

Sadiq Khan
City Hall
Kamal Chunchie Way
LONDON
E16 1ZE

30 June 2022

Dear Sadiq,

RE: PLEASE REFUSE THE MSG SPHERE PLANNING APPLICATION (APPROVED BY LLDC)

We are Newham Cyclists, part of the London Cycling Campaign.

We are writing to ask you to direct refusal of the planning application for the MSG Sphere (19/00097/FUL) in Stratford, and insist the applicant makes changes to the proposed venue's transport strategy and public realm design.

The MSG Sphere scheme as approved by the unelected members of LLDC's planning committee:

- Locks in a 0.44% mode share for cycling and potentially thousands of extra car trips to each event
- Builds an important new cycle link that would be heavily used by schoolchildren going between East Village and the London Aquatics Centre—only to then routinely close it at peak times (including school run times) to allow ingress/egress to the Sphere
- Endangers local people by proposing a highway design for Angel Lane that constitutes at least two “critical fails” according to the Government's LTN 1/20 standard, locking out safe cycling on Cycle Future Route 7 for potentially decades and building in community severance
- May overwhelm Stratford station, an already dangerously-congested station which is a critical link for many people (particularly key workers, who have to travel no matter what.) The Sphere proposals only include one extra entrance to the station, and propose nothing to fix the congestion in the platforms and subways
- Provides no legal mechanism for Newham Council to stop the building operators from showing obnoxious or distracting advertising on the building's surface that could propose a safety risk, by granting an advertising consent for illuminated video content on the Sphere's surface for a quarter of a century

We attach a copy of the objection report¹ we prepared for LLDC's planning policy and development team from 2019-2020, but summarise the issues raised (plus some additional information that came to light at the planning meeting) in this letter. Please don't hesitate to contact us if you want clarification on specific details.

REPEATING PAST MISTAKES FOR A 0.44% CYCLING MODAL SHARE

The scheme, as approved by LLDC's planning committee, does not meet your own London Plan or Transport Strategy. Its 'proposed' modal share is copy-pasted from three samples of the existing modal share of the London Stadium. Based on these figures, MSG forecasts 22 event visitors to arrive to a sold-out event by cycle—a pitiful 0.1%—and uses this to justify a pitiful 96 cycle parking spaces for a venue with capacity of 22,500, even going so far as to call anything more substantial a 'significant overprovision.' **This designs in a maximum mode share for cycling of 0.44%.** This does not compare favourably with the 'proposed' 12.2% mode share for private motor vehicles.

This proposal does not even come close to what is mandated by the London Plan. MSG's excuse for this comes entirely from their projection based on the existing mode share at the London Stadium (including concerts by Beyoncé and the Foo Fighters.) During the ingress time for at least one of these events, event stewards as far away from the Stadium as Montfichet Road (about 400 metres away) were telling all cyclists in the area to dismount and push—which explains why the recorded modal share for these events is 0.1%.

We know from successful events such as All Points East at Victoria Park, which provides (oversubscribed) temporary cycle parking every year, that people will cycle to music events.

We would like to see innovative solutions from MSG to deliver something truly revolutionary and achieve a cycling modal share of 5% for the Sphere. Instead, MSG Entertainment views your London Plan as a set of rules that shouldn't apply to them, and provides risible excuses to justify ignoring them. It copy-pastes figures from previous planning failures (such as the failure to provide secure and convenient cycle parking at the Stadium, and to keep the surrounding area cycleable during event ingress/egress) and views them as aspirational, rather than something to learn from.

BUILDING A MISSING LINK IN THE CYCLE NETWORK AND THEN MAKING IT IMMEDIATELY USELESS

Montfichet Road is a busy and unpleasant link in the Olympic Park, running roughly between East Village and the London Aquatics Centre. This should be an important link for all kinds of people, including schoolchildren going to Chobham Academy and to swimming/diving lessons at the Aquatics Centre, people going to work and the shops at Westfield, people cycling to and

¹ **Further Response to MSG Sphere Planning Application**, Newham Cyclists, 2021: <https://www.newhamcyclists.org.uk/further-response-to-msg-sphere-planning-application/>

from Stratford station, and so forth. The existing design is car-dominated and the small cycle track that does exist is interrupted by bus stops, trees, and haphazard street clutter.

MSG proposes to make considerable changes to Montfichet Road, removing the dual carriageway and providing a wider cycleway. While these changes are welcome in principle, some details of the design are not up to best practice standards (for instance, junctions without pedestrian crossings on every arm; cycle tracks disappearing into shared areas at junctions and staircase landings; the removal of a bus lane in favour of an extended taxi rank.) We understand that the S106 agreement goes beyond MSG's proposed design, and requires them to also address the dangerous Penny Brookes Street junction in collaboration with Newham Council: this is welcome, although rather telling that this had to be written into the S106 rather than MSG proactively proposing to fix it. We also would like to seek assurances that the eventual design will conform to LTN 1/20.

The biggest problem for us with this section of the scheme, however, is that it will be unusable when it is most needed. The MSG Sphere's CONOPS proposes to close the cycle track at peak ingress and egress times for events. Assuming event finish times and doors times are as indicated in the CONOPS, this means that matinee performances will end between 3-4pm, and door times for evening events will be between 6pm-7:30pm. **This means that the new cycle track will need to be closed exactly when it is most needed by children using it to go home from school (or go to the Aquatics Centre), and by people going home from work in the evenings.**

MSG have had 4 years to address these concerns and chosen to do nothing.

Representatives from Newham Cyclists and from the London Cycling Campaign questioned representatives from Momentum Transport Consulting (who produced MSG's designs) when these were first presented to LLDC's Sustainable and Active Transport Group in 2018. We raised concerns then about the track being closed at event entry/exit times, and were told that this was necessary to balance the needs of all road users. Frankly, if 'balancing the needs of all road users' means kids going for swimming lessons after school are expected to cycle in front of buses and lorries, whoever's balancing those needs for a brand new development is doing an awful job of it.

The proposed CONOPS for the MSG Sphere treats local residents and schoolchildren as a nuisance to be thrown over the wall when operationally inconvenient. It throws transport planners a bone by offering a mediocre-quality cycle track, but then makes it immediately useless by closing it when it is most needed. It mitigates the applicant's own failure to provide a self-contained crowd control mechanism by forcing members of the public using the most sustainable transport modes to put themselves at risk of injury or death. This is unacceptable.

BUILDING A 'CRITICAL FAIL' ON A CYCLE FUTURE ROUTE

There is currently a major severance issue between the 'old' and 'new' sides of Stratford, with no safe cycle links connecting the two to the east of Carpenters Road. The railway line, combined with the Westfield estate where cycling is banned, makes it hard to cycle or walk between the two. Improving connections between these areas could go some way to

addressing issues of community severance and gentrification, and would also make life considerably easier for working cyclists such as delivery riders who shuttle between the old and new sides of Stratford (who currently have to either dice with death on Angel Lane or ride illegally on the Westfield pedestrian bridges.)

In addition, TfL's Strategic Cycling Analysis² has identified huge potential demand for cycling across the railway line (from Leyton to Barking Road, route number 7.) Currently, Angel Lane, an important part of this link, has no protected cycling infrastructure, and no space for any, due to a narrow bridge with a steep gradient.

MSG do not propose to widen this bridge, and instead propose to narrow the carriageway to a 'consistent width' to encourage cyclists to take the centre of the lane.

At the very least, this is not inclusive and will lock out cycling here to anyone with a functioning sense of self-preservation; we also note that the proposed carriageway width means an average nearside lane width of 3.25 metres, which is considered a 'critical fail' by the Cycling Level of Service tool in Local Transport Note 1/20³. The traffic volumes (over 10,000 vehicles per day, of which 10-17% constitute buses and HGVs) constitute an additional critical fail when people are expected to cycle in the carriageway. For the avoidance of doubt, a 'critical fail' in CLoS terms constitutes a death trap.

MSG have said that they would work with Newham Council if they proposed to widen the Angel Lane bridge. However, MSG is the one proposing changes to Angel Lane in the first place. They are the ones who should be proposing to widen the bridge, and offering to pay for it—particularly if there is the possibility that any change in the dimensions in the bridge could impinge on their site. This should have been a precondition of planning permission being granted and should have been written into the S106 head agreement. Instead, MSG Entertainment plans to build a death trap on Angel Lane and lock out safe cycling for years, and chooses to fob off any criticism by offering a pinky-promise to cooperate if Newham Council fixes the problem after the fact from its own capital budget.

The S106 agreement needs to be re-negotiated. MSG need to be the ones paying to widen the Angel Lane bridge to provide space for high-quality cycling infrastructure connecting Leyton and Stratford, and that provision needs to be usable 24/7—even during event ingress/egress times.

OVERWHELMING STRATFORD STATION AND DOING NOTHING TO FIX THE PROBLEMS THERE

The MSG Sphere site is adjacent to Stratford station. This is London's busiest non-terminal station by far, and in 2020/21 (during the first waves of the COVID pandemic) was Britain's

² **Transport for London:** Strategic Cycling Analysis / Identifying future cycling demand in London, June 2017 <https://content.tfl.gov.uk/strategic-cycling-analysis.pdf> - see map on page 51

³ **Department for Transport:** Cycle Infrastructure Design / Local Transport Note 1/20, July 2020 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/906344/cycle-infrastructure-design-ltn-1-20.pdf

busiest railway station⁴, with almost 14 million entries/exits and 1.746 million interchanges. This shows that Stratford, in contrast to some central London terminus stations, was heavily used during lockdown by people who had to keep travelling during lockdown no matter what—that is, essential workers and key workers.

The station experiences major overcrowding, particularly on the Central line, Elizabeth line, and National Rail platforms, and also in the narrow subways. It also has major problems with accessibility (including one lift that must be used to traverse a tiny flight of steps, and regularly causes congestion).

MSG's projections in their Transport Assessment are that 77% of the venue's capacity—a total of 16,555 visitors—could arrive to a full-and-standing event between 1800 and 1930. This is exactly the time when people rely on Stratford station to get home from work. With no capacity enhancements forthcoming on the Central line and Jubilee line for the foreseeable future (the JNAT project for additional Jubilee line trains having been paused) and TfL possibly soon entering a state of managed decline, this is downright irresponsible.

In mitigation, MSG has proposed an additional exit from the station. However, anyone who has used Stratford in the last 10 years could tell you that the choke points are not at the station exits—they are in the subways and platforms. Even LLDC admits that Stratford needs a massive upgrade, according to their website⁵:

“By 2031, it is forecasted that the station will be unable accommodate [sic] the increased demand and fail to function safely as a station, dealing with 55 million more passengers than they would have been in 2016.

“What we need at Stratford will be at the same scale of intervention as we have seen at King's Cross St Pancras, Victoria and London Bridge. This isn't just about making sure that the station itself can deal manage [sic] more people, but it is also to make sure that connectivity to the station is improved for local communities, and that wider development serves the local need and economy.

It is puzzling, therefore, why MSG are proposing a piecemeal fix to the station and to open their scheme well before any upgrade to Stratford station could feasibly begin construction, let alone be complete. Rather than providing or offering to pay for any meaningful upgrade to Stratford station, MSG's proposals will instead hasten it reaching capacity and being unable to function safely as a station. It would also likely throw a spanner in the works when the time does come to deliver an upgrade to Stratford station; if an event is running at the Sphere, but

⁴ **Office of Rail and Road:** Estimates of station usage 2020-2021, November 2021 <https://dataportal.orr.gov.uk/media/2024/station-usage-2020-21-statistical-release.pdf>

⁵ **Lance Digby, Development Manager at LLDC:** Why Stratford Station needs an upgrade, June 2021 <https://www.queenelizabetholympicpark.co.uk/news/insights/2021/06/why-stratford-station-needs-an-upgrade>

Stratford is closed for the weekend to allow the tracks to be realigned or the subways to be knocked through, how are event spectators supposed to arrive?

We think that a major upgrade to Stratford station is desperately needed—but this needs to come before the Sphere is opened to the public, not after. Adding one additional exit is not good enough—the entire station needs to have its layout rationalised and circulation space improved. MSG should be funding this work—instead they choose in their planning application to largely ignore that it even needs to happen.

GRANTING CARTE BLANCHE FOR OBNOXIOUS AND DISTRACTING ADVERTISING WITH NO LEGAL OVERSIGHT FOR 25 YEARS

The MSG Sphere proposed for London is the second such building in the world. The first is currently nearing completion in Las Vegas. The surface of the building is effectively a high-resolution LED display, which can be used to display public art or advertising (with a 65-35 mix proposed in the planning application—although, as explained by LLDC planning officer Daniel Davies at the planning meeting, there is no distinction between the two in planning law, so it is not clear how this will be enforced.)

Typically, advertising planning consents are granted for 5 years. The MSG Sphere's advertising consent has been approved for 25 years—that's a quarter of a century. (For reference, 25 years ago, Tony Blair had just won the general election and the Spice Girls had just topped the charts in the US for the first time.) No explicit reason for this was given by the applicant, but the suggestion we were able to glean from discussions at the planning meeting was that the building would not have enough architectural merit without the screen; nor would the financials of the development work if the surface couldn't be used for advertising.

What this means, to our understanding, is that Newham Council will have no legal mechanism to review or rescind the advertising consent for the MSG Sphere if it is found to have an adverse effect on local residents. We understand that LLDC's planning officers were told to introduce a 'formal review' to the S106 after five years—however, if the outcome of this is not that the advertising consent can be rescinded, it is basically useless.

We are especially concerned about the impact the lighting will have on vulnerable road users—particularly cyclists in the carriageway on Angel Lane and on Montfichet Road (where they will be expected to be during event ingress/egress.)

Particularly, we note from the Planning Committee minutes⁶ that the maximum brightness of the screen during the day would be 25 candela, and would be reduced to 7 nits (equivalent to

⁶ **London Legacy Development Corporation:** Minutes of the Meeting of the London Legacy Development Corporation Planning Decisions Committee, Tues 22 March 2022 <https://www.london.gov.uk/moderngov/ldc/documents/g6303/Printed%20minutes%20Tuesday%2022-Mar-2022%2018.00%20Planning%20Decisions%20Committee.pdf?T=1> - see paragraph 4.58 on page 11

7 candela/square metre) after darkness. By comparison, the legal minimum brightness of a flashing bicycle light is 4 candela. This means that a person cycling could easily become invisible or hard to see against the backdrop of the Sphere flashing adverts, Vegas-style, at all those in the surrounding area. This also presents a major risk for neurodiverse people—be they motorists, cyclists, train drivers, or pedestrians—who may find themselves distracted by advertising or ‘public art’ on the Sphere’s surface and have their attention drawn away from hazards on the road.

We would like to see considerably more mitigations put in place to control the potential distraction factor from the Sphere, reducing the permitted use of brightness, animation, and movement to ensure that people are able to move around the development safely. We would also like to see Newham Council have a legal mechanism to rescind the Sphere’s advertising consent if it is clear that the exterior display’s usage is having a negative effect on local residents and on road safety. This needs to be possible within weeks, not on a cadence of yearly board meetings or a ‘formal’ 5 year review with no legal mechanism to rescind the consent.

CONCLUSION

With the MSG Sphere proposal, it appears as if MSG Entertainment treats your London Plan, your Transport Strategy, LTN 1/20, and LLDC’s own planning guidelines as things only worth engaging with when they’re coming up with reasons it shouldn’t apply to them. Similarly, they treat the concerns of local residents as something to be ignored (unless they can commission a telephone survey that conveniently finds 80% of local residents are in favour; we find it hard to believe the operators explained that the proposal could very well overwhelm Stratford station, or that residents overlooking the building would be offered blackout blinds.)

It is depressingly predictable that MSG chose Newham to foist the Sphere upon. If built, it will join a long history of developments imposed on our borough, such as London City Airport and the Silvertown Tunnel, where the primary beneficiaries are multinational businesses; where local residents take on all of the risks of increased air pollution and transport pressures and receive little in the way of benefits.

The majority of votes on the LLDC planning committee are cast by appointed experts, not elected officers. We were disappointed, but not surprised, that while all the elected councillors on the committee voted against the scheme (citing concerns about transport, the impact on local residents, lack of architectural merit, and access for disabled people) all the appointed members (architects and policy experts) voted in favour of it, all while offering platitudes about the amount of jobs it would create. One (appointed) member, speaking in support of the scheme, bizarrely suggested the Sphere would “put London on the map... and put Stratford on the map”. After a tie on a vote to reduce the advertising consent to 5 years, the (appointed) chair used her casting vote against this amendment to approve the application as-is with a quarter-century advertising consent.

LLDC is a Mayoral Development Corporation, so they are accountable to you. We believe from your answer at Mayor's Question Time on 19th May⁷ that once the S106 agreement is substantially complete, it comes to you for your stage 2 decision. You can "either direct refusal or let LLDC approve the application."

We think you should direct that the MSG Sphere application be refused.

As stands, the application is a 'greatest hits' compilation of transport planning failures in the Olympic Park made under previous administrations. We are in a climate emergency and a financial crunch for TfL and local councils. Stratford cannot afford to have the same mistakes foisted upon it again for another decade or longer.

The applicant, MSG Entertainment, is a multinational awash with cash. Refusing the application in its current form would send a clear message that they must pay their fair share if they want to build the Sphere in Stratford. They must follow best practice standards for highway design and cycle parking provision, not provide poor quality scraps that can be closed when operationally inconvenient. They must contribute meaningfully to a rebuild of Stratford station, and break down community severance caused by the railway line, rather than compounding it. The democratically-accountable Newham Council must have a legal mechanism to rein in obnoxious advertising.

We implore you to refuse the application. Because if the Sphere is built as stands, the only Olympic legacy that matters will be that in Stratford, as in Vegas, the house always wins.

Yours sincerely,

OLAWALE AJIBOLA

Co-ordinator

On behalf of Newham Cyclists

JONATHAN ROTHWELL

Olympic Park Representative
& Interim Deputy Co-ordinator

cc: **Lyn Brown MP**, West Ham
Unmesh Desai AM, City and East
Rokhsana Fiaz OBE, Mayor of Newham
Cllr Nate Higgins & Cllr Danny Keeling, Stratford Olympic Park
Cllr Joshua Garfield & Cllr Sabia Kamali & Cllr Terence Paul, Stratford
Cllr Carolyn Corben & Cllr Ken Penton, Maryland
Cllr Rachel Tripp, Forest Gate North
Cllr James Beckles, Custom House

⁷ <https://www.london.gov.uk/questions/2022/1572#a-208432>