

25<sup>th</sup> May 2023

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Inc: Rynd Smith and the other members of the ExA Janine Laver, Ken Pratt, Ken Taylor and Dominic Young.

**Submitted by ExA Portal and email to  
LowerThamesCrossing@planninginspectorate.gov.uk**

Our Ref: 20035309  
Your Ref: Lower Thames Crossing Development Consent Order

Dear Rynd Smith and ExA,

**PROPOSED LOWER THAMES CROSSING DCO  
WRITTEN SUBMISSION BY DPWLG IN RELATION TO THE PRELIMINARY MEETING PART 1  
INTERESTED PARTY REFERENCE NUMBER REF: 20035309**

Lambert Smith Hampton ('LSH') are instructed by London Gateway Port Limited, LG Park Freehold Limited and LG Park Leasehold Limited (collectively hereinafter referred to as DPWLG), who are the owners and operators of DP World London Gateway Port (the Port) and DP World London Gateway Logistics Park (the Logistics Park) on the north bank of the Thames Estuary in Stanford-le Hope, Essex. Once fully developed the Logistics Park will comprise approximately 830,000sq.m of logistics floorspace, a scale of development that is nationally significant. The Port is a Nationally Significant infrastructure Project which, once fully constructed, will provide deep sea shipping capacity for 3.5 million TEU (Twenty Foot Equivalent) container units. The Port and Logistics Park are individually and cumulatively of national significance and critical to the UK economy.

The National Policy Statement (NPS) for Ports (January 2012) recognises "*the essential contribution to the national economy that international and domestic trade makes*" (Para. 3.3.6), and that 95% of all goods in and out of the UK move by sea via coastal ports. The NPS for Ports also forecasts an increase in container traffic by 2030 over a 2005 base of 182% from 7 million to 20 million TEU. Thus, once fully developed, the Port will facilitate approximately 18% of all UK container trade and approximately 27% of the predicted growth in such trade by 2030.

We therefore hold the view that any impacts on the Port and Logistics Park should be given great weight in the consideration of the proposed Lower Thames Crossing.

Having reviewed the Rule 6 Letter and the Draft Examination Timetable at Annex D, DPWLG wish to make the following submissions to the Preliminary Meeting.

**Assessment of Principle Issues**

Our client is broadly supportive of the Initial Assessment of the Principal Issues set out in Annex B of the Rule 6 Letter.

**Agenda Timeframes**

The Rule 6 Letter states that the ExA will publish detailed draft agendas for the Issue Specific Hearings (currently scheduled for 21<sup>st</sup> and 22<sup>nd</sup> June 2023) on the project website '*at least five working days in advance of the hearing date*'. We are of the view that five days is not a sufficient period to be able to prepare for any of the hearing sessions throughout the examination period, due to insufficient time to organise availability and travel, or ensure appropriate members of our project team are available.

We suggest that the examination and its participants would benefit if agendas were to be made publicly available as soon as possible to help Interested Parties work toward the Programme Timetable. We have a team of technical and legal advisors undertaking assessment work and providing advice on our representations and DPWLG would request that longer notice is given to facilitate preparation for and attendance at hearing sessions. We suggest, therefore, that agendas should be released at least 21 days in advance of any meeting or hearing session.

### **Prepare Written Representations**

The application as submitted does not examine the possible transportation impacts on the Port and Logistics Park, and the potential significant economic impacts on the current operations of both these nationally important assets. DPWLG has therefore committed to undertake such assessment to ensure such impacts can be considered as part of the examination process. In this behalf, DPWLG has instructed a qualified project team, including King's Counsel, planning and other technical consultants (including transportation and specialist transport economists) to review the submitted application documents and provide the evidence required to consider the transport and economic impacts of the proposed Lower Thames Crossing on the Port and Logistics Park.

The extent to which the information submitted by the applicant is considered insufficient, and the assessment subsequently carried out by the DPWLG team, will be included in our client's Written Representation for the Inspectors to review. The Written Representation will be submitted in line with the previously submitted Relevant Representation, which set out our clients concerns of the potential delays on the local highway network, specifically at A13/A128 Orsett Cock and the A13/A1014 Manorway junctions, as a direct result of the proposed Lower Thames Crossing. It is to be noted that the A13/A1014 junction provides the sole route of access to the Port and Logistics Park for freight traffic (all other local roads being inappropriate for such use and thus subject to weight restrictions). Our client's Written Representations will also highlight how such delays would be exacerbated when the Dartford Crossing is affected by unexpected incidents (including partial or full carriageway closures) due to increased users of the Lower Thames Crossing and these junctions by diverted traffic. Any delays caused at these junctions, whose efficient operation is essential to the operations at the Port and Logistics Park, has the clear potential to create significant economic impacts at both the Port and Logistics Park, that are critical to the UK economy.

The currently proposed timescale for Written Representations to be submitted on the 18<sup>th</sup> July 2023 does not provide sufficient time to fully assess the anticipated transport impacts nor adequate time to identify a realistic and reasonable mitigation solution. We, therefore, respectfully request a further 4 weeks to submit the Written Representations, taking the submission date to 15<sup>th</sup> August 2023, with all subsequent deadlines moved back accordingly.

We note Thurrock Council's request to move the Written Representation submission to 5<sup>th</sup> September 2023 at the Programme Meeting (16<sup>th</sup> May 2023). Our client confirms that such a delay would not impact us adversely and we have no objection to it.

### **Review Written Representations**

The draft timetable only allows 12 working days between 18<sup>th</sup> July 2023 and 3<sup>rd</sup> August 2023 to review and submit comments on the following:

- Written Representations;

- Local Impact Reports;
- the Applicant's amended proposed Accompanied Site Inspection itinerary;
- the Applicant's amended Draft DCO;
- the Applicant's previous submissions; and
- any information requested by the ExA.

Given the volume and anticipated detail that will be included within the Written Representations, and considering the period coincides with the summer holiday period, we are of the view that the timeframe set out above does not allow a reasonable period to fully review and comment on the above documents and matters. We kindly request a minimum of 4 weeks to undertake these works.

### **Site Visits**

We respectfully request any future Accompanied Site Inspections take in the DP World London Gateway Port and Logistics Park. As noted in our Relevant Representations, the Port and the Logistics Park are nationally important sites and critical to the UK economy. As such, it is important that the Examination Authority have clear understanding of how both the Port and Logistics Park operate. This would be greatly assisted with a site visit. Visits to the Port and Logistics Park will need to be accompanied given the nature of the operations, the need to protect the health and safety of visitors and the security of the Port.

We further request any future Accompanied Site Inspections take in the junctions (A13/A128 Orsett Cock and the A13/A1014 Manorway), as set out in the submitted Relevant Representations and Preliminary Areas of Disagreement. We suggest that representatives of DPWLG accompany the Site Inspections of these junctions to ensure the Examination Authority have clear understanding of the local road network and its users, including users that are occupiers or customers of the Port and Logistics Park.

### **Examination Library**

We are of the view that any additions or updates to the Examination Library should include the date the information became available to view, to ensure Interested Parties review all new information, given the volume of documents that will be included throughout the Examination process.

### **Open Hearing Sessions**

Our client requests confirmation that the Open Hearing Sessions (currently scheduled for 20<sup>th</sup> June 6pm onwards, 28<sup>th</sup> June, 29<sup>th</sup> June, 5<sup>th</sup> July and 6<sup>th</sup> July) are intended for members of the public to make comments concerning the application. If, however, the Open Hearing Sessions are also for Interested Parties could you advise whether and when Agendas will become available?

The following members of our project team (Interested Party Reference Number Reference 20035309) have registered attendance at the Preliminary Meeting scheduled for 6<sup>th</sup> June (and virtually 20<sup>th</sup> June, if required):

- Trevor Hutchinson, DPWLG – In attendance;
- Charlotte Raper, DPWLG – In attendance;
- Paul Shadarevian KC, Cornerstone Barristers – Speaking;
- Alex Roberts, Lambert Smith Hampton – Speaking; and
- James Cullingford, Lambert Smith Hampton – In attendance.

I would appreciate if you could confirm receipt of our submissions. If there are any queries concerning the submission, our team are happy to discuss further at the Preliminary Meeting.

Yours sincerely



**Laura Dixon**

Associate Director – Planning, Regeneration + Infrastructure  
Lambert Smith Hampton



cc Trevor Hutchinson – DPWLG  
Paul Shadarevian KC – Cornerstone Barristers  
Alex Roberts – Lambert Smith Hampton  
James Cullingford – Lambert Smith Hampton  
Andy McNaught – Volterra  
Simon Tucker – DTA Transportation