

1 MR SMITH: Good morning, everybody, and welcome to today's open-floor hearing 3
2 for the Lower Thames Crossing. This is the third open-floor hearing, but the
3 first to be held south of the Thames in the local authority area of Dartford and in
4 the county of Kent.

5 Before we introduce ourselves, I'll deal with a few preliminary matters.
6 Can I first check with the case team and the audio-visual staff that we can be
7 heard online and that recordings and live streams have started? And I see a
8 positive signal from both benches so, on that basis, we are good to go.

9 I will draw your attention to the fact that there is no planned fire drill today
10 so, if you hear an alarm, it is the real thing and we will need to exit the room via
11 the marked fire exits to my right, both marked on the side of the room, straight
12 out into the lobby, follow the corridor to the main entrance, and the assembly
13 area is in the car park.

14 So, to introductions: my name is Rynd Smith. I am the lead member of a
15 panel, which is the Examining Authority for the Lower Thames Crossing
16 application, and I am also chairing this part of the hearing. I'll draw your
17 attention to our frequently asked questions that were linked to our rule 6 and rule
18 8 letters and are available on our website, and you'll find brief biographies and
19 explanations of the role and purpose of the Examining Authority's appointment
20 and of the individual members there.

21 My fellow panel members here today will introduce themselves, and again
22 I'll flag that they have biographies in the FAQs. I'll move first to Ms Janine
23 Laver, who will be taking the chair once these introductions have concluded.
24 Ms Laver.

25 MS LAVER: Hello. Good morning. Hopefully you can hear me. My name is Janine
26 Laver, and I will be chairing today's meeting. Thank you. I'll hand you to Mr
27 Pratt.

28 MR PRATT: Good morning, everybody. Ken Pratt here. I'm a member of the panel but
29 today you're hardly going to hear from me at all, because I'm primarily going
30 to take some notes, but I may ask questions so I might not be completely silent.
31 Mr Smith.

32 MR SMITH: Thank you very much, Mr Pratt. This is Rynd Smith, panel lead, speaking
33 again. Having introduced the panel who are present here today, please note that
34 we are a five-member Examining Authority sitting as a bench of three. The

1 fourth and fifth members of the panel, not with us today, are Mr Ken Taylor,
2 who is a chartered town planner, and Mr Dominic Young, who is also a chartered
3 town planner and a member of the Institute of Highway Engineers.

4 I will say at this juncture that we are taking your views very seriously
5 indeed. However, we have decided to sit, today, as a smaller bench than the full
6 panel because, as you will appreciate, an Examining Authority for a scheme of
7 this scale has a lot of work to do. So what we do is we allocate functions between
8 the panel and that means that some members can be working, delivering a
9 hearing, whilst others continue to review evidence and prepare for other parts of
10 the examination. And if there are any matters today that need to be specifically
11 considered by Mr Taylor or Mr Young, they will consider them using the video
12 and transcript record of the event. And the approach that we're taking today, I
13 think it's important to introduce that because it's an approach that we will take
14 in further hearings as we move through the six-month examination period.

15 I will also introduce our Planning Inspectorate colleagues working with
16 us on these examinations and most of you will have met at least some of these
17 already. Bart Bartkowiak and Ted Blackmore are the case managers who are
18 leading the Planning Inspectorate case team. They're both in the venue today,
19 alongside case officer, Katy O'Loan, and planning officer, Alice Humphries,
20 working with us. Outside the room, in the virtual world, are Ryan Sedgman,
21 Phoebe Challis and [Melissa Whitlock?]. They're working behind the scenes
22 keeping all of our digital systems running and making sure that we have the
23 ability for people to join this event virtually, and also a good recording etc of the
24 event for use afterwards.

25 Now, hopefully, the agenda papers, which are simple, have provided a
26 clear explanation of our and your reasons for being here today. We are holding
27 an open-floor hearing. And, again, that's your opportunity to raise anything
28 important and relevant that you think we need to know about before we make
29 any findings or a recommendation to the Secretary of State on the application
30 for development consent that is in front of us. You will find the application, and
31 all of the documents produced for this examination, on the Planning
32 Inspectorate's National Infrastructure Planning website, which has a landing
33 page for the Lower Thames Crossing. And if you're not familiar with that

1 already, I would encourage you to go and look at it and Google 'Lower Thames
2 Crossing Planning Inspectorate,' and I'm sure you will find your way there.

3 So, ladies and gentlemen, you know who we are, you know why we're
4 here. And so I'm going to hand you over to Ms Janine Laver, who will move
5 on to the next part of this hearing and will be in the chair for the majority of the
6 hearing. Ms Laver.

7 MS LAVER: Thank you, Mr Smith. Janine Laver, panel member, speaking. I will
8 shortly be asking registered attendees to speak, but before I do, I'd just explain
9 a few housekeeping matters about the way that the hearing will run. We advised
10 you in the agenda that we're being live-streamed, recorded, and published
11 online. This recording and livestream forms a public record that can contain
12 your personal information and to which the UK general data protection
13 regulation applies. Does anybody, virtually or in the room, have any queries
14 about the way our recordings are made and kept? No, okay.

15 So an open-floor hearing, as Mr Smith said, is an opportunity for
16 registered speakers to raise matters which they feel are important to them and
17 relevant and which they think we should consider. I'll flag, however, if you are
18 a party whose interest in land is affected by compulsory acquisition or temporary
19 possession requests then a compulsory acquisition hearing, later in the
20 examination, may be the best place to raise your issues. We won't stop you from
21 raising those issues today but there will be a separate compulsory acquisition
22 hearing to specifically look at those issues. If you register to speak by 18 July,
23 you will be included.

24 To today's agenda, I just would like to clarify that the registered speakers
25 are in attendance. So first up, I have Dartford Borough Council. Is there
26 Lukman Agboola, either in the room or virtually, please?

27 MR AGBOOLA: Yes.

28 MS LAVER: Yes, great, thank you. We will come to you in due course. Thank you, Mr
29 Agboola. You had a colleague, Sonia Collins, who was also registered to speak.
30 Do you know if she is attending? She's not attending. Okay, thank you. Next
31 on my list is CPRE Kent, Mr Hilary Newport. Mr Newport, are you there
32 virtually? Oh, it's Ms; I'm ever so sorry.

33 MS NEWPORT: Good morning, yes, I'm here virtually.

1 MS LAVER: I can see you. Thank you. I understand that you are representing Kent
2 today, but you've also made a request to speak for CPRE Essex. Is that correct?
3 MS NEWPORT: That's correct.
4 MS LAVER: Yeah, that's not a problem. Obviously, CPRE Essex didn't register to
5 speak today. We're comfortable to hear representations from CPRE Essex. We
6 would allow up to 10 minutes, but we would ask that the issues by the CPRE
7 Kent and Essex are simply not repeated. It's enough to say that they either share
8 the same issues or they don't. If there are different views, obviously, you can
9 represent those, but we wouldn't want to hear the same thing said twice, if that
10 makes sense.
11 MS NEWPORT: Absolutely. I'm speaking on behalf of both of the branches today.
12 Thank you.
13 MS LAVER: Okay. That's wonderful, thank you. So next on my list I have [John
14 Johnson?], interested party. Mr Johnson, you're here, wonderful. And are you
15 representing yourself? Yeah. I had [Mary Clare Martin?], [Wayne Thacker?]
16 and [Theresa Agregis?] to speak but I'm told they're not in the room or virtually.
17 They haven't shown. No, okay. I'm not aware that there's anybody else
18 registered to speak but if there's someone, in the room or virtually, that feels
19 they were registered could you pop up now? No, okay. So I'll take the speakers
20 in the orders that I just called them out. So I'll go to Dartford, then CPRE, and
21 then to yourself Mr Johnson. The organisations, Dartford and CPRE, will have
22 the 10 minutes to speak; and then Mr Johnson, as an interested party, as noted
23 in the agenda that was sent, you get five minutes to speak.
24 As much as there are not many speakers registered today, we try not to
25 extend that timeframe, simply in terms of fairness. The people who spoke at the
26 hearings prior were time-capped to those and that's a fair approach to take. So
27 if I have to ask you to stop please don't be offended. The case team are here;
28 they will put up a slide on the screen. For the people speaking for 10 minutes,
29 there will be a slide at five minutes to remind you you've five minutes left, and
30 then they'll put another slide up at one minute. And the same for yourself, Mr
31 Johnson, you'll get a slide at one minute remaining.
32 Now do we have somebody speaking for the applicant today, please? I've
33 got a hand at the back. Is it Mr Latif-Aramesh? Yes. Okay, thank you. We'll
34 come to you at the end, Mr Latif-Aramesh. As you know, you would get a

1 chance to make a response to anything that you've heard, confined to five
2 minutes, but anything that you wanted to put in detailed response would be done
3 at deadline 1. Okay, great.

4 Anybody who is watching online or for Mrs Hilary Newport, if the
5 technology fails for you and you struggle to stay connected, please contact the
6 case team. They will try to get you back into the hearing. If that fails,
7 unfortunately, you may be asked to attend a later hearing. If anything goes
8 wrong here today and we lose, obviously, our connection, we would try to
9 adjourn for a very short period while we try to get back online. If we were
10 unable to do so, unfortunately, we would have to announce, on the National
11 Infrastructure Planning website, about what would happen after that. For a small
12 hearing such as this, we don't anticipate there being any problems. In any event,
13 unless anyone's got a burning question before we move on to the speaking – no
14 – Mr Agboola, would you like to come forward to the table please? The floor is
15 yours. Good morning. Thank you. If you could introduce yourself for the
16 purpose of the recording.

17 MR AGBOOLA: My name is Lukman Agboola. I'm the principal transport planner for
18 Dartford Borough Council and my request to speak is going to be very short
19 because I've decided not to speak now because of, actually, have an ongoing
20 discussion and it's something that we've raised earlier. So I've decided not to
21 speak at the hearing today.

22 MR SMITH: Okay. Now there is one, I guess, immediate issue that emerges from that
23 as a fairness and due process point, which is probably relevant to some other
24 people who are thinking about whether or not to speak. And that is, any
25 interested party, of course, has a right to request to be heard at an open-floor
26 hearing, and that's a statutory right. We have to accord any interested party a
27 reasonable opportunity to be heard. So if we provide a hearing that they come
28 to, having registered, that is a reasonable opportunity to be heard. What we do
29 – particularly in circumstances where, as you'll appreciate, sometimes, in large
30 examinations, there's a lot of pressure, a lot of demand, for hearing time. And
31 there is also a public cost associated with arranging hearing events.

32 So what we do say to people is, if they register to speak and don't attend,
33 that they don't automatically have a right, then, to speak at a further open-floor
34 hearing because their right has essentially been discharged. We've provided

1 them with a reasonable opportunity. Now the reason I'm labouring this point is
2 because you are one of the principal local authorities for the area concerned,
3 affected by the scheme. So quite reasonably, you are going to wish to have your
4 say. But, equally, there may be others out there who want to have their say but
5 are maybe registering for an event and not coming to it.

6 At some point we are going to have to bring down the boom gate and say,
7 'We have provided sufficient open-floor hearings and we're not providing any
8 more,' because, otherwise, as you can imagine, we are under a demand that
9 requires us to provide hearing after hearing after hearing; nobody turns up, but
10 people keep saying they haven't been heard. We won't be doing that, is the
11 message that I'm sending; and we will, therefore, be making sure that in terms
12 of open-floor hearings, we're asking anybody who is as yet unheard to request
13 to be heard by deadline 1, which is 18 July, not very far away now. Depending
14 on demand, we will provide sufficient open-floor hearing time, then, to enable
15 anybody who requests, at that time, to be heard. And that, then, will draw our
16 open-floor hearings programme to an end.

17 Now your authority, as well, will be an invitee to relevant issue-specific
18 hearings. So, as a matter of practicality, you are going to be heard because we
19 want to inquire into your position. So that's important that you know that too,
20 but, as a matter of process and fairness for any other interested party who may
21 be thinking, 'Oh well, not going to turn up, not going to speak, despite having
22 registered,' we do have to lay down that marker, that the number of spaces, the
23 amount of time in the open-floor hearing programme is not endless. And we
24 will be wrapping it up after deadline 1 and announcing some final hearings. So
25 as long as you're clear on that point.

26 MR AGBOOLA: Thank you for that. I think that is very clear and thank you for
27 explaining it a bit further. I think, as a borough, well, we are fairly supportive
28 of the project. However, some of the challenges we have is already set out in
29 writing.

30 MR SMITH: Yes.

31 MR AGBOOLA: And where we thought that those things are not being taken forward,
32 that was going to be using this opportunity to do that. But actually, we're having
33 that discussion now. So I just didn't think it was useful to then repeat that

1 because I think the advice you gave at the beginning was about, anything that
2 you put down in writing will be taken into consideration.

3 MR SMITH: Absolutely.

4 MR AGBOOLA: So we've taken that on board as well.

5 MR SMITH: And that gives us, on camera, the opportunity to make very clear to anybody
6 watching or viewing the recording after today that there is no weight differential
7 between that which is said in writing and that which is said orally. If you say
8 something in writing and we need to inquire into it, we will inquire into it
9 anyway; we will write written questions or we will ask people to attend a hearing
10 later. But there is no penalty for putting material in writing and this is a
11 predominantly written process. Okay.

12 MR AGBOOLA: Thank you.

13 MR SMITH: Is there anything else that you want to put in front of us now?

14 MR AGBOOLA: No, thank you.

15 MS LAVER: I do just have a question, Mr Agboola.

16 MR AGBOOLA: Yeah.

17 MS LAVER: As much as you haven't raised it orally, you did, in your written
18 representation, your relevant representation much earlier in the process, which
19 I've got in front of me here, it says within the response – and I don't know if
20 you were the author of the response or if it came from another department – but
21 it says about Dartford's ambitious growth plans, of which you feel the Lower
22 Thames Crossing would benefit Dartford, simply because traffic would be
23 displaced somewhere else to allow Dartford to grow. I guess a query which I
24 have and may come out later in the transportation hearing is, naturally, councils
25 are constrained when they don't have the capacity for new residents or new
26 businesses to be able to get on the road network. By taking some of the capacity
27 off Dartford, yes, the borough will have those opportunities presented to them
28 because they will then have some capacity on their own roads. But at what point
29 – I wonder if Dartford have given any thought to the point that that capacity
30 which will be released becomes consumed by the growth of Dartford.

31 It's not necessarily a question I want you to answer today but it is a
32 question which I will flow through into questions being targeted to Dartford. So
33 I just want to put it to you that, if you don't want to respond today, it will be a
34 question which will be coming.

1 MR AGBOOLA: Thank you for that. I think that's a useful reminder of some of the
2 challenges we've been thinking about, which, I think, we've just been engaging
3 with the LTC team on the statement of common grounds, and I think they've
4 drawn out that particular comment onto the statement of ground, which is useful,
5 which is something we are thinking about.

6 At the moment, Dartford are just finishing off the local plan and, clearly,
7 if that is approved or granted, then that will give us a bigger picture of where
8 those things sit, in terms of when traffic starts to come back. I think, for this
9 project, we're thinking, after 15 years there is going to be a challenge; people
10 might start returning and are we, then, going to have the capacity that is being
11 created when the scheme gets introduced? So that's something that we're giving
12 due consideration to. And I think, at this stage, that's all I can say, although we
13 are obviously preparing the local impact report and a bit more detail will be put
14 into that aspect.

15 MS LAVER: Yeah, that would be very helpful. Can I just ask, is your local plan in
16 examination at the moment?

17 MR AGBOOLA: Yes.

18 MS LAVER: Yes. How far along in the examination?

19 MR AGBOOLA: Almost done.

20 MS LAVER: Almost done, so you're right through the hearings.

21 MR AGBOOLA: Yeah, we're just waiting for a decision to be made.

22 MS LAVER: And the local plan period, what's the local plan period? Is it 2020 through
23 to 2040?

24 MR AGBOOLA: I think it's to 2037.

25 MS LAVER: Okay. Thank you very much.

26 MR SMITH: Yes, no, those are all very useful points and, to be clear, Ms Laver will
27 wish to raise those points that she has flagged in future issue-specific hearings.
28 Our colleague, Dominic Young, who isn't here today, but will be also looking
29 at all of the traffic side of things, will no doubt have similar questions but coming
30 from his perspective – traffic and transportation – into this mix as well. So the
31 social and economic will be being evaluated; so will the environmental; so will
32 the traffic and transportation. So yes, rest assured, these are matters that are
33 going to arise again and issue-specific hearings will deal with them.

1 MR AGBOOLA: Sorry. Is it also worth saying that Kent County Council are the
2 highway authority for Dartford and they're clearly providing the highway
3 matters. We're engaging with them, in terms of making sure we're aligned,
4 we're not saying things that are – and they're looking at the modelling aspect,
5 data transport modelling aspect, for that, as well as the construction issue, which,
6 again, we flagged up, in terms of the monitoring around construction and
7 monitoring around air quality.

8 Clearly, for Dartford, whilst we are very supportive of the project, we
9 would like to see monitoring that says you're doing what you say you're going
10 to do, which is about, we are going to have this much impact, in terms of
11 benefits, then are we monitoring that to confirm that? And if the monitoring
12 says no, what are you going to do about it? So that's where we're putting our
13 resourcing, in terms of trying to understand what LTC are going to do. That is
14 not clear, at the moment, in terms of the monitoring, in terms of what's included
15 in the network and also the air quality monitoring. I think that's where our
16 challenge is. But, on the whole, as you probably know from what is written
17 down, we're very supportive of the project.

18 MS LAVER: Wonderful. Thank you very much. Is that all you wish to say today?

19 MR AGBOOLA: That's it. Thank you.

20 MS LAVER: Wonderful. Thank you very much. You may return to your seat. Okay,
21 so I'd like, now, to go to Ms Hilary Newport for the CPRE, please.

22 MS NEWPORT: Good morning, Ms Laver, and thank you very much for giving us the
23 opportunity to be here today. As I mentioned before, I'm speaking today on
24 behalf of members and trustees of CPRE Kent, but with the knowledge and
25 endorsement of my colleagues across the water in CPRE Essex. We maintain
26 our objection to the construction of the Lower Thames Crossing. We fully
27 recognise that the congestion and air pollution at the existing Dartford Crossing
28 are unacceptable, but we just don't agree that this project is a sustainable solution
29 to those problems.

30 Now I don't intend to repeat many of the arguments that we've heard
31 already, and I will keep this as short as possible, but we believe that we need to
32 be managing our existing road network better rather than expanding it. It's quite
33 clear that, in this very congested corner of our country, we recognise it's simply
34 not possible to build our way to free-flowing roads. And national CPRE is

1 among many organisations that have demonstrated very clearly that road
2 schemes induce traffic growth, often far above background levels of organic
3 traffic growth, and we've already heard that the modelling undertaken on behalf
4 of National Highways has supported that forecast of induced growth.

5 But we contend that the climate change committee's progress report,
6 published just a week ago today, highlighted the need to conduct a systematic
7 review of current and future road-building projects in order for the government
8 to meet its own carbon budget delivery plan. And we contend it's now urgently
9 important that transport policy must reflect this climate and ecological
10 emergency and incentivise lower carbon forms of transport. Whatever the NPS
11 for the national networks has to say, we have to assess this project in the light of
12 the most up to date science.

13 Beyond the imperative of the climate emergency and reducing greenhouse
14 gases, we do remain concerned at the air quality impacts of the projects. We
15 know that electric vehicles may reduce emissions of greenhouse gases, but they
16 won't eliminate dangerous particulate pollution. We've also raised specific
17 concerns arising from the environmental statement on terrestrial biodiversity,
18 which has stated that brown hair harvest mouse and hedgehog have been
19 effectively dismissed from further consideration. These are species that are
20 considerable decline and a sweeping statement to the effect that they're unlikely
21 to be present simply mustn't absolve National Highways from their duty of care.
22 We note, also, that Eurasian beavers, which are now established in Kent and
23 known to disperse widely, haven't been considered at all.

24 Further, on ecological impacts, we've got concerns that, should the DCO
25 be approved, the written ministerial statement of 9 March means that the
26 construction of the project will be delayed by two years. So this means that the
27 ecological surveys are going to be entirely out of date. So if meaningful efforts
28 are going to be made to protect wildlife and habitats these surveys must surely
29 be repeated prior to commencement of construction. And I would welcome a
30 response on how that can be assured.

31 CPRE is a countryside charity and, of course, we share the concerns of
32 Kent Wildlife Trust and the Woodland Trust over the irreplaceable loss of
33 ancient woodland and other important habitats. And, of course, we are aware of
34 and agree with the concerns of those communities outside the boundary of this

1 project and, most particularly, those who are going to be affected by the
2 increased traffic on the A227. And, finally, I will say that we share with our
3 colleagues at the Thames Crossing Action Group our concerns over user safety,
4 given the wealth of data of the risks posed by what's essentially a smart
5 motorway by another name, given the government's misgivings have meant that
6 all other smart motorway projects have been halted since April of this year. And
7 we look forward to seeing National Highways' response to this question. That's
8 all I have to say on behalf of CPRE Kent and CPRE Essex and I'd like to thank
9 you very much for giving me the floor.

10 MS LAVER: Thank you. Please keep your camera on. I just had a few points that I
11 wanted to make. I'm not sure if you've watched back the recording of issue-
12 specific hearing 1. Some of the things you raised – you mentioned about the
13 written ministerial statement and, obviously the delay in construction – some of
14 that was debated and discussed with the applicant at issue-specific hearing 1.
15 And last week, we published our action points from that. We have asked the
16 applicant, as action number 1, to go back to the ES, on a chapter-by-chapter
17 basis, and give us some information upon what that shift in timeframe means.
18 So I don't want to go any further on that –

19 MS NEWPORT: That's fine.

20 MS LAVER: But we will be expecting something in writing, but it would be worthwhile
21 having a look at that recording to see how that action came about. The climate
22 change committee report, obviously, we are well aware of, which came out last
23 week. The applicant will be aware of it; they may make mention of it today and
24 may provide a response by 18 July. But we're certainly alive to the statements
25 there. But I wanted just to ask a question. I mean, does CPRE, for Essex and
26 Kent, accept that there is a problem with Dartford, because, obviously, that's
27 what this proposal seeks to address, primarily? And if you accept that that is an
28 issue – there is congestion at Dartford, Dartford borough residents are severely
29 impacted – do you have an alternative to a new road?

30 MS NEWPORT: We don't have a simple alternative but, certainly, a strategy that sought
31 to reduce the vehicle-based traffic from Dover, which makes up such a large
32 proportion of the HGV traffic across the current Thames crossings, would be a
33 significant improvement. It's certainly the case that it's a cost-effective option
34 to put somebody in front of a container and carry it across the Dover crossings.

1 But there are more environmentally – let me say, less environmentally damaging
2 options than that, and simply building yet more capacity to cross the Thames at
3 more or less this location, I don't think is the way out of that. We can't build a
4 way out of congestion in this corner of England.

5 MS LAVER: So is your suggestion a rail freight option.

6 MS NEWPORT: Yes. It's astonishing that Dover isn't rail-connected. We're aware that
7 there are relatively simple fixes that could be made to get HGV traffic onto rail
8 by reinstating and improving the Ashford to Reading line, for example. High-
9 Speed One has been very poor in getting freight off road and onto rail, but there
10 are ways that that could be done; it's just paperwork. With a will to do it, and a
11 concerted policy approach that meant we didn't simply rely on adding yet more
12 capacity to roads network, we could do a great deal to actually improve
13 environmental outcomes.

14 MS LAVER: Thank you very much.

15 MS NEWPORT: Thank you.

16 MS LAVER: I would add, I did explore with the applicant – I think it was at issue-
17 specific hearing 1 – that very issue about rail again. We will be expecting some
18 response. My questions were probably more driven down passenger rail route
19 than they were rail freight but certainly something which the applicant will cover
20 in response. Do my panel members have any questions for Ms Newport?

21 MR SMITH: Just a very brief observation, which is simply to say that, again, as we
22 indicated with Dartford Borough, there are matters arising from the submissions
23 that you've made in writing and briefly summarised orally, that will emerge in
24 issue-specific hearings. And it may be that there are certain of those that we
25 might wish to invite CPRE to attend on the basis that they can then be unpacked
26 in more detail than can necessarily occur in an open-floor hearing. So I'll just
27 put you on notice there that – keep an eye for agendas and think about your
28 ability to participate on some of those events.

29 MS NEWPORT: Well, thank you for the opportunity and I look forward to the written
30 responses from the applicant.

31 MS LAVER: Thank you, Ms Newport, for attending. Okay, Mr Johnson, the floor is
32 yours. You have five minutes. If you could introduce yourself, please.

33 MR JOHNSON: Thank you, panel, for this opportunity to speak. My name is John
34 Johnson. I am a resident living in White Post Lane, Sole Street. Overall, I

1 should begin by saying that, as a frequent and sometimes frustrated user of the
2 Dartford Crossing, I welcome the proposal for a Lower Thames Crossing in
3 principle. The points that I want to raise today relate entirely to the proposals
4 for the southern section of the new crossing, specifically, the implications for
5 the villages of Sole Street and Cobham, where I live. My concerns echo many
6 of those submitted by Cobham Parish Council and summarised in the principal
7 areas of disagreement document on your website. However, I wish to expand
8 on three of those points and to add a fourth of my own, which they do not touch
9 on.

10 First, the new junction, near Gravesend East and access to and from
11 Henhurst Road. This is at the nub of the issues that follow. Henhurst Road is a
12 narrow road, less than five metres wide, with overgrown hedges and 90-degree
13 bends, which you can't see round. Once access to Cobham village is restricted,
14 as in the proposals, which I think is a good idea, Henhurst Road will become
15 even more of a rat run. KCC refuse to put lines down the middle, because it's
16 so narrow, and have taken out the cat's eyes. Coming here today, I encountered
17 a lorry; I had to stop and back up. Any heavy vehicles – lorries, ambulances,
18 dust carts – cause mayhem on that road.

19 Point two: the increased volume of traffic through Sole Street village
20 itself. The applicant predicts an increase between 50 and 250 vehicle
21 movements per hour. Let's look at the current situation. It's almost impossible
22 to cross Sole Street at 7.00 in the morning, when I go to the station, because of
23 the number of cars. It's almost impossible to turn right across Sole Street,
24 coming out of the side roads, because of the number of cars going through. You
25 will be aware, I'm sure, of the traffic study which showed that, at that peak hour,
26 between 600 and 800 vehicles per hour were going through the village pre-
27 Covid. Traffic levels are getting back to that level now. I would suggest another
28 survey needs to be done to verify that. If you then add a further 25% that is
29 going to be even worse.

30 Third point: there is no footpath along half the length of Sole Street
31 village. People walking to the station, or the shop, have to walk in the road.
32 Schoolchildren assemble at the junction of what is known as Round Street and
33 Sole Street. There's a school bus that picks them up there. They have to stand

1 in the road because there's no pavement to stand on. Safeguarding, surely,
2 should be a priority as part of this discussion.

3 Fourth, my additional point. Cobham Parish Council make little mentions
4 of the traffic implications for Round Street and White Post Lane. White Post
5 Lane and Round Street are both derestricted, single-track roads, with passing
6 places. Whenever there is a morning rush-hour delay on the A2 those two roads
7 become a further rat run for traffic seeking to re-join the A2 nearer to London.
8 White Post Lane joins the A227 and you have already alluded to concerns,
9 expressed by Gravesham and others, about traffic onto the A227.

10 I'm raising these points here today, despite having previously submitted
11 them in writing, because, to date, I have not seen – and I apologise if that's my
12 fault – but I have not seen, from the applicant, a response or any adjustment in
13 the many, many refinements to their proposals to address these issues. Indeed,
14 at one public consultation I attended in Cobham village, the applicant's
15 representative said, and I quote, 'These roads are not part of the strategic road
16 network. The problems will need to be addressed by KCC, not us.' Not very
17 helpful.

18 To conclude, the solutions to these issues cannot simply be traffic calming,
19 as suggested by Cobham Parish Council. They need to be traffic diversion and
20 traffic reduction measures which will significantly reduce the volume of traffic
21 on these narrow country lanes, which will stop rat running, which will stop
22 heavy goods vehicles causing mayhem, and maybe even save a few pedestrians'
23 lives. Thank you.

24 MS LAVER: Thank you very much.

25 MR SMITH: Thank you very much. Very clear, very succinct presentation. Just
26 exploring that with you briefly, do I take it, from what you have said, that it
27 would be your view that you would expect or hope the applicant to be,
28 essentially, offering some specific mitigations such as, for example – these are
29 interventions that may or may not be ones that you support, but I'd be interested
30 in hearing your thoughts on them – considering whether a made footway should
31 be included in Sole Street; considering whether a safe crossing point should be
32 provided for children, for example, in the peak hour; and that these are matters
33 that are mitigations that flow from the project, and, therefore, this applicant
34 should be funding, not looking to Kent County Council to fund? So that's in

1 two parts. Firstly, what sort of mitigations, if any, are you looking for?
2 Secondly, who's paying for them?

3 MS LAVER: They would be without prejudice questions, by the way. You're not
4 prejudicing your position at all.

5 MR SMITH: No, you're not.

6 MR JOHNSON: That's fine. In relation to mitigation, I think my answers are at two
7 scales – one, broad scale, one, quite specific issues such as you have mentioned.
8 The cause of the increased traffic and the increased risk is the junction between
9 the new motorway exit and the A2 at Valley Drive, at Gravesend East.
10 Gravesend East.

11 MS LAVER: Did you say Valley Drive?

12 MR JOHNSON: Valley Drive.

13 MS LAVER: Thank you.

14 MR JOHNSON: How it's known locally, yeah. By diverting traffic from Cobham down
15 to that junction, it simply moves the rat run that currently exists to a new location
16 where the road is narrower. And then you add the extra traffic that will be
17 generated. At the moment, the tidal flow in the morning is southbound, i.e.,
18 going from the A2 towards Wrotham, Maidstone, and so forth. By creating a
19 shorter route into Essex, for people coming up from Wrotham, Tonbridge, and
20 so forth, you're going to not only increase the volume of traffic, you're also
21 going to make it two-way traffic on a road which is less than five metres wide.
22 So the big solution has to be looking at where the traffic comes – there's access
23 to Henhurst Road at that roundabout at Gravesend East.

24 MR SMITH: Yeah.

25 MR JOHNSON: Smaller mitigations are very much along the lines of the specifics that
26 you have talked about. There have been arguments for years about putting a
27 footpath into Sole Street. KCC and Gravesham have never managed to find the
28 funding to do it and, meanwhile, we continue to walk along the road with cards
29 whizzing past us. It seems, to me, not unreasonable that the applicant should
30 contribute to such a footpath. It's not for me to necessarily have any leverage
31 on that.

32 Crossings, for pedestrians, yes. There's a small village shop in Sole
33 Street, yet all the houses – no, not all – the majority of houses are actually on the
34 other side of the road. The car parking, the marked car parking – three bays are

1 on Sole Street – are on the other side of the road. If you're trying to get across
2 that road in the morning you take your life in your hands. And the only time it
3 isn't like that is when something happens on the A227, and everything just
4 grinds to a halt.

5 I think there also needs to be thought to the mitigations for White Post
6 Lane and Round Street. Single-track roads with passing places – people have to
7 park on our drives and other people's drives just so that cars can get back and
8 forth. So could there be restricted access? Certainly, it seems to me that, at the
9 moment, it simply says 'unsuitable for heavy goods vehicles'. Restricted access
10 that limits weights to seven and a half tonnes, or whatever, would make a
11 significant difference. That could similarly make a significant difference to
12 Henhurst Road.

13 MS LAVER: So signage is not sufficient. It needs some official rearrangement.

14 MR JOHNSON: Signage is not legally binding. It says it's advisory, in the same way
15 that the speed camera that moves around in Sole Street has no legal status. It
16 just flashes up and if there isn't traffic there, which tends to be the case late at
17 night or in the middle of the day, people go through at rather more than 30 miles
18 an hour. If there were speed cameras, particularly if they were average speed
19 cameras at either end, that would make a difference. So I think there are a
20 number of smaller mitigations which, between them, KCC and the applicant,
21 could legitimately make. It won't necessarily solve all of the issues around the
22 A227 and users of the A227 know that rather than coming into Gravesend and
23 Gravesend central, where it joins the A2, cutting through Salisbury is a quick
24 way to the Medway towns. That's why there's so much traffic on the roads. So,
25 again, if that could be looked at so that traffic stays on the A227 – and I know
26 that residents of the A227 won't thank me for saying that – but at least the A227
27 is a proper A-road of adequate width for traffic. Sorry, have I answered all of
28 your questions?

29 MR SMITH: That was very clear. And I apologise for putting you on the spot but
30 sometimes it really helps to cut to the chase and – so, no, that gives us a clear
31 idea and also helps to inform us about places we might also visit in further
32 unaccompanied site inspections. So thank you very much.

33 MS LAVER: Thank you. That's been helpful. I've certainly made notes and I'll watch
34 back the video to make sure I've picked up all of the relevant junctions. But

1 thank you very much for coming in person and speaking today. Mr Pratt, do you
2 have any queries for Mr Johnson?

3 MR PRATT: Not at present. Mr Smith dealt with most of the points I was going to raise,
4 unfortunately, or fortunately. So I'll not put you through the mill again.

5 MR SMITH: Well I trust I did them justice, Mr Pratt. This is what happens when you
6 have planners and engineers on a panel.

7 MS LAVER: Mr Johnson, thank you very much.

8 MR JOHNSON: Thank you very much.

9 MS LAVER: Before I invite the applicant to come up, just want to check that nobody
10 that was intended to speak, case team, has since presented – wow. Okay. Mr
11 Latif-Aramesh, do you want to come and respond, please?

12 MR LATIF-ARAMESH: Thank you, madam. Mustafa Latif-Aramesh, partner and
13 parliamentary agent at BDB Pitmans, instructed on behalf of the applicant. I'm
14 joined by Dr Tim Wright, who is the head of consents for the Lower Thames
15 Crossing. I don't anticipate us taking the full five minutes, but we just wanted
16 to provide some signposting. We are grateful to all the speakers today: Mr
17 Johnson, the representatives from Dartford, and CPRE.

18 Ms Laver, you raised Dartford's ambitious growth plans and noted that
19 this would be a discussion that would continue throughout the examination and
20 in future issue-specific hearings. We won't spend too long on this, but we would
21 just reiterate what we said at the first issue-specific hearing, relating to the
22 impacts at Dartford and how traffic is forecast to change. In response to the
23 comments that have been made around monitoring, we would again highlight
24 requirement 13 of the draft development consent order, which is AS038, which
25 includes a traffic monitoring scheme and, as I think you've heard today, we are
26 in detailed and productive discussions with Dartford on how that would intend
27 to operate.

28 On the representations made by CPRE, we're happy to provide
29 signposting in writing to where, in the application documents, the points that
30 have been raised are addressed. As you'd expect, we do not agree that the
31 impacts that are referenced outweigh the significant benefits of the project. And
32 we did just want to pick up two specific points, which, just by way of
33 signposting, the first is on the consideration of rail freight. Again, Ms Laver,
34 you mentioned that we would return to this subject, but we would just

1 specifically refer to paragraphs 5.3.7 and 5.3.17 of the planning statement, which
2 is APP-495, which specifically looks at the consideration of rail freight in this
3 context. On carbon specifically, we wanted to highlight the application
4 document APP-504, which considers the relevant national policy which has
5 effect and how the project aligns with the wider and relevant policies relating to
6 carbon reduction. We'd also just echo the point you'd made, Ms Laver, around
7 action point 1 of issue-specific hearing 1, providing some response to the
8 comments that have been made by CPRE.

9 And then very finally, we thank Mr Johnson, again, for his submissions.
10 He's raised a concern around traffic impacts in Cobham and the surrounding
11 area. We would propose to respond to these submissions in writing. As Mr
12 Henderson mentioned at open-floor hearing 2, we are still formulating the exact
13 format of these responses. But I would just highlight the relevant representation
14 response document that will be submitted at deadline 1 will contain a number of
15 responses to the issues that have been raised, but we're happy to specifically
16 signpost to where in that document so that it's easy to find.

17 I did just want to highlight two final things on the impacts in the areas that
18 were mentioned by the last speaker. So the first is table 4.4 of the outlined traffic
19 management plan for construction, and that's APP-547, which includes
20 construction phase, HGV vans in Cobham, because we have considered what
21 measures can be put in place during the construction phase. And then, on the
22 wider operational issues, we would just emphasise that the traffic in Cobham
23 village itself, during operation, will see a decrease because of the junction
24 change to the strategic road network. So that the traffic is using Jeskyns Road
25 and Henhurst Road to Gravesend East rather than the existing situation. That
26 concludes my submissions and I'm happy to answer any further questions you
27 have at this juncture.

28 MS LAVER: I just have one question. Mr Johnson raised specific mitigation options.

29 Probably they're more section 106-based options, such as footpath provision,
30 pedestrian crossings, things which Mr Johnson suggested the parish council have
31 been asking for, for a long time, but KCC haven't been able to deliver that. I
32 just wonder if those conversations are being had with KCC? Are they talking to
33 you, as an applicant, about potential mitigations through this area, or not?

1 MR LATIF-ARAMESH: Mustafa Latif-Aramesh, for the applicant. We are having
2 discussions with Kent. And the point I mentioned about some of the issues
3 raised being addressed through the relevant representation response document,
4 that is one of the things that will be raised there.

5 MR SMITH: That, I think, is a very particular point that's worth emphasising for
6 anybody that's watching these proceedings online, or indeed, after the event,
7 which is that we are still before deadline 1. And at deadline 1 we will see the
8 applicant's detailed, blow by blow response to all of the matters raised and
9 relevant representations. Typically, these are substantial documents and,
10 typically, they will at least allow each interested party to see that, to the degree
11 they have raised important and relevant issues, the applicant has responded to
12 those, and you can see what the applicant's response is.

13 What we will be doing, obviously, then, is reading that document with
14 great care against the relevant representations themselves to, essentially, audit
15 and assure ourselves that we agree that the applicant has tackled what appeared
16 to be the important and relevant issues and hasn't left anything out. And if we
17 form the view that the applicant has then, again, we will be picking those issues
18 up and bringing them out, most likely in written questions, but that's a normal
19 part of the examination process. So there is a method that will allow us to get
20 to the detail of matters raised by, not just Mr Johnson, but a large number of
21 people who've raised similar matters in writing.

22 MR LATIF-ARAMESH: Mustafa Latif-Aramesh, for the applicant. If I could just
23 provide two further clarifications; I don't have any comments on what you've
24 just said there, sir. One aspect, which is the operational impacts, just by way of
25 a specific signpost, in the traffic forecast non-technical summary, that's APP-
26 528, it's plates 5.1 onwards that show the impact that I referenced. And then,
27 just on the question of the specific mitigations, I should make clear that the
28 relevant representation response document will deal with the question of
29 mitigation being discussed more generally, not specifically in the areas that have
30 been raised. But we will provide a response on those aspects which are not
31 specifically considered in the relevant representation response, which goes to
32 the point I made earlier about the formulation of how we're proposing to respond
33 to the comments that have been made.

1 MS LAVER: Yeah. I've very satisfied with that. Thank you, Mr Latif-Aramesh. Mr
2 Wright, did you have anything that you wanted to add in this five-minute
3 applicant slot?

4 DR WRIGHT: Dr Wright, for the applicant. No problem, ma'am. All I wanted to make
5 clear is that, while we are talking with Kent County Council about monitoring
6 and the wider network impacts related to the project, I did think it was worth
7 being specific, we are not talking about changes to pedestrian footpaths or
8 crossings in Cobham itself. That is not part of our current discussion.

9 MS LAVER: Thank you very much for making that clarification. I have no further
10 matters for you.

11 MR PRATT: Ken Pratt, panel member. Just one thing to think about, please, for your
12 deadline 1 submissions. We've been hearing a number of people who have
13 raised the environmental aspects and the investigations being out of date by the
14 time the construction. Could I please ask that, by the time the submissions come
15 into us on deadline 1, that you consider both the timescale between the original
16 applications being in and also, obviously, future potential movement in potential
17 starting times? I know you dealt with it a little bit at the last open-floor hearing
18 but I just – it seems to be one of those subjects that are coming up on a regular
19 basis so I'm just pointing you that – please answer it in your submissions.

20 MS LAVER: Mr Pratt, can I just add, Mr Pratt, that was something that's picked up in
21 the actions for issue-specific hearing 1. So I don't think you need to respond as
22 an applicant, thank you.

23 So thank you very much, applicants. Dr Wright, forgive me for calling
24 you Mr Wright, and Mr Latif-Aramesh, you're free to return to the seats. Thank
25 you. And I'll hand over to Mr Smith.

26 MR SMITH: Thank you very much, Ms Laver. Now that, ladies and gentlemen, was
27 short and sweet. This is Rynd Smith, panel lead, speaking again. And I will just
28 very briefly cover that we keep notes of these hearings and that if any apparent
29 actions arise from matters raised that we will issue an action list. There are none
30 immediately apparent, but I think it's fair to say that we will issue an action list
31 that does deal with one general point. And that is that we will provide guidance
32 to interested parties on the question of registration at open-floor hearings
33 because I am very conscious that we have had a number of registrations to attend
34 today from people who have not appeared. And we do need to make it very,

1 very clear indeed that this is not, essentially, an endless set of opportunities, that
2 we will need to bring these open-floor hearings to a close in programme and
3 that, therefore, a final point is arising, which is deadline 1, where people can
4 register to be heard. We will then deal with those registrations, and we will then
5 seek to close the open-floor hearing process. So it's a reading of the banns,
6 really. Request to be heard now or forever hold your peace. And we will place
7 that into the action list.

8 I will then move on to the next steps around this hearing. This has been
9 open-floor hearing 3. It's the last in our initial round of hearings to be held
10 before deadline 1. And reference to the notice for these hearings will have
11 identified that we had time reserved to continue this hearing this afternoon and,
12 indeed, tomorrow, from 10.00 a.m., if needs be. But it's very plain that we will
13 not need to avail ourselves of either of those opportunities. So, to the extent that
14 anybody thinks that a hearing will be held this afternoon or tomorrow, those
15 events will not proceed. We will cancel those.

16 In terms of the next hearings to be held in this examination, those are
17 hearings in the September hearings window that is identified in what is now our
18 confirmed timetable in the rule 8 letter. We have set out, in headline terms, what
19 the subject matter of those hearings will be. They will be issue-specific hearings.
20 We will also be starting our first phase of compulsory acquisition hearings,
21 which are places where we hear from people who are affected persons; they have
22 land or rights affected by the applicant's requests for either compulsory
23 acquisition or temporary possession. And so we are inviting people to, who
24 object to those aspects of the applicant's proposals, to request to be heard by
25 deadline on. And we will include those people in compulsory acquisition
26 hearings.

27 Just to flag, we will be holding the compulsory acquisition hearings in two
28 broad classes. The first of those will be, essentially, a strategic case compulsory
29 acquisition hearing where we will be asking the applicant to respond to general
30 questions from us about the degree to which the legal framework policy and
31 guidance applicable to compulsory acquisition has, in the applicant's view or
32 not, been met. And we will be exploring the relevant tests with the applicant.
33 Affected persons will be welcome to attend that hearing and raise questions, but
34 the principal focus there will be on the applicant's strategic case overall. And

1 then we will be holding one or more, second set of compulsory acquisition
2 hearings that will be objections-focused, where affected persons will make their
3 specific oral representations. And of course, then, the applicant will be in
4 listening mode and have the opportunity to respond. So we'll be holding those
5 and we may hold additional open-floor hearings in the September or, indeed,
6 October or November hearing windows, if needs be. But you've already heard
7 me on that point.

8 I'm then going to flag that, on that basis, deadline 1 is the next, critically
9 important landmark in this examination. And we would ask people to read our
10 rule 8 letter, read the timetable very carefully, and ensure that all of those
11 requests for information at that deadline are met and, indeed, that where we have
12 flagged that requests to be heard at future events are submitted, that those are
13 also submitted as well.

14 I don't believe there's anything else I need to cover. I would like to thank
15 the case team, the audio-visual team, and the security staff, for supporting these
16 hearings today, and to very much thank all of the speakers for their valued
17 contributions. So I am, now, just going to check both the physical room and the
18 virtual room to see if I see any actual hands or yellow hands arising in front of
19 me. If there's anything that anybody wishes to raise before we draw this hearing
20 to a close – and I see no hands. So on that basis, I'm going to proceed to my
21 colleagues and we will wish you all goodbye. So Ms Laver first.

22 MS LAVER: Yes. Thank you to all the speakers today and to the applicant for being
23 able to respond. Have a good afternoon. Thank you.

24 MR PRATT: And it's goodnight, good afternoon, good morning. Bye-bye.

25 MR SMITH: Thank you, Mr Pratt. And on behalf of our two colleagues who are not in
26 the room today, Mr Ken Taylor and Mr Dominic Young, a goodbye from them.
27 And this is Rynd Smith, panel lead speaking, I will now close this hearing. So
28 open-floor hearing three is now at an end. Thank you very much, ladies and
29 gentlemen.

30
31 **(Meeting concluded)**