
From: Bradbury, Mark

Sent: 13 March 2023 15:13

To: Church, Eleanor [REDACTED]@planninginspectorate.gov.uk>

Cc: Lower Thames Crossing <LowerThamesCrossing@planninginspectorate.gov.uk>; Blackmore, Ted [REDACTED]@planninginspectorate.gov.uk>; Wake, Ian [REDACTED]@thurrock.gov.uk>; Tyson, Luke [REDACTED]@thurrock.gov.uk>; Nicholson, Leigh [REDACTED]@thurrock.gov.uk>

Subject: RE: LTC: Procedural Decision from ExA to Thurrock Council Ref TR010032

Eleanor,

Thurrock Council notes the decision on 9th March by the Transport Secretary to slow down delivery of the Lower Thames Crossing by 2 years and the decision to 'allow more time to take into account stakeholder views and prepare an effective and deliverable plan, while helping to meet inflationary pressures and deliver the planning processes properly.'

In my email, also of 9th March, below I indicated that Thurrock Council would be seeking an extension to the process to allow the Council to properly engage in the pre-examination and examination.

In light of the announcement by the Transport Secretary, I assume the Planning Inspectorate will be working with the applicant to discuss and agree a new timetable for the process. In doing so I ask that Thurrock Council's request as set out below is taken into consideration.

The Council understands that it was the intention of the Examining Authority is to commence the Examination period on 1 June 2023, but notes the announcement by the Transport Secretary on 9th March 2023.

The Council is concerned that without an extension of the Pre-Examination period and hence a delay to the Examination it and other Interested Parties will not have sufficient time to effectively engage in the Examination process. Significant work on analysing over 550 documents is still outstanding. Further time is required to fully analyse the application documents and effectively engage in the outstanding issues and prepare an adequate PADS Summary and LIR. The Transport Secretary appears to acknowledge this in their announcement.

It should be noted that Thurrock Council is by far the most impacted Borough by this scheme. The Council has 15 main areas of concern (with over 290 outstanding issues in the current Statement of Common Ground) that it considers need to be explored further through the Examination.

The Council's position is that the cumulatively disbenefits to the Borough far outweigh any assumed wider benefits nationally. It has also identified significant defects in the quality of the traffic modelling relied upon by National Highways and has engaged consultants, so that this can be demonstrated during the Examination. Without the Council's formal involvement there is a real danger that there will no proper challenge to inaccurate statements and modelling.

The Council's full and effective engagement in the process is clearly in the public interest and the ExA has already acknowledge this in the Procedural Decision of 3rd March 2023.

Without the Council's engagement any recommendation made by the ExA is likely to be more susceptible to successful challenge, as the Council is best placed to understand the impacts of the scheme and appropriate local mitigation. Furthermore, the question of fairness needs consideration if the major affected party is unable to fully engage in the process; and, it may prove consequently harder to demonstrate that all aspects of the scheme have been fully considered. Accordingly, it increases the chance that material issues are not considered, which would increase the chances of successfully challenging any recommendation/decision.

The Council is therefore requesting an extension of the Pre-Examination period and hence a delay in the start of the Examination.

It is anticipated that the Council will be in a position to make provision for its involvement in the Examination within the next 3 months. The Council's consultants will then need sufficient time to consider the application documents and prepare the necessary responses to the ExA in accordance with its revised Examination timetable.

Accordingly, the Council is requesting a delay of at least 3 months, with the Examination commencing no earlier 1 September 2023.

In our opinion no detriment would be suffered to other parties by this short delay, particularly in the light of the decision to delay delivery of the project, and the public interest in allowing the Council to fully participate in the Examination is considerable. Allowing this delay would facilitate the interests of local residents being properly represented and for a robust Examination process.

Regards

Mark

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