

Lower Thames Crossing

5.4.3.15 Draft Agreed Statement of Common Ground between (1) National Highways and (2) ITS Technologies (Clean version)

APFP Regulation 5(2)(q)

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VERSION: 2.0

Revision history

Version	Date	Submitted at
1.0	31 October 2022	DCO Application
2.0	18 July 2023	Examination Deadline 1

Status of the Statement of Common Ground

This is an Agreed Draft Statement of Common Ground.

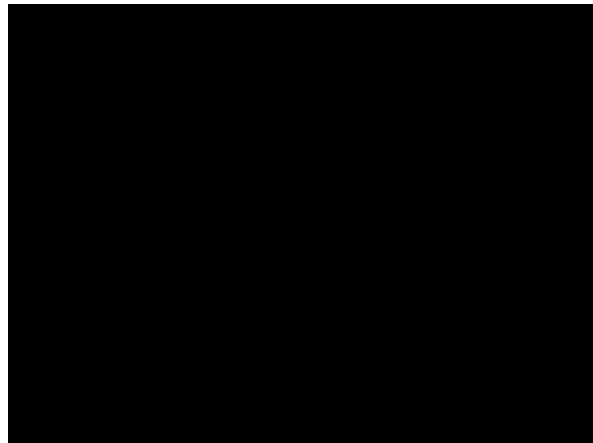
National Highways and ITS Technologies agree that this draft Statement of Common Ground is an accurate description of the matters raised and the current status of each matter.

From: [REDACTED]
Sent: Monday, June 19, 2023 7:51 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: LTC - ITS Technologies SoCG

Hi [REDACTED]

I am comfortable with this statement.

Regards,

The logo for ITS, consisting of the lowercase letters 'its.' in a bold, purple, sans-serif font.

A high-level overview of the engagement undertaken since the DCO application was submitted on 31 October 2022 is summarised in Appendix A.

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1 Introduction

1.1 Purpose of the Statement of Common Ground

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared in respect of the Development Consent Order (DCO) application for the proposed A122 Lower Thames Crossing (the Project) made by National Highways Limited (National Highways) to the Secretary of State for Transport (Secretary of State) under section 37 of the Planning Act 2008 on 31 October 2022.
- 1.1.2 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between National Highways (the Applicant) and ITS Technologies, and where agreement has not been reached. Where matters are yet to be agreed, the parties will continue to work proactively to reach agreement and will update the SoCG to reflect areas of further agreement.
- 1.1.3 This version of the SoCG has been submitted at Examination Deadline 1.

1.2 Principal Areas of Disagreement

- 1.2.1 On the 19 December 2022 the Examination Authority made some early procedural decisions to assist the Applicant, potential Interested Parties and themselves to prepare for the Examination of DCO application.
- 1.2.2 One of these procedural decisions was to use a tracker recording Principal Areas of Disagreement in Summary (PADS).
- 1.2.3 The PADS Tracker would provide a record of those principal matters of disagreement emerging from the SoCG and should be updated alongside the SoCG as appropriate throughout the examination with the expectation that a revised PADS Tracker should be submitted at every Examination deadline.
- 1.2.4 ITS Technologies elected not to produce a PADS Tracker at pre-examination stage, indicating to the Applicant that they did not have any principal areas of disagreement and were content that Table 2.1 within this SoCG adequately presented their matters.

1.3 Terminology

- 1.3.1 In the matters table in Section 2 of this SoCG, “Matter not agreed” indicates agreement on the matter could not be reached following significant engagement, and “Matter under discussion” where these points will be the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. “Matter agreed” indicates where the issue has now been resolved.

2 Matters

2.1 Movement of outstanding matters

- 2.1.1 Following submission of the previous version of this Draft SoCG between the Applicant and ITS Technologies, further discussions on the outstanding matters have taken place. These discussions are summarised in Appendix A.
- 2.1.2 In Table 2.1, relevant issues relating to the dDCO articles and Requirements in Schedule 2 to the dDCO have been identified under the heading ‘DCO and Consents’.
- 2.1.3 Table 2.1 details and presents the matters which have been agreed, not agreed, or are under discussion between (1) the Applicant and (2) ITS Technologies.
- 2.1.4 At Examination Deadline 1 there are two matters in total, of which two are agreed, none are not agreed and none remain under discussion.

Table 2.1 Matters

Topic	Item No.	ITS Technologies Comment	National Highways’ Response	Application Document Reference	Status
DCO and consents					
Protection of existing assets	2.1.1	ITS Technologies requires adequate protection of its assets and for this to be outlined in the standard Protective Provisions.	National Highways has addressed this within the Protective Provisions.	Draft DCO [Additional Submission AS-038]	Matter Agreed
Design – road, tunnels, utilities					
Coordinated design	2.1.2	The Project’s design has no direct impact on the design of ITS Technologies assets.	National Highways issued its designs for the consideration of ITS Technologies. The Project notes ITS Technologies position; however, this matter is not one that the ExA would have to concern itself with.	N/A	Matter Agreed

Appendix A Engagement activity

- A.1.1 National Highways and ITS Technologies have had extensive engagement since the inception of the Project. There has been engagement and dialogue through the statutory and non-statutory consultation, the various design iterations and releases. The engagement has been in the form of face-to-face meetings, Microsoft Teams meetings, telephone calls and email correspondence.
- A.1.2 The parties are content for their engagement to be captured and presented in the SoCG in this manner.

Appendix B Glossary

Term	Abbreviation	Explanation
Development Consent Order	DCO	Means of obtaining permission for developments categorised as Nationally Significant Infrastructure Projects (NSIP) under the Planning Act 2008.
Statement of Common Ground	SoCG	This document detailing the issues agreed, under discussion or not agreed at the time of examination.

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