

# GREATER LONDON AUTHORITY

## REQUEST FOR MAYORAL DECISION – MD1625

### Title: London Overground Extension to Barking Riverside

#### Executive Summary:

Transport for London (TfL) is promoting an extension of the London Overground (Gospel Oak to Barking line) from Barking to Barking Riverside. The primary aim of the Barking Riverside Extension (BRE) is to enable the sustainable delivery of 10,800 new homes at Barking Riverside. The cost of the scheme is £263m in outturn prices including risk.

To construct, operate and maintain the BRE, TfL requires an Order to be made by the Secretary of State for Transport under the Transport and Works Act 1992. Subject to the Mayor's consent, TfL will submit a Transport & Works Act Order application for the BRE in spring 2016.

If a Transport and Works Act Order (TWAo) is granted, it is anticipated that construction of the extension would commence from late 2017 and will take approximately three years to complete.

#### Decision:

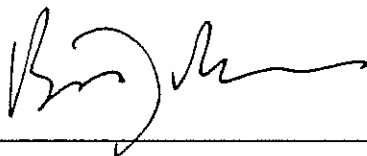
The Mayor gives consent, as required by Section 20(4) of the Transport and Works Act 1992 as amended by Section 168 of the Greater London Authority Act 1999, to authorise Transport for London ("TfL") to submit an application for an Order under the Transport and Works Act 1992 ("TWA Application") for powers to implement the Barking Riverside Extension project (the "Project").

#### Mayor of London

I confirm that I do not have any disclosable pecuniary interests in the proposed decision, and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:



Date:

17.3.2016

## **PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR**

### **Decision required – supporting report**

#### **1. Introduction and background**

- 1.1 The Barking Riverside development site covers 179 hectares on the north bank of the Thames, east of the Royal Docks and south east of Barking town centre. It is situated in the south of the London Borough of Barking and Dagenham (LBBD) and within the London Riverside Opportunity Area. It is one of the largest consented brownfield housing development sites in east London.
- 1.2 The development of Barking Riverside is an undertaking owned and managed by Barking Riverside Ltd (BRL), a joint venture between London & Quadrant New Homes (as the proposed future private sector shareholder in BRL, replacing Bellway) and GLA Land & Property (with 51 per cent and 49 per cent share interest respectively).
- 1.3 In 2007, planning permission (planning ref: 04/01230/OUT) was granted for a residential-led mixed-use development of the site, including up to 10,800 new homes and 65,600 sq.m commercial floor space. The 2007 permission was varied in July 2009 (planning ref: 08/00887/FUL).
- 1.4 This scale of redevelopment was predicated on the delivery of public transport improvements. A Section 106 planning obligation related to the 2007 planning permission, as varied by the 2009 permission, provided that no more than 1,500 homes could be occupied until a Transport and Works Act Order (TWAO) had been made authorising an extension of the Docklands Light Railway (DLR) to Dagenham Dock. A further planning obligation provided that no more than 4,000 homes could be occupied until that scheme was operational.
- 1.5 In 2008, TfL submitted an application for a TWAO to authorise an extension of the DLR from Gallions Reach to Dagenham Dock. However, the proposal was subsequently withdrawn because the funding required to deliver the DLR scheme could not be demonstrated.
- 1.6 Subsequently a range of alternative transport options for serving Barking Riverside were developed by TfL and assessed against agreed criteria. The BRE emerged from this appraisal process as the most deliverable and affordable option for enabling the sustainable delivery of the 10,800 homes in Barking Riverside.
- 1.7 In January 2016, BRL submitted a Section 73 application (planning ref: 16/00131/OUT) which seeks to vary the 2009 permission. The application proposes a number of amendments to the approved Barking Riverside scheme, including the replacement of "DLR extension" with "rail extension" and changes relating to the BRE route alignment and station. The Transport and Traffic Chapter of the Environmental Statement (Vol. 2) accompanying the Section 73 application confirms that housing development would remain capped at 4,000 homes, as per the restriction that relates to the current planning permission. Any new Section 106 planning obligation associated with the amended Barking Riverside scheme would then apply this restriction to the implementation of the BRE, rather than the approval and operation of the DLR extension.
- 1.8 The BRE project comprises track work on the existing Essex Thameside (Tilbury Loop) Line, between Barking and Renwick Road overbridge, and new track to the Barking Riverside development on viaduct terminating at a new station called Barking Riverside in the heart of the development. The overall length of the proposed extension is approximately 4.5km, including both the modifications along the existing railway and the proposed new viaduct (which will accommodate approximately 1.5km of new track).
- 1.9 It is anticipated that construction could commence by late 2017, subject to the necessary powers being granted, and that the extension will take approximately three years to construct. The earliest date that a Barking Riverside train service could operate is from spring 2021.

- 1.10 The total cost of delivering the BRE, is £263m which is being funded through contributions from TfL, budgeted at £91m, and BRL of £172m. TfL has agreed to take on the responsibility for building the extension, including covering the cost risk. TfL will contract the operation of the train services on the extension. An option for the operation of train services on the extension is included in the tender for the forthcoming new concession starting in November 2016.
- 1.11 A funding agreement will be in place between TfL and BRL prior to the submission of the proposed TWA Application. The background to the terms of the funding agreement is set out in MD1594.
- 1.12 A TWAO is required to secure the necessary grant of powers to acquire land and to construct, operate and maintain the railway. This application is on schedule for submission in spring 2016.

## **2. Objectives and expected outcomes**

- 2.1 The primary aim of the BRE is to *Support economic development and population growth*, by unlocking the full residential development potential of the Barking Riverside area through the provision of new sustainable transport infrastructure. This will enable the sustainable delivery of 10,800 homes and will thereby support the wider regeneration of the London Riverside Opportunity Area.
- 2.2 The BRE is also intended to meet other goals set out in the Mayor's Transport Strategy (MTS) and further aims were developed that align with these goals:
- *Improve transport connectivity*: Improve transport connectivity within the London Borough of Barking and Dagenham, particularly to Barking Town Centre, and with the major employment locations of central London, Isle of Dogs and Stratford.
  - *Enhance quality of life*: Provide a high quality journey experience and minimise adverse environmental impacts. Integrate the new transport infrastructure with the Barking Riverside development by being at the heart of a new District Centre and with high quality public realm. Encourage active travel to access the new transport infrastructure by providing good interchange with walking and cycling routes and other transport services.
  - *Improve safety and security*: Ensure that the new transport infrastructure is designed to help reduce crime and fear of crime and provide a safe and secure public transport service to users within the Barking Riverside area.
  - *Improve transport opportunities*: Improve the physical accessibility of the transport system by providing step free access, improve access to services between the Barking Riverside area and locations of key local and regional service activity, in particular Barking Town Centre.
  - *Reduce transport's contribution to climate change and improve its resilience*: Construct to the most up to date construction, design and environmental standards and ensure infrastructure is adaptive to a changing climate. As part of a package of transport measures provide a sustainable transport alternative to car travel to and from the Barking Riverside area.
  - *Implement legacy from the 2012 Olympic & Paralympic Games*: Contribute towards achieving the 2012 Olympic legacy for the London Borough of Barking and Dagenham by: supporting regeneration and convergence of social and economic outcomes between the borough and the rest of London; and as part of a package of transport measures encourage walking, cycling and public transport use. The London Borough of Barking and Dagenham was one of the six Olympic boroughs now known as growth boroughs.

### 2.3 The BRE is expected to have the following outcomes:

- Enable the sustainable delivery of 10,800 homes at Barking Riverside
- Enable delivery of new employment generating floor space and generation of business rates
- Enable construction of a new district centre with commercial and leisure facilities
- Enable access to a new waterfront, parks and open space
- Provide jobs for local people both during construction of the BRE and in the Barking Riverside development area
- Support the wider regeneration of the London Riverside Opportunity Area; particularly in the development sites of Creekmouth, Castle Green and Thames Road, which together have the potential for a further 10,000 new homes
- A step change in public transport connectivity from Barking Riverside to Barking Town Centre; enabling onward journeys to major employment locations of central London, Isle of Dogs and Stratford
- A new step-free station at Barking Riverside
- Good interchange with bus services, walking and cycling routes at Barking Riverside

## 3. Equality comments

- 3.1 Under section 149 of the Equality Act 2010 (the “Equality Act”), as public authorities, the Mayor and TfL must have ‘due regard’ to the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. Protected characteristics under the Equality Act comprise age, disability, gender re-assignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage or civil partnership status (the duty in respect of this last characteristic is to eliminate unlawful discrimination only).
- 3.2 As part of the TWA Application, a thorough Equality Impact Assessment (EqIA) was completed. The EqIA identified and evaluated the likely potential impacts, both positive and negative, of the BRE on those with protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, gender, religion or belief, sexual orientation) and identified appropriate mitigation of adverse impacts.
- 3.3 The findings from the EqIA were considered throughout the development of the scheme so that any negative impacts identified could be minimised, managed or eliminated as far as reasonably practicable. There are to be monitoring processes to address and minimise any impacts that arise in the construction and operation of the scheme. In addition to these processes, periodic EqIA monitoring of identified impacts is planned, to ensure that the correct mitigation measures are in place. It is also planned that the EqIA will be kept updated with any other emerging equalities issues or impacts throughout the scheme lifecycle.

## 4. Other considerations

- 4.1 A risk register has been prepared, with mitigation measures and action owners identified. A summary of key risks and the proposed mitigation is attached at Appendix 1.
- 4.2 The BRE is consistent with the National Planning Policy Framework (2012), the London Plan (2015), the London Riverside OAPF (2015), the MTS (2010), the London Housing Strategy (2014) and LBBD’s planning policies.
- 4.3 As part of the TWA Application the following impact assessments have been prepared:
- Energy Demand Assessment
  - Environmental Impact Assessment

- EqlA
- Health Impact Assessment
- Sustainability Statement
- Transport Assessment

4.4 TfL held three phases of public consultation to inform the development of the BRE. The consultations took place in September to October 2014, May to June 2015 and December 2015 to January 2016. Comments received during the various consultations have been reviewed by TfL, and where appropriate, have informed the design of the project.

## **5. Financial comments**

- 5.1 TfL has made provision for £95m in its Business Plan for transport interventions in the Barking Riverside area including the Barking Riverside Extension and is currently forward funding the preparation of an application for an Order including the cost of a public inquiry from this provision.
- 5.2 The total cost of delivering the BRE, is £263m which is being funded through contributions from TfL, currently budgeted at £91m, and BRL of £172m. Until a contractor is appointed all project spend will be from TfL's budget. TfL has agreed to take on the responsibility for building the extension, including covering the cost risk

## **6. Legal comments**

- 6.1 The TWA Application seeking powers in respect of the project is being drafted by Parliamentary Agents appointed by TfL. TfL's power to apply for a TWAO is governed by section 20 of the Transport and Works Act 1992 as amended by section 168 of the Greater London Authority Act 1999. Section 20(4) provides that TfL and its subsidiaries may only apply for a TWAO if the Mayor gives his/her written consent. There is no statutory requirement on the Mayor to consult prior to giving his/her written consent.
- 6.2 As set out above, public consultation has been undertaken by TfL.
- 6.3 If the Mayor gives consent as requested, notices to parties affected by the proposals will be given once the TWA Application has been made and a 42 day objection period then follows. In the event of objections to the proposal being made, a public inquiry will be held within approximately six months and a decision on the application is likely to be made within approximately nine months of the inquiry closing.

## **7. Investment & Performance Board**

- 7.1 The submission of the TWA Application by TfL has not been considered at this Board, as there are no direct financial implications for the GLA from the submission of the TWA Application by TfL.

## **8. Planned delivery approach and next steps**

- 8.1 The project will be delivered by TfL. The outline timetable is set out below.

<b>Activity</b>	<b>Timeline</b>
Submission of TWAO application	Spring 2016
Procurement of rail construction contractor	2016-2017

TWAO powers granted	Autumn 2017
Rail Extension construction start on site	2017/2018
Rail Extension construction completion	2021

## **Appendices and supporting papers:**

Appendix 1 – A Summary of Key Risks

**Public access to information**

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOI Act) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after approval or on the defer date.

**Part 1 Deferral:**

**Is the publication of Part 1 of this approval to be deferred? NO**

If YES, for what reason:

Until what date: (a date is required if deferring)

**Part 2 Confidentiality:** Only the facts or advice considered to be exempt from disclosure under the FOI Act should be in the separate Part 2 form, together with the legal rationale for non-publication.

**Is there a part 2 form -NO**

**ORIGINATING OFFICER DECLARATION:**

Drafting officer to confirm the following (✓)

**Drafting officer:**

Claire Hamilton has drafted this report in accordance with GLA procedures and confirms the following have been consulted on the final decision.

✓

**Assistant Director/Head of Service:**

Tim Steer has reviewed the documentation and is satisfied for it to be referred to the Sponsoring Director for approval.

✓

**Sponsoring Director:**

Fiona Fletcher Smith has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

**Mayoral Adviser:**

Isabel Dedring has been consulted about the proposal and agrees the recommendations.

✓

**Advice:**

The Finance and Legal teams have commented on this proposal.

✓

**EXECUTIVE DIRECTOR, RESOURCES:**

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature

*M. J. Belle*

Date

*15.3.16*

**CHIEF OF STAFF:**

I am satisfied that this is an appropriate request to be submitted to the Mayor

Signature

*Approved by Sir Edward  
Lita by email*

Date

*16.3.16*

## APPENDIX 1

### A Summary of Key Risks

Risk	Mitigation (if applicable.)
A congested market place results in increased contractor bid prices	Early market engagement to generate interest and competition in the marketplace
Unknown ground conditions lead to delays during construction and increase project cost	Extensive intrusive survey to be carried out during design phase to determine ground conditions
Unidentified buried services are located on site during construction resulting in additional cost and time to deliver the scheme	Request buried services records and undertake additional surveys as necessary
Existing railway asset condition requires additional renewal	Early survey of existing equipment and analysis of existing asset records
Contractor delay leading to missed possessions	Detailed construction sequencing carried out in advance of main works and robust contingency planning