
STATUTORY INSTRUMENTS

2018 No. 574

INFRASTRUCTURE PLANNING

The Silvertown Tunnel Order 2018

Made - - - - - *10th May 2018*

Coming into force *31st May 2018*

THE SILVERTOWN TUNNEL ORDER 2018

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation

PART 2

WORKS PROVISIONS

Principal powers

3. Disapplication of legislation, etc.
4. Development consent granted by the Order
5. Limits of deviation

Streets

6. Street works
7. Application of the 1991 Act
8. Construction and maintenance of new, altered or diverted streets
9. Permanent stopping up of streets and private means of access
10. Temporary stopping up and restriction of use of streets
11. Access to works
12. Agreements with street authorities
13. Use of private roads for construction

Supplemental powers

14. Discharge of water
15. Protective works to buildings
16. Authority to survey and investigate land

Status: This is the original version (as it was originally made).

17. Work in the river Thames: conditions
18. Felling or lopping of trees

PART 3

POWERS OF ACQUISITION AND POSSESSION OF LAND

Powers of acquisition

19. Compulsory acquisition of land
20. Compulsory acquisition of land – incorporation of the minerals code
21. Time limit for exercise of powers to possess land temporarily or to acquire land compulsorily
22. Compulsory acquisition of rights
23. Private rights over land
24. Power to override easements and other rights
25. Modification of Part 1 of the 1965 Act
26. Application of the 1981 Act
27. Acquisition of subsoil, etc., only
28. Rights over or under streets

Temporary possession of land

29. Temporary use of land for carrying out the authorised development
30. Temporary use of land for maintaining the authorised development

Supplementary

31. Statutory undertakers
32. Apparatus and rights of statutory undertakers in stopped up streets
33. Recovery of costs of new connection
34. Special category land
35. Disposals by the Greater London Authority

Compensation

36. Disregard of certain interests and improvements
37. Set-off for enhancement in value of retained land
38. No double recovery

PART 4

OPERATIONAL PROVISIONS

39. Application of Part 4
40. Maintenance of the authorised development
41. Local legislation relating to the Blackwall Tunnel
42. Power to operate and use the tunnels
43. Closing the tunnels
44. Removal of motor vehicles
45. Removal of other obstructions
46. Dangerous goods
47. No apparatus in the Silvertown Tunnel area without consent
48. Byelaws relating to the Silvertown Tunnel area and the Blackwall Tunnel area
49. Fixed penalty notices
50. Classification of roads, etc.

51. Operational land for purposes of the 1990 Act
52. Restrictions on other works in the river Thames

PART 5

USER CHARGING

53. The charging policy
54. Power to charge for use of the tunnels
55. Payment and recovery of charges and penalty charges
56. Penalty charges, examination of motor vehicles, etc.
57. Application by TfL of charges levied

PART 6

MISCELLANEOUS AND GENERAL

58. Benefit of Order
 59. Transfer of benefit of Order, etc.
 60. Application of landlord and tenant law
 61. Traffic regulation measures
 62. Deemed marine licence
 63. Defence to proceedings in respect of statutory nuisance
 64. Protective provisions
 65. Certification of documents
 66. Silvertown Tunnel Implementation Group
 67. Service of notices
 68. Arbitration
 69. Consents, agreements and approvals
- Signature

SCHEDULES

SCHEDULE 1 — AUTHORISED DEVELOPMENT

SCHEDULE 2 — REQUIREMENTS

PART 1 — REQUIREMENTS

1. Interpretation
2. Time limit for commencement of the authorised development
3. Design principles and design review panel
4. Detailed design of above ground buildings and structures
5. Code of construction practice and related plans and strategies
6. Landscaping scheme
7. Monitoring and mitigation strategy
8. Surface water drainage details
9. External lighting details
10. Signage strategy
11. Flood risk assessment
12. Operational noise mitigation measures
13. Siebert Road and Westcombe Hill area noise barriers
14. Cross-river bus services
15. Cross-river cycle/pedestrian facilities
16. Biodiversity action plan and mitigation strategy
17. Contaminated land

Status: This is the original version (as it was originally made).

18. Hazardous substances – East Greenwich Gasholder site
 19. Hazardous substances – Brenntag Chemicals site
 20. Re-use of excavated material on-site
 21. Local business transitional support
- PART 2 — PROCEDURE FOR DISCHARGE OF REQUIREMENTS
22. Interpretation
 23. Applications made under requirements
 24. Further information regarding requirements
 25. Appeals

SCHEDULE 3 — PERMANENT STOPPING UP OF HIGHWAYS AND PRIVATE MEANS OF ACCESS

PART 1 — HIGHWAYS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND NEW HIGHWAYS WHICH ARE OTHERWISE TO BE PROVIDED

PART 2 — HIGHWAYS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

PART 3 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND NEW PRIVATE MEANS OF ACCESS WHICH ARE OTHERWISE TO BE PROVIDED

PART 4 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

SCHEDULE 4 — LAND IN WHICH ONLY NEW RIGHTS MAY BE ACQUIRED

SCHEDULE 5 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

Compensation enactments

1. The enactments for the time being in force with respect...
2. (1) Without limitation on the scope of paragraph 1, the...
3. (1) Without limitation on the scope of paragraph 1, the...

Application of Part 1 of the 1965 Act

4. Part 1 (compulsory purchase under Acquisition of Land Act 1946)...
5. (1) The modification referred to in paragraph 4(a) are as...

SCHEDULE 6 — LAND IN WHICH ONLY SUBSOIL OR NEW RIGHTS ABOVE SUBSOIL AND SURFACE MAY BE ACQUIRED

SCHEDULE 7 — LAND OF WHICH ONLY TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 8 — REMOVAL OF MOTOR VEHICLES AND RECOVERY OF PENALTY CHARGES

PART 1 — PRELIMINARY

1. (1) In this Schedule— “adjudicator” means a person specified in...

PART 2 — REPRESENTATIONS AND APPEALS IN RELATION TO THE REMOVAL OF MOTOR VEHICLES

2. Persons to whom Part 2 applies
3. Right to make representations

4. Right to appeal to an adjudicator
- PART 3 — RECOVERY OF PENALTY CHARGES
5. Penalty charge notices
6. Representations against penalty charge notice
7. Cancellation of penalty charge notice
8. Rejection of representations against penalty charge notice
9. Adjudication by an adjudicator
10. Charge certificates
11. Enforcement of charge certificate
12. Invalid notices
13. Enforcement by execution
14. Any amount which is payable under an adjudication must, if...
15. Service by post
16. Procedure

SCHEDULE 9 — BLACKWALL AND SILVERTOWN TUNNELS BYELAWS

PART 1 — PRELIMINARY

1. Citation and commencement
2. Interpretation
- PART 2 — CONDUCT AND BEHAVIOUR
3. Smoking etc.
4. Unacceptable behaviour
- PART 3 — EQUIPMENT AND SAFETY
5. General safety
- PART 4 — ACCESS AND TRAFFIC
6. Unauthorised access and loitering
7. Traffic regulation
8. Dangerous goods
- PART 5 — ENFORCEMENT, ETC.
9. Name and address
10. Compliance with instructions and notices, etc.
11. Identification of authorised persons
12. Breaches by authorised persons
13. Attempted breach

SCHEDULE 10 — CLASSIFICATION OF ROADS, ETC.

PART 1 — CLASSIFICATION AND DESIGNATION OF GLA ROADS (TRANSPORT FOR LONDON ROAD NETWORK)

1. A12 Blackwall Tunnel Southern Approach Southbound
2. A12 Blackwall Tunnel Southern Approach Northbound
3. A12 Crossover between Blackwall Tunnel Southern Approach Northbound and Southbound Carriageways
4. Pavilion Lane (Realigned) (to Millennium Way)
5. Pavilion Lane (Realigned) (from Millennium Way)
6. A102 Silvertown Tunnel Southern Approach Northbound
7. A102 Silvertown Tunnel Southern Approach Southbound
8. A102 The Silvertown Tunnel Northbound
9. A102 The Silvertown Tunnel Southbound
10. A102 The Silvertown Tunnel Northern Approach Northbound
11. A102 The Silvertown Tunnel Northern Approach Southbound
12. A102 Silvertown Way Off-Slip (Dedicated Left Turn)
13. A102 Tidal Basin Roundabout
14. A102 Lower Lea Crossing Eastbound

Status: This is the original version (as it was originally made).

15. A102 Lower Lea Crossing Westbound
16. A102 Lower Lea Crossing (Eastbound and Westbound)
17. A102 Leamouth Circus Roundabout
18. A102 Leamouth Road (Northbound and Southbound)
19. A12 Blackwall Tunnel Northern Approach Southbound
20. A12 Blackwall Tunnel Northern Approach Northbound
21. A12 Blackwall Tunnel Southbound
22. A12 Blackwall Tunnel Northbound
 - PART 2 — RE-DESIGNATION OF GLA ROAD AS A LOCAL AUTHORITY ('BOROUGH') ROAD
23. Tunnel Avenue

- SCHEDULE 11 — TRAFFIC REGULATION MEASURES, ETC.
- PART 1 — SPEED LIMITS AND RESTRICTED ROADS
 - PART 2 — TRAFFIC REGULATION MEASURES (CLEARWAYS AND PROHIBITIONS)
 - PART 3 — PRESCRIBED ROUTES
 - PART 4 — REVOCATIONS & VARIATIONS OF EXISTING TRAFFIC REGULATION ORDERS
 - PART 5 — VARIATIONS OF EXISTING TRAFFIC REGULATION ORDERS DUE TO ROAD RE-CLASSIFICATION

- SCHEDULE 12 — DEEMED MARINE LICENCE
- PART 1 — GENERAL

1. Interpretation
2. Contacts
3. Details of licensed marine activities
 - PART 2 — CONDITIONS APPLYING TO CONSTRUCTION ACTIVITIES
4. Benthic ecology monitoring and mitigation
5. Construction method statement
6. Marine pollution contingency plan
7. Concrete and cement
8. Coatings and treatments
9. Spills, etc.
10. Percussive piling
11. Archaeological written scheme of investigation
12. Removal of temporary structures, etc.
 - PART 3 — PROCEDURE FOR THE DISCHARGE OF CONDITIONS
13. Meaning of “application”
14. Further information regarding application
15. Determination of application
16. Notice of determination
17. Arbitration

- SCHEDULE 13 — PROTECTIVE PROVISIONS
- PART 1 — FOR THE PROTECTION OF ELECTRICITY, GAS, WATER AND SEWERAGE UNDERTAKERS

1. The provisions of this Part of this Schedule have effect...
2. In this Part of this Schedule— “alternative apparatus” means alternative...
3. This Part of this Schedule does not apply to apparatus...
4. (1) Regardless of the temporary stopping up, alteration or diversion...
5. Despite any provision in this Order or anything shown on...
6. (1) If, in the exercise of the powers conferred by...

7. (1) Where, in accordance with the provisions of this Part...
8. (1) Not less than 28 days before starting the execution...
9. (1) Subject to the following provisions of this paragraph, TfL...
10. (1) Subject to sub-paragraphs (2) and (3), if by reason...
11. If in consequence of the exercise of the powers conferred...
PART 2 — FOR THE PROTECTION OF OPERATORS OF ELECTRONIC
COMMUNICATIONS CODE NETWORKS
12. (1) For the protection of any operator, the following provisions...
13. The exercise of the powers of article 31 (statutory undertakers)...
14. (1) Subject to sub-paragraphs (2) to (4), if as the...
15. This Part of this Schedule does not apply to—
PART 3 — FOR THE PROTECTION OF NATIONAL GRID
16. Application
17. Interpretation
18. This Part of this Schedule does not apply to apparatus...
19. Apparatus of National Grid in stopped up streets
20. Acquisition of land
21. Removal of apparatus
22. Facilities and rights for alternative apparatus
23. Retained apparatus: protection of National Grid as Gas Undertaker
24. Retained apparatus: protection of National Grid as Electricity Undertaker
25. Protective works to buildings
26. Expenses
27. Indemnity
28. Enactments and agreements
29. Co-operation
30. Access
31. Arbitration
PART 4 — FOR THE PROTECTION OF THE PORT OF LONDON
AUTHORITY
32. The provisions of this Part of this Schedule have effect...
33. Definitions
34. Approval of detailed design
35. Design of the tunnelling works
36. As built drawings
37. Discharges, etc.
38. TfL must not, in exercise of the powers conferred by...
39. Navigational lights, buoys, etc.
40. Directions as to lights
41. Removal, etc. of the PLA's moorings and buoys
42. Removal of temporary works
43. Protective action
44. Abandoned or decayed works
45. Facilities for navigation
46. Survey of riverbed
47. Statutory functions
48. Indemnity
49. Compensation for temporary works
50. Apparatus in the Silvertown Tunnel area
51. Disposals, etc.
52. Disputes
PART 5 — FOR THE PROTECTION OF THE ENVIRONMENT AGENCY
53. The following provisions apply for the protection of the Environment...

Status: This is the original version (as it was originally made).

- 54. Definitions
- 55. Structural integrity of flood defences
- 56. Specified works
- 57. Approvals
- 58. Inspection and construction
- 59. Maintenance of the flood defences
- 60. Emergency powers
- 61. Protection for fish and fisheries
- 62. Indemnities and costs
- 63. Notices
- 64. Dispute resolution

PART 6 — FOR THE PROTECTION OF THE LONDON BOROUGH OF
NEWHAM AND THE ROYAL BOROUGH OF GREENWICH

- 65. The following provisions of this Part of this Schedule have...
- 66. In this Part of this Schedule— “the appropriate Council” means—...
- 67. Without affecting the application of sections 59 and 60 of...
- 68. If, within 56 days after any plans have been submitted...
- 69. In the event of any disapproval of plans by the...
- 70. So much of the authorised development as forms part of...
- 71. TfL must not, except with the consent of the appropriate...
- 72. Except in an emergency or where reasonably necessary to secure...
- 73. TfL must, if reasonably so required by the appropriate Council,...
- 74. TfL must indemnify the appropriate Council against any claim which...
- 75. Wherever in this Part of this Schedule provision is made...
- 76. Unless otherwise agreed between the parties any difference arising between...

SCHEDULE 14 — DOCUMENTS TO BE CERTIFIED

Explanatory Note