

Principal Areas of Disagreement Summary Statement

Deadline 1 on 18 July 2023

Lower Thames Crossing (LTC) – TR010032

Transport for London (TfL) – Interested Party 20035666

Number	Principal Issue in Question	Statement of Common Ground (SoCG) reference	The brief concern held by TfL which will be reported on in full in Written Representation	What needs to change, or be included, or amended so as to overcome the disagreement	Likelihood of the concern being addressed during Examination
Most Significant					
1	Wider network impacts on local and strategic roads	2.1.27	<p>Multiple locations of concern in relation to changes in travel patterns and network impacts from opening the LTC, including:</p> <ul style="list-style-type: none"> • A127 west of M25 J29 • Various junctions along A127 and A12 • A13 west of M25 J30 	<p>Detailed, micro-simulation modelling of the impacts at these locations and an understanding of operational complexities and possible mitigation is requested. Outputs of this modelling need to be reviewed to determine whether TfL is satisfied with the findings and impacts. The Applicant has undertaken some local junction assessments which TfL considers to lack robustness as they have not been validated against base year traffic flows. TfL and the London Borough of Havering have therefore undertaken their own</p>	<p>Low – TfL has concerns about junction modelling undertaken (e.g., level of detail provided, method used, lack of model validation) and further work is needed to resolve this. The Applicant has stated it does not intend to undertake any further junction assessments.</p>

				assessments which have been submitted as part of TfL's Written Representation at Deadline 1.	
2	Mitigation of wider network impacts	2.1.28	<p>Monitoring may demonstrate that mitigation measures such as capacity upgrades or junction improvements are needed on the surrounding road network in London to address traffic impacts that were not forecast.</p> <p>Timing and period of monitoring is insufficient – should be longer and prior to commencement of construction on the Project.</p>	<p>Commitment is requested from the Applicant in the DCO to an approach to using the monitoring to identify and work with other highway authorities to secure funding for mitigation measures should impacts different to the modelling be identified and should these measures be demonstrated to be necessary. TfL has put forward a proposed approach as part of its Written Representation at Deadline 1.</p> <p>The traffic impact monitoring scheme should begin earlier than proposed and run more frequently than annually, to better inform highway authorities on the impacts of the Project.</p>	Low – matter not agreed. TfL disputes that the Applicant is meeting its obligation to balance national and local needs as it is failing to commit to any approach to securing mitigation on the local road network.
21	Traffic modelling methodology / robustness	2.1.32	Model zoning has been aggregated within London, which results in short distance local trips being omitted and junction impacts being underestimated. Other shortcomings of the modelling	More detailed modelling at the local level, consideration of the local junction modelling recommendations proposed by TfL/LB Havering, and/or commitment by the Applicant to an approach to mitigation that	Low – Applicant refutes concerns with model robustness and stands by methodology, notwithstanding its previous acknowledgement of

			mean local impacts of the Project are difficult to glean due to a lack of granularity, and the need for and scope of appropriate mitigation is therefore more difficult to identify.	could overcome the uncertainty with the modelling are requested by TfL.	concerns arising from the model zoning issues identified.
3	Operational air quality (AQ) monitoring	2.1.17	Air quality should be monitored where significant traffic increases are predicted as a result of the operational phase of the Project (e.g., A127 west of M25 Junction 29).	The DCO should include commitment to air quality monitoring and, if required, mitigation, for sections of road with significant traffic increases forecast. The WNIMMP should also be amended accordingly.	Low – matter not agreed. Fundamental difference in proposed approach.
4	Impact of the Project on existing and future TfL assets	2.1.8	Works to the Transport for London Road Network (TLRN) should be constructed to the satisfaction of TfL as the local highway authority.	The DCO should include protective provisions in this regard, or equivalent alternative assurance provided. TfL needs to understand the extent of new works or assets which it will be required to manage and maintain and will require a commuted sum from the Applicant for this purpose.	Medium for TfL's involvement in the design and construction of works affecting TfL assets, but Low for a commuted sum where there is a fundamental difference of position between TfL and the Applicant.
5	Costs and commuted sum for adoption	2.1.11	TfL is seeking to recover costs associated with delivery of the Project, together with a commuted sum to cover increased management and maintenance costs from new and modified assets.	Requested that the Applicant agree to a commuted sum to cover costs, in line with best practice and as previously specified by the Secretary of State in the M25 Junction 28 DCO.	Low – Applicant has strongly opposed the provision of commuted sums.

Significant					
6	Consultation in the capacity of highway authority	2.1.2	TfL needs to be consulted on matters relevant to its functions for those sections of highway where it is the highway authority.	<p>DCO requirements need to be amended so that TfL is a consultee for detailed design, landscaping and ecology, contaminated land and groundwater, surface and foul water drainage, and fencing regarding TfL's sections of highway directly affected by the scheme.</p> <p>If TfL is not a consultee on these matters, adequate explanation should be provided about why this is not appropriate and how TfL can influence the design of infrastructure delivered by the Project that TfL will become responsible for.</p>	Medium – this matter continues to be discussed with the Applicant.
7	Future Ultra Low Emission Zone (ULEZ) expansion and road charging	2.1.19	Project modelling should have regard to the London-wide ULEZ expansion, planned for implementation in August 2023, and consider how it might affect the impact of the LTC on traffic patterns through modelling sensitivity tests. An assessment should also be made on how the environmental impacts of the Project may differ if road user	Include sensitivity testing and assessment of impacts as described, for the London-wide ULEZ expansion and road user charging.	Low – matter not agreed. Disagreement on whether these charging proposals need to be assessed and whether they will change the impacts of the Project.

			charging is introduced in London.		
8	Public transport	2.1.22	TfL requests the Applicant to consider targeted interventions to improve bus performance and reliability as part of the Project.	Consideration of interventions in collaboration with TfL is requested.	Low – matter not agreed. The Applicant currently has no plans to provide interventions.
9	Erosion of benefits over time	2.1.25	TfL no longer considers this a principal issue.	N/A	N/A
10	New assets outside the highway boundary	2.1.9	TfL requires a clear understanding of the split of responsibilities with the Applicant for these assets.	TfL requires commitment that it will be involved in the design of any new assets which it is expected to take responsibility for.	Medium – could be resolved subject to arrangements being satisfactory to TfL.
11	Permanent vs. temporary acquisition of land owned by TfL	2.1.7	Minimise permanent acquisitions where not required by the scheme, especially around J29 of the M25 and relating to the A127.	Discussions on the final ownership and potential return of acquired land are required. Draft DCO needs to be amended to ensure the Applicant has the necessary powers for the transfer of land and rights between the Applicant and TfL to operate and maintain the walking, cycling and horse riding (WCH) bridge over the A127 and to accommodate the proposed changes to the TLRN.	High – acquisitions within the TLRN boundary continue to be discussed with the Applicant.
12	Walking cycling and horse riding	2.1.23	TfL needs to ensure that it has sufficient land to maintain the new WCH bridge over the A127.	Further details of the bridge to be provided to TfL prior to detailed design stage to assess	Medium – could be resolved pending further discussion.

	(WCH) crossing		TfL is seeking a 5 metre wide area for maintenance around the new structure.	the design, construction, and maintenance implications of what is proposed. Continued dialogue should occur during the detailed design stage to ensure it can be efficiently maintained and safe.	
13	Particulate matter (PM _{2.5} & PM ₁₀)	N/A	TfL no longer considers this a principal issue.	N/A	N/A
14	Nitrogen dioxide (NO ₂)	N/A	Modelled NO ₂ levels are well above World Health Organisation (WHO) guidelines, which Mayoral policy is seeking to move towards.	Consider mitigation or how Project can meet WHO guidance to reduce impact on human health.	Low – while levels are higher than aspirational guidance, they meet UK legal limit and Air Quality Strategy (AQS) objective, so the Applicant does not propose to take any further action to mitigate this.
15	Local Policy considerations	2.1.4	Project should not conflict with the Mayor's Transport Strategy (MTS) and/or adopted 2021 London Plan. The London Plan and the Mayor's Transport Strategy are important and relevant matters for the purposes of section 104 of the Planning Act 2008.	Need to address potential policy conflicts in the Planning Statement, specifically regarding assessment and mitigation of traffic and carbon impacts, and several environmental topics.	Low – Planning Statement sets out the Applicant's views of compliance with London policy, but TfL considers there to be some issues that remain, specifically with London Plan Policies T4 and S12, and MTS Policy 7.

16	Operational carbon emissions	2.1.30	TfL aims to achieve net zero carbon by 2030 and the Project should play its part in achieving this goal (alongside the Government's Transport Decarbonisation Plan). To this end, action to address, manage, and mitigate user carbon (road user emissions) should be included in the Project.	The Carbon and Energy Management Plan should be further aligned with net zero by investigating user carbon emissions mitigation and reductions from the opening year, rather than stating that the Applicant cannot control user carbon therefore scoping out any efforts to mitigate the impacts. The Applicant could take steps to influence user carbon.	Low – the Applicant is of the view that they cannot control emissions from road users, and that operational emissions are being addressed by the DfT at the national level rather than at the project level.
Less Significant					
17	Utility works rights and management	2.1.10	TfL needs to review and approve utility diversions or works affecting the TLRN, including any future arrangements for management and maintenance.	TfL is to be consulted prior to commencement of utility works interfacing with TLRN.	High – TfL is satisfied that works affecting the TLRN are adequately set out and TfL's role in traffic management is clear, but the Applicant has not yet fully addressed TfL's involvement in the design of utility diversions.
18	Construction vehicle safety	2.1.12	Construction vehicle safety standards need to support TfL's Vision Zero goal.	A description of how the Applicant will comply with the Mayor's Vision Zero action plan is needed. The Code of Construction Practice should be amended to include further information on this. TfL is	Medium – could be resolved subject to approach being satisfactory to TfL, although the Applicant is unwilling to expand the Vision Zero

				recommending that the Vision Zero policy in London is adopted for the entire Project.	requirements to the Project outside London.
19	Operational traffic management	2.1.15	Measures to ensure the resilience of the highway network in the event of an accident, to ensure traffic on the network is satisfactorily managed in the event of planned or unplanned disruption.	<p>Clarification of the strategic diversion plans to be in place for the Project, Dartford Crossing and the neighbouring Strategic Road Network (SRN), specifically during a closure event on the Dartford Crossing.</p> <p>Implementation of established processes between the Applicant and affected highway authorities to provide network resilience.</p>	Medium – could be resolved subject to explanation of approach from the Applicant being satisfactory to TfL.
20	Replacement planting	2.1.20	Concern over removal of trees and details related to replacement planting, particularly along the A127.	<p>Replacement woodland planting must be outlined in further detail in documents such as the Arboricultural Assessment, providing information on how the Project would ensure adequate replacement based on the value of the trees removed.</p> <p>Proximity of trees to diverted utilities should be reviewed, with assurances provided that maintenance of utilities infrastructure will not require later removal of trees.</p>	High – could be resolved pending further discussion.