

## **THAMES TIDEWAY TUNNEL: SAVE YOUR RIVERSIDE SUBMISSION ON SECTION 48 PUBLICITY FOR PROPOSED APPLICATION FOR DEVELOPMENT CONSENT**

### **Section 48 process**

1. Save Your Riverside are a community group, centred on Chambers Wharf but with supporters from all along Southwark riverside. In February 2012 we responded to Thames Water's (TW) Phase 2 Consultation exercise. We made clear that we support cleaning up the Thames, our disagreement is about the proposed methods of doing so not the objectives. We have not changed our strong opposition to what we consider to be TW's wrong decision to seek consent to use Chambers Wharf as a major construction site for the tunnel, so it is not necessary to repeat the arguments we made then in detail here. Moreover as the pre-application publicity report points out the s.48 process is not another formal consultation process though TW says "we are still interested to know whether people have any views" and that these "will be taken into account" before the application is finalised. Given the robust "we are the professionals we know best" manner with which TW has resisted making any significant changes to its preferred scheme despite the strong objections expressed all the way along the tunnel route in response to the Phase 2 consultation, there can be little public confidence that TW is going to alter its consistent insistence on solutions which suit its engineering and commercial preferences and convenience with any regard for impact on local communities apparently running well behind in its priorities.

### **Summary of SYR's objection to a major construction site in Southwark**

2. Nonetheless for the record in summary we reiterate that we believe that if TW were so minded they could adopt a tunnelling strategy which would avoid the need to have a construction site in Southwark. As we have said before it is ironic that with no CSOs in Southwark, the borough is still faced with a major construction site. If despite this Chambers Wharf were used as a major construction site, TW's decision to flip from driving west from Abbey Mills to Southwark to driving east from Chambers Wharf tells us everything about the priority TW's gives every time to the company's own costs and convenience over adverse impact on local residents. In confirming their intention to seek to use Chambers Wharf as a major construction site TW have failed to give proper weight to the substantial social, environmental and economic damage which this proposal would cause to this densely populated residential area with its three schools nearby. We remain acutely concerned at the prospect of one of the most advanced green residential developments in London, with its important contribution to local housing need, being postponed for at least a decade and a half (and quite possibly compromised by the construction then operation of the tunnel); by the dangers to residents and environmental impact of substantial numbers of lorry movements taking place on inadequate local roads over many years: in the case of Riverside Primary School (one of the best in the country and adjacent to the site) the serious physical danger to schoolchildren and the damage that would be done to their education represented by at least 64,000 lorry movements going past the school is incalculable; by the inevitable disruption, pollution, noise, vibration, dust and odour that residents and our excellent local schools can expect to endure as a result of the proximity of the construction site (whatever effort may or may not be made to mitigate these factors) not least during 3 years of continuous 24/7 work; and by the inevitable blighting effects that a major industrial site operating for years in the midst of a residential area would have on local trade, tourism and property values.

3. Our comments below on possible mitigation measures which should be explored and incorporated in any consent that the project may be given in due course, should be regarded as without prejudice to our conviction, based we believe on compelling evidence, that the proposed use of Chambers Wharf is wrong and should be ruled out in favour of the several alternative ways in which a tunnel project could be constructed.

### **Tunnelling drive options**

4. In our response to Phase 2 SYR set out a range of engineering alternatives to TW's proposals, including TBMs meeting face to face, or docking with each other, or a hybrid TBM to drive from Abbey Mills to Battersea. TW has responded to this in section 7.6 of the site selection main report, describing the alternatives as "unconventional". What is entirely conventional is TW's resistance to exploring techniques well proven elsewhere in the world. Instead TW merely gathers sufficient information to form its dismissal argument, falling back yet again on tired arguments about health and safety and project risk stating "These alternatives are not compatible with the aspirations of the project". Well TW should know that the aspirations of the residents of Southwark are not compatible with their proposals. The implication that countries we have cited where innovative tunnelling techniques have been successfully employed like the USA, Japan and Denmark do not have similar health and safety requirements to the UK is patently nonsense.

5. Although TW says (in Phase 2 supplementary report) "we have specifically consulted experts...the clear outcome from these studies was...some options are not feasible". Who were the experts, and were any of them independent of TW? Why have the "studies" not been published? We have seen no evidence that TW has conducted a thorough investigation into alternative tunnelling strategies. It can only be concluded that TW have never really been bothered to take any serious interest in alternatives beyond their own conservative engineering outlook because they have no sincere interest in reducing local impact. As a monopoly undertaker which seems quite capable of throwing its weight around in the engineering world the company's behaviour diminishes the already tarnished reputation it seems not to care it has acquired.

6. We have asked TW repeatedly for detailed information on the relative costs of the myriad of alternatives that exist for the different tunnelling drive options, each of which of course has important implications for the constructions sites required. Despite the company having no competitors TW has resolutely refused to disclose this key information, hiding as ever behind an unconvincing though certainly opaque fig leaf of "commercial confidentiality". We call on TW yet again to publish this information in sufficient detail for meaningful comparisons to be made between alternatives on financial as well as on engineering and other criteria including local impact. As consumers and taxpayers footing a large part of the bill for the tunnel we have every right to demand that this information be placed in the public domain, so that everyone - including the Examining Authority - can be more fully informed than TW has hitherto been prepared to deliver.

### **Site selection**

7. Appendix R of the report on the site selection process makes ironic reading. The Chambers Wharf site is assessed as suitable for engineering purposes, albeit requiring a

large cofferdam projecting into the river to provide adequate working space and a barge dock. However the site was assessed as less suitable in planning terms (with particular concern about local schools), and less suitable from a flood risk, ecology, air quality, noise, land quality and water resources perspectives. And of course less suitable from in respect of socio-economic and community factors “due to the close proximity of a large number of residential properties either adjacent, overlooking or opposite the works” with accompanying adverse impacts on properties in the vicinity and on the local schools. However the site is “an available and feasible brownfield site” which just happens to have been purchased by TW.

8. This appendix demonstrates that when it comes to site selection, engineering convenience (not necessity) is regarded by TW as king. When coupled with the convenience of ownership of Chambers Wharf and the strong opposition experienced by TW at their original choice, King’s Stairs Gardens, these factors apparently trump TW’s own assessment that Chambers Wharf is considered a less suitable site on a range of other criteria not least the close proximity of hundreds of residents and several schools. TW may seek to present its site selection process as objective, balanced and fair, and may even believe it. In fact it is nothing of the sort, it is driven by TW’s top priority of reducing any risk there might be to what it sees as project success regardless of adverse impacts on anyone in the path of its TBMs. TW has never given an answer to the question “what if neither Chambers Wharf nor King’s Stairs Gardens were available to them as construction sites?”. The truthful answer would not of course be that the tunnel project would have to be abandoned as impossible without a major site in Southwark, instead TW would find alternative ways of doing it. We respect the professional ability of TW’s engineers to solve problems and there can be no doubt that it would be well within their capability to develop alternatives that result in much reduced impact on local communities. We urge that that is exactly what TW should now do. If TW does not it will be a massive failure by the developer to achieve solutions which not only meet engineering requirements but which also minimise local impact.

### **Choice of drive sites**

9. In the familiar phrase which TW uses when it finds it expedient to do so “further technical studies” have led TW to conclude that although Abbey Mills featured as a main drive site westwards at the Phase One consultation, transporting material to and from the Abbey Mills site on the River Lee is now considered “at worst not feasible and at best highly undesirable” as materials would need to be reliably barged over a 2 to 3 year period (surely a similar timescale for a drive site at Chambers Wharf?). It strains credulity to expect it to be believed that TW’s engineers had not noticed earlier that as presently configured the Lee would require larger numbers of smaller barges if Abbey Mills were a drive site for the main tunnel. The transport strategy refers to TW learning lessons at Abbey Mills from how the Lee tunnel is making use of the river. Neither the s48 documents or the Engineering Options Report - Abbey Mills Route (EOR) address the feasibility of adapting the Lee to take larger barges. We have heard the argument that the Environment Agency would object to this; has TW asked them, and if so what is their answer? TW now argues that driving from Abbey Mills incurs more project risk. Where is the detailed evidence on which this judgment has been based? TW claims that engineering convenience is set against other criteria including socio-economic impact. TW now appears to affect some new-found concern for the socio-economic impact of

driving from Abbey Mills despite being content to do so at Phase One consultation. We urge TW to publish the details of how they have balanced all the criteria for driving from Chambers Wharf against driving in the opposite direction. The EOR refers to “optioneering workshops” amongst people with expertise in all the relevant fields. Yet this was a closed process within TW designed to serve TW’s priorities. How can the public, and those persons who would be impacted by alternative options, have any confidence in this process unless TW publishes in detail exactly how their conclusions were reached, including information on relative costs? We urge TW to now publish this important data. Until TW come clean on these issues SYR remains highly suspicious of the real reasons why TW would rather use a residential site close to central London opportunistically purchased in 2011 compared to a downriver site which has been in TW’s and its predecessors’ ownership since the 1860s.

10. On a similar point were Chambers Wharf to be used as a construction site then if it were to be connected to the Greenwich connection tunnel it is appropriate that as proposed the tunnel be driven from the long-standing water company premises at Greenwich Pumping Station (“because we own most of the site”) with Chambers Wharf receiving the tunnel. However as we pointed out in our Phase 2 submission, If as we believe there is no need for TW to use CW as a major construction site at all there are technically feasible alternative routes for the Greenwich tunnel, for example to Shadwell or Limehouse.

### **Transport of materials**

11. TW’s project-wide claim in the project description and environmental information report that the number of HGV movements during construction “would be low compared to London-wide traffic levels” and “is not expected to have a significant effect on road network operation and delay” is disingenuous, as it is in specific localities that the problem of increased traffic levels would arise. In any event far from “moderate” the total number of projected lorry movement for Chambers Wharf at 32,231 (x 2) can only be regarded as substantial (and are second equal with Greenwich PS as the largest number on the whole project after Kirtling Street). This would inevitably mean a sustained substantial increase in traffic levels, and a source of serious congestion and increased danger to local residents and schoolchildren over a period of years. The claim that these numbers “would result in a minor adverse effect on road network operation and delay” would be laughable if it were not so serious. Much more effort must be made to ensure that the number of movements, and the resultant local impact, is reduced much further than currently proposed; TW’s reliance on signal optimisation to improve pedestrian crossing time and junction capacity as mitigation patently falls well short of the stronger suite of measures required.

12. Incidentally the statement in para 19.3.33 of the report that the Chambers Wharf site is located within close proximity of Greenwich DLR station (actually some 4.5km away as the crow flies!) is clearly a factual error in need of correction.

13. In the s48 transport strategy we note the apparent increase in emphasis now being placed on the use of the river for transporting materials, with a consequential reduction, albeit modest, in lorry movements. More use of the river sounds good in theory but disguises the fact that some of the spoil has to be unloaded onto lorries somewhere and is so much more expensive than using lorries that contractors would want to find ways of

ignoring it anyway. In any case TW merely says “we have assumed that a minimum of 90 per cent of these materials would be transported by river”, at no point does the company apparently commit to ensuring that 90 or more per cent would actually in practice be transported by river. We would not disagree with the principle of some ‘need for flexibility’. However it appears that TW would like a DCO which gives them complete flexibility i.e. they tell local residents and the Examining Authority that their intention is to transport 90+ per cent of materials by river, but in practice the company does not wish to be subject to any binding commitments to do so. A promise to engage with contractors to “identify opportunities for greater river use” and an “intention...to incentivise” them to do so offers cold comfort to residents near construction sites. Supposing it turns out the contractor wants to switch to a transport strategy based much more heavily on lorries and less on barges, and declines to be incentivised? As the proposals stand what is to stop them doing just that, to the vast detriment of local residents?

14. TW’s gesture towards more river transportation needs to be firmed up into commitments which can be enforced whether by way of watertight contractual obligations, conditions attached to the DCO, local agreements with Southwark borough, or by any other mechanism in which local residents can have confidence against any temptation for subsequent backtracking. Any promises made in good faith by the DCO applicant must be matched by arrangements which ensure they are delivered, and it is vital that these extend fully to any contractors or other mechanism which may eventually be devised for constructing and subsequently operating a tunnel.

15. On the issue of transporting tunnel segments, TW claims the benefits of moving them by river are claimed to be relatively small. The further review they refer to should look hard again at bringing them in by river as we urge that all opportunities to bring about reductions in lorry movements going past Riverside Primary School must be taken. It is unacceptable that this potential further reduction in lorry movements should be dependent on whether or not a contractor has river access. The tunnel would be one of the largest and civil engineering projects in post-war UK history: if it requires TW or its contractors to acquire or develop industrial sites well away from residential areas but with river access in order to facilitate the massive scale of the works envisaged and as a result deliver the benefits of reduced impact on the main construction sites, then that is what they should do.

### **Environmental effects of construction at Chambers Wharf**

16. The project description and environmental information report concedes that there would be “significant noise effects” for local residents arising from construction together with “adverse effects” on the amenity of nearby residents. By way of mitigation TW proposes an acoustic shed over the main tunnel shaft, the enclosure of conveyors and hoarding of a “suitable height”. Of course measures to reduce noise are welcome in principle but we do not have confidence in how effective would these measures be. We know that loading barges would be an operation taking several hours. We know that because of the tides TW have not and presumably are not prepared to rule out loading barges at night. We also know that there are times when the acoustic shed would not be engaged. For three years the construction of the tunnel and installation of secondary lining would require continuous 24 hour working “mainly” underground “but with supporting activity at ground level”. TW have informed us that in addition to maybe 15

personnel underground the work force on the surface could be in the order of 200 personnel. Even if much of the material were barged, the reality is that the coming and going of large numbers cars and vans, as well as HGVs, and all times of the day and night will be a source of massive intrusion on the lives of local residents. Once again TW's promise to our community amounts to no more than "we'll try to do what we can within reason" but in practice is more driven by the minimum the company thinks it can get away with.

17. Much reliance is placed by TW on the Code of Construction Practice (CoCP) which the contractor would be expected to follow to reduce the effects of construction activities in relation to noise, dust, traffic, lighting, odour, waste management etc. Clearly this mechanism would be crucial for local residents affected by construction activities and we welcome the indication in the CoCP document that it would be implemented and enforced through planning requirements and obligations imposed on contractors. However the CoCP is a draft at this stage and will develop further: it is vital that a clearer picture emerges before the DCO application is made on the enforcement regime. For example where would the line be drawn between requirements/obligations and the contract project manager's discretion to decide what is in practice "reasonable and "practicable"?

18. We know and welcome the fact that Southwark Council shares our concern about the potential for prolonged significant disturbance to local residents. We would wish to see enforceable conditions in any DCO about maximising the suppression and local control of any activity which has the potential to disturb and damage the quality of life of local residents, together with the negotiation of stringent measures with Southwark (TCPA s106, Control of Pollution Act s60/61 requirements and consents etc.) which bind TW and all of its contractors to make all efforts to this end. The site-specific Part B requirements of the CoCP will obviously be of considerable interest and importance to local residents. Without prejudice to its wider objections to the use of Chambers Wharf at all, SYR wishes to participate in the development of Part B requirements for Chambers Wharf, which must include arrangements for continuous liaison with contractors during construction, and for an effective means of appeal should the contractor decline to take some action regarded by residents as reasonable. We understand that TW have sent Southwark a draft of Part B and we look forward to engaging with that process.