

**Application by National Highways for an Order granting
Development Consent for the Lower Thames Crossing
(Ref. No. TR010032)**

**Submission for Procedural Deadline A (PDA) – 5 May 2023
Emergency Services & Safety Partners Steering Group
(ESSPSG)**

Introduction

- 1 In accordance with the Rule 6 letter issued by the Examining Authority (ExA) on 25 April 2023, we, the ESSPSG, are making a submission at PDA.
- 2 For your information, the ESSPSG was formed in late 2020 as a direct response to the lack of effectiveness and infrequency of the National Highways (NH) formed body entitled 'Tunnel Design & Safety Consultation Group' (TDSCG). Terms of Reference for the ESSPSG form Annex A to this submission and were initially formulated in spring 2021 and have been updated subsequently to reflect a widened membership.
- 3 Subsequently, the ESSPSG has met approximately 20 times over the past 2+ years under the chairpersonship of Essex Police. In addition, there were a series of 'Task and Finish Groups' and there have been a number of 'scoping meetings' during 2022 to deal with specific technical issues, with NH in attendance.
- 4 The ESSPSG membership includes all the 'blue light' services (Police and Metropolitan Police, Fire and Rescue Services from Essex and Kent and Ambulance services from East of England and South East Coast Trusts), NHS representatives, local authorities (Essex CC, Kent CC, Gravesham BC, Thurrock Council) and the Samaritans. Local authorities are part of the group in view of their formal emergency and safety and health responsibilities. In addition, NH are invited to each meeting to update and present/discuss issues. The ESSPSG has therefore replaced the former TDSCG.

Formal Submissions from ESSPSG

- 5 The ESSPSG has made several collective and coordinated submissions to either NH (prior to DCO submission) or to PINS subsequently, during this period:
 - a. Community Impact Consultation formal response dated September 2021 to NH offering 56 recommendations.
 - b. NH only formal response to the 56 recommendations was dated November 2021.

- c. Local Refinement Consultation formal response dated June 2022 offering an update on the very limited progress with the previous 56 recommendations.
- d. A draft Statement of Common Ground (SoCG) was prepared, very late in the process in September 2022, but was not submitted/published by NH in its then current form at the request of the Group on 17 October 2022. The ESSPSG considered that it was offered in draft too late for an adequate review, was inaccurate and mis-represented the status of the many issues and so would '*present an inaccurate picture of the group's position to the Examining Authority.*'
- e. The ESSPSG submitted its Relevant Representation on 24 February, in accordance with the deadline set by PINS.

Purpose of this Submission

- 6 The ESSPSG has reviewed the Rule 6 letter and notes that within Annex F that the ExA has requested that Essex, Kent and the Metropolitan Police (but not other emergency services) submit separate SoCGs setting out their issues.
- 7 Given that the ESSPSG has been making collective submissions to NH and PINS over the last 2+ years, it is hoped to be formally recognised in this DCO process and its opinions sought, as with other key stakeholders.
- 8 The ESSPSG therefore makes the following requests to the ExA:
 - a. That the ESSPSG is recognised by the ExA as the representative body for emergency services and safety matters.
 - b. That the ExA requests a collective SoCG from the ESSPSG and so removes the need for separate SoCG from the three police services (as set out in the Rule 6 letter, Annex F). It should be noted that this collective draft SoCG has been in preparation for some months now with NH and it is at a relatively advanced stage. However, NH has now stated that it will not be progressing the collective draft SoCG and is now referring to the Rule 6 letter Annex F points to guide their actions..
 - c. The ESSPSG hope to make its formal first draft SoCG submission at Deadline 1 (18 July) and we request the ExA agreement for that submission to be made. It is possible that this SoCG submission could be made at the later Procedural Deadline of 13 June.
- 9 It is hope that support from the ExA in the above three requests will then allow NH to re-engage to produce an effective first draft SoCG for the whole of the ESSPSG. In addition, it should also help to inform the ExA of the collective views of all the ESSPSG membership.

ANNEX A – ESSPSG Terms of Reference

Emergency Services & Safety Partners Steering Group (ESSPSG) Terms of Reference – May 2021 (ongoing)

Purpose of the Steering Group

To provide a collaborative and coordinated Steering Group of Essex and Kent emergency services, safety partners and affected local authorities to scrutinise the LTC proposals, provide comments and meet with LTC to agree all proposals, requirements and equipment needed to respond to emergencies and incident planning in the tunnel, in terms of design, provision and operations, ensuring all relevant measures are legally secured within the DCO.

Key Activities

General

- Identify and agree the key strategic priorities that could be realised by working in partnership in response to the scheme;
- Ensure sufficient resource is available from emergency services member organisations, particularly safety partners and affected local authorities in respect of DCO, Emergency Services and Legal advice, to effectively progress the agreements and actions;
- Receive regular updates regarding progress from Member organisations and provide support and guidance when there are risks beyond the ability of the Steering Group to mitigate;
- Make decisions regarding the ongoing prioritisation of activities, where required;
- Set the criteria for measuring the effectiveness and relevance of the recommendations and actions;
- Coordinate responses to and attendance of National Highways Tunnel Design Safety Consultation Group (TDSCG) and review materials produced by that Group; and,
- Coordinate all member organisations agreed responses to the Statements of Common Ground (SoCG).

Specific

- Review additional resource (people, vehicles, equipment) needed to resource an incident in the LTC tunnel, determine the costs and provide options for funding sources;
- Consider impact/costs to the emergency services;
- Review similar/other tunnel developments and consider any lessons learned to aid decision making;
- Ensure that all the safety features related to or within the LTC tunnel are both appropriate and legally secured within the DCO (and shown in detail within the Book of Plans – possibly the Tunnel Limits of Deviation (LoD), Tunnel Area Plan, Works Plans or Engineering or other appropriate drawings). Such safety features to include any control buildings, site access points, fire suppression

- system, emergency spill arrangements and that the distances between the cross passages are suitable for responding to an incident;
- Assist National Highways in identifying and securing a refuge location for people displaced from vehicles in the LTC tunnel in an incident and ensure it is legally secured within the DCO and shown on the Book of Plans;
 - Determine, with National Highways, the response times of all services to an incident in the LTC tunnel and how emergency services units access an incident from the nearest police, ambulance and fire station within an appropriate timeframe. Also, ensuring that there is a defined safe and secure route to attend the location, given the periodic issues with the local road network;
 - Provide an independent risk assessment of the likelihood of a major incident or accident within the LTC tunnel and review the DCO assessment (ES Chapter 4, Section 4.9 and Appendices 4.2 (Long List) and 4.3 (Short List)); and,
 - Review the DCO documentation and agree with NH through discussion the inclusions to ensure all relevant measures are secured legally through the DCO, covering the following documents:
 - ‘Site Clearance Capability – A guide for effective local planning, response and recovery’ (Department for Communities and Local Government, 2016)
 - Code of Construction Practice (CoCP), Section 5.9
 - Book of Plans (possibly Tunnel Limits of Deviation (LoD), Tunnel Area Plan, Works Plans or Engineering or other appropriate drawings)
 - Environmental Statement (ES), Chapter 4 (Section 4.9) and relevant Appendices (Appendices 4.2 (Long List) and 4.3 (Short List))
 - Tunnel Safety Consultation document
 - Tunnel Operation Control Philosophy;
 - Review the ‘On-Site Emergency Response Plan’ and provide feedback to LTC, particularly in relation to any gaps in the plan or additional mitigation/control measures that may be required to enable response partners to draft the ‘LTC Multi Agency Major Incident Response Plan’; and,
 - Draft Emergency Services/Environmental/Incident Management/Control Plan that should be within the DCO documentation (and not only the responsibility of the contractor) and ensure an agreed version is part of the DCO re-submission and is legally secured.

Membership

Membership comprises senior-level representatives from the following organisations (this is expected to evolve as the project progresses):

Organisation	Member
Essex Police (Chair)	C/Supt Morgan Cronin, Essex Police
Thurrock Council (Deputy Chair)	Assistant Director of Place
Essex and Kent Fire and Rescue Services (up to 5 representatives each)	As appropriate, with consistent membership

Essex Police (up to 5 representatives)	As appropriate, with consistent membership
Ambulance services from East of England and South East Coast Trusts	As appropriate, with consistent membership
Essex County Council	LTC Representative (Transport or Planning)
Kent County Council	As appropriate, with consistent membership
Gravesham Borough Council	As appropriate, with consistent membership
Kent Police (various representatives)	As appropriate, with consistent membership
Thurrock Council	Cheryl Wells, Emergency Planning Team
Thurrock Council	Stantec, Consents & DCO Senior Consultant
National Highways	As appropriate

Meetings

Meetings will take place on a monthly/quarterly basis with additional virtual meetings set up as required where issues are escalated that require resolution before the next planned meeting.

The meeting will be quorate when the Chair (or Deputy Chair) plus representatives from at least three-member organisations are present. Apologies should be in writing to the Chair copied to the group secretariat. Deputies may attend with the prior agreement of the Chair.

The Essex Police Lead is responsible for organising meetings, taking minutes, maintaining an Action Log and maintaining an 'Issues Register'.

The Steering Group's effectiveness and Terms of Reference will be reviewed on an six-monthly basis.