56(2)(a) such persons as may be prescribed | No | No identified interest Proposal does not involve chemicals, poisons or radiation which could cause harm to people |

Table 1 – Persons notified under S56

Victoria Embankment Foreshore

| Consultee body | Classification under the s56 of the Planning Act 2008 | Include in NMA Consultation | Comment |
|------------------------------------|---|-----------------------------|--|
| | | | Amended by Article 6 of The Infrastructure Planning (Prescribed Consultees and Interested Parties etc.) (Amendment) Regulations 2013 |
| Relevant statutory undertakers | s56(2)(a) such persons as may be prescribed | Yes | To be consulted and notified in respect of relevant land Interests |
| The Crown Estate Commissioners | s56(2)(a) such persons as may be prescribed | Yes | |
| The Forestry Commission | s56(2)(a) such persons as may be prescribed | No | No identified interest |
| The Secretary of State for Defence | s56(2)(a) such persons as may be prescribed | No | No identified interest |
| Marine Management Organisation | s56(2)(aa) | Yes | Party to legal agreement arising from 2014 DCO |
| Port of London Authority | Party to legal agreement arising from 2014 DCO | Yes | Party to legal agreement arising from 2014 DCO |

Appendix D - Statement of Reasons prepared by the Department of Food and Rural Affairs and the Ministry of Housing, Communities and Local Government (on behalf of the Secretaries of State) to limit the extent of consultation



Department for Levelling Up,
Housing & Communities



Department
for Environment
Food & Rural Affairs

Liz Wood-Griffiths
Head of Consents Authority
Bazalgette Tunnel Limited
(by email)

29 July 2022

Dear Ms Wood-Griffiths,

Schedule 6 Planning Act 2008 (as amended)

**Proposed non-material change to the Thames Water Utilities Limited
(Thames Tideway Tunnel) Order (SI 2014/2384)¹ (the “DCO”)**

**Application for consent not to consult specified persons and authorities
pursuant to Regulation 7(3) of the Infrastructure Planning (Changes to, and
Revocation of, Development Consent Orders) Regulations 2011 (as
amended) (the “2011 Regulations”).**

Thank you for your email of 29 June 2022 with eighteen attachments, including the request document of the same date, on behalf of Bazalgette Tunnel Limited (“the Applicant”). It is noted that the attached documents consist of:

- i) The request document (your ref: 2530-TDWAY-TTTUN-990-ZZ-CO-700201),
- ii) Table 1 showing persons notified under S56 for VCTEF,
- iii) Land plan showing the extent of the proposed consultation boundary - DCO-LP-000-ZZZZZ-030025-Rev4,
- iv) Consultation Table - Persons notified under S56 (‘Table 1’),
- v) Existing ‘Demolition and site clearance’ (sheet 2 of 2) - DCO-PP-16X-VCTEF-180007 Rev2,
- vi) Proposed revised ‘Demolition and site clearance’ (sheet 2 of 2) - DCO-PP-16X-VCTEF-180007,
- vii) Existing ‘Site Works Parameter plan’ - DCO-PP-16X-VCTEF-180008 Rev4,

¹As 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), the Thames Water Utilities Limited (Thames Tideway Tunnel) (Amendment) Order 2020 (SI:2020/268), the Thames Water Utilities Limited (Thames Tideway Tunnel) (Amendment) Order 2020 (SI:2020/862), 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.

- viii) Proposed revised 'Site Works Parameter plan' - DCO-PP-16X-VCTEF-180008,
- ix) Existing 'Proposed Site Features Plan' - DCO-PP-16X-VCTEF-180011 Rev1,
- x) Proposed revised 'Proposed Site Features Plan' - DCO-PP-16X-VCTEF-180011,
- xi) Existing 'Proposed Landscape Plan' (sheet 1 of 2) - DCO-PP-16X-VCTEF-180012 Rev2,
- xii) Proposed revised 'Proposed Landscape Plan' (sheet 1 of 2) - DCO-PP-16X-VCTEF-180012,
- xiii) Existing 'Proposed Landscape Plan' (sheet 2 of 2) - DCO-PP-16X-VCTEF-180013 Rev1,
- xiv) Proposed revised 'Proposed Landscape Plan' (sheet 2 of 2) - DCO-PP-16X-VCTEF-180013,
- xv) Existing 'Proposed mooring access details' - DCO-PP-16X-VCTEF-180027 Rev1,
- xvi) Proposed revised 'Proposed mooring access details' - DCO-PP-16X-VCTEF-180027,
- xvii) Existing 'As existing and proposed river elevation impact on listed structure' (sheet 1 of 2) – DCO-PP-16X-VCTEF-180047 Rev1,
- xviii) Proposed revised 'As existing and proposed river elevation impact on listed structure' (sheet 1 of 2) – DCO-PP-16X-VCTEF-180047,
- xix) Report of the Townscape Visual and Historic Environment Assessment.

The Applicant has requested that the Secretary of State give consent under regulation 7(3) of the 2011 Regulations, such that the Applicant only needs to consult those persons or bodies listed at points 1 to 19 on pages 9-10 of the request document. This is on the basis that the proposed changes do not give rise to any new or materially different likely significant environmental effects at the Victoria Embankment Foreshore.

Table 1 sets out a list of those persons who were notified of the acceptance of the original application for the DCO under section 56 of the Planning Act 2008. It is noted that this was based upon the list of prescribed consultees in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (SI 2009/2232). The list in Table 1 identifies the parties whom the applicant proposes to consult and the parties whom the applicant proposes not to consult, with those parties proposed not to be consulted highlighted in grey along with the reasoning for not consulting them. This is reflected in the list of proposed consultees at points 1 to 19 on pages 9-10 of the request document.

Both the Secretary of State for Environment, Food & Rural Affairs and the Secretary of State for Levelling Up, Housing & Communities, who are the decision-makers for any requests and applications relating to the DCO (together,

the Secretaries of State), have considered the revised request under regulation 7(3) in light of the requirements of regulation 7(2) of the 2011 Regulations.

Regulation 7(2)(b) requires consultation with each person that was notified of the acceptance of the original application for the DCO under section 56 of the Planning Act 2008. The Secretaries of State have considered Table 1 and are satisfied that it sets out all persons who should have been so notified. They are also satisfied that, for the reasons identified, those persons listed in greyscale are not directly affected by the changes being proposed, and that the persons not listed in greyscale are those who should be consulted.

Given the localised nature of the proposed application the Secretaries of State agree that it is not necessary to consult all the persons notified of acceptance of the application for the DCO. The Secretaries of State are satisfied that the Applicant is proposing to take a reasonable and proportionate approach to consultation under regulation 7 which is in line with guidance provided by DLUHC, and that they have used the same consultation area that was used in the previous Victoria Embankment Foreshore DCO amendment in 2020² in which to consult those with a legal interest in the land or property, as identified in the Book of Reference. The Secretaries of State are satisfied that there are no other persons who may be directly affected by the changes proposed in the application, and who should therefore be consulted.

Accordingly, this letter gives written consent on behalf of the Secretaries of State under regulation 7(3) of the 2011 Regulations to more limited consultation in the terms requested by the Applicant in the request document.

In taking this decision, the Secretaries of State note that the public and others who will not be consulted under regulation 7 of the 2011 Regulations will have the opportunity to make representations because of the publicising requirements under regulation 6 of the 2011 Regulations and the opportunities to respond which that affords.

Finally, the consent in this matter should not be taken as any indication of approval for any other aspects of the proposed changes to the DCO (as amended), which may fall to the Secretaries of State for consideration and determination.

Yours sincerely,



**Department for Levelling Up, Housing
& Communities**



**Department for Environment, Food &
Rural Affairs**

² The Thames Water Utilities Limited (Thames Tideway Tunnel) (Amendment) Order 2020 (SI:2020/862)

Appendix E - Copy of regulation 6 (2) template letter and notice



Ref: 2530-TDWAY-TTTUN-990-ZZ-CO-700204

To all relevant parties

01 September 2022

Dear Sir / Madam,

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

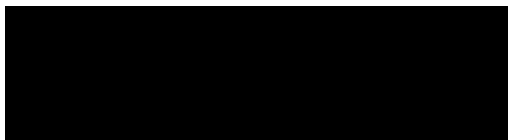
Application for a non-material change in relation to the Victoria Embankment Foreshore (VCTEF) site

Please find enclosed a notice regarding an application which has been made by Bazalgette Tunnel Limited (trading as Tideway) for a non-material change to the Thames Water Utilities Limited (Thames Tideway Tunnel) Order (SI:2014/2384) (as amended) (the "DCO").

Tideway are sending you this notice because you are an individual or organisation that was previously consulted about the original application, or because you may have an interest in the proposed changes.

A description of the proposed non-material change, together with details of how to view the application and the deadline for responses (which must be sent to the Planning Inspectorate) are contained within the enclosed notice. Please note that any response should be sent to the Planning Inspectorate.

Yours faithfully,



Liz Wood-Griffiths

Head of Consents Authority

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), the Thames Water Utilities Limited (Thames Tideway Tunnel) (Amendment) Order 2020 (SI:2020/268), the Thames Water Utilities Limited (Thames Tideway Tunnel) (Amendment) Order 2020 (SI:2020/862), 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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SECTION 153 AND SCHEDULE 6 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011 (AS AMENDED)

The Thames Water Utilities Limited (Thames Tideway Tunnel) Order (SI:2014/2384) (as amended by The Thames Water Utilities Limited (Thames Tideway Tunnel) (Correction) Order (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), the Thames Water Utilities Limited (Thames Tideway Tunnel) (Amendment) Order 2020 (SI:2020/268), the Thames Water Utilities Limited (Thames Tideway Tunnel) (Amendment) Order 2020 (SI:2020/862) and Notice of Variation No. 1 (17 March 2015) and Notice of Variation No. 2 (17 August 2017) in respect of the Deemed Marine Licence

An application has been made by Bazalgette Tunnel Limited to the Secretary of State for Environment, Food and Rural Affairs and the Secretary of State for Levelling Up, Housing and Communities to make a non-material change to the above mentioned Development Consent Order (“DCO”). The contact details of the applicant are: Bazalgette Tunnel Limited of Cottons Centre, Cottons Lane, London SE1 2QG. Bazalgette Tunnel Limited may also be contacted by telephone: 0800 030 8080, or email: info@tideway.london

The amendment proposed seeks approval for:

- the Tattershall Castle to remain moored in its current location at the junction of Victoria Embankment and Horse Guards Avenue; and
- the permanent removal of the service mooring which was previously located to the east of the junction of Horse Guards Avenue and Victoria Embankment.

The application documents and plans showing the nature and location of the land concerned are available for inspection on the Planning Inspectorate website at:

<https://infrastructure.planninginspectorate.gov.uk/projects/london/thames-tideway-tunnel/>

The application documents may also be inspected, free of charge, until Sunday 9th October 2022 at Charing Cross Library, 4-6 Charing Cross Rd, London WC2H 0HF. Opening hours are Monday 9.30am-8pm, Tuesday 9.30am-7pm, Wednesday 10.00am-7pm, Thursday and Friday 9.30am-7pm, Saturday 10.30am-2pm, Sunday 11.00am-5pm.

Requests for copies by post of any of the documents may be made to info@tideway.london. A copying charge of £50 may be requested. Electronic copies will be provided free of charge.

For more information on the proposed non-material change application please contact Liz Wood-Griffiths via the telephone number and email address set out above.

Responses concerning the proposed non-material change should be sent to the Planning Inspectorate by email to thamestunnel@planninginspectorate.gov.uk, or in writing to: National Infrastructure Planning, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN by Sunday 9th October 2022. Please quote “Thames Tideway Tunnel project - Non-Material Change WW010001” on any correspondence. If you have difficulty in submitting a representation by email, please contact thamestunnel@planninginspectorate.gov.uk or 0303 444 5000 and a member of the Planning Inspectorate’s case team will be able to assist.

Please note that any representations received by the Planning Inspectorate in response to the consultation will be handled in compliance with the United Kingdom’s General Data Protection Regulation and published on the relevant page of the Planning Inspectorate’s Infrastructure Planning Portal (<https://infrastructure.planninginspectorate.gov.uk/projects/london/thames-tideway-tunnel/>) with all personal information removed.