



Lower Thames Crossing
5.4.4.10 Draft Agreed Statement
of Common Ground between
(1) National Highways and (2)
Medway Council
(Tracked changes version)

APFP Regulation 5(2)(q)

Infrastructure Planning (Applications:
Prescribed Forms and Procedure)
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Volume 5

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Application Document Ref: TR010032/APP/5.4.4.10

VERSION: 2.0

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Revision history

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

Status of the Statement of Common Ground

This is a Draft Agreed Statement of Common Ground with matters outstanding.

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

SoCG



You replied to this message on 06/07/2023 16:29.



Thu 06/07/2023 16:25

Dear [redacted]

This version of the SoCG reflects the current position on matters and is endorsed by Medway Council.

Work towards Medway Council's Written Representation and Local Impact Report is ongoing ahead of Examination Deadline 1.

Kind regards

[redacted signature]

You can [register to receive updates](#) about our work on the Medway Local Plan.



A high-level overview of the engagement undertaken since the DCO Application was submitted on 31 October 2022 is summarised in Table A.1 in Appendix A.

Lower Thames Crossing

5.4.4.10 Draft Agreed Statement of Common Ground between (1) National Highways and (2) Medway Council (Tracked changes version)

List of contents

	Page number
1 Introduction	4
1.1 Purpose of the Statement of Common Ground	4
1.2 Principal Areas of Disagreement	4
1.3 Terminology	4
2 Matters	4
2.1 Movement of outstanding matters	4
Appendix A Engagement activity	25
Appendix B Glossary	26

List of tables

	Page number
Table 2.1 Matters	6
Table A.1 Engagement activities between the Applicant and Medway Council since the DCO Application was submitted on 31 October 2022	25

Deleted: Statement of Common Ground between (1) National Highways and (2) Medway Council

Deleted: 1 Introduction

- 1.1 Purpose of the Statement of Common Ground
- 1.2 Parties to this Statement of Common Ground
- 1.3 Terminology
- 1.4 Overview of previous engagement
- 1.5 Status of Statement of Common Ground

2 Matters

- 2.1 Matters agreed, not agreed or under discussion

3 Agreement on this Statement of Common Ground

Appendix A Documents considered within this Statement of Common Ground

Appendix B Glossary

Appendix C List of engagement activities

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- 1.1 Purpose of the Statement of Common Ground
- 1.2 Parties to this Statement of Common Ground
- 1.3 Terminology
- 1.4 Overview of previous engagement
- 1.5 Status of Statement of Common Ground

2 Matters

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Appendix A Documents considered within this Statement of Common Ground

Appendix B Glossary

Appendix C List of engagement activities

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- 1.2 Parties to this Statement of Common Ground
- 1.3 Terminology
- 1.4 Overview of previous engagement

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- 1.3 Terminology
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- 2 Matters**
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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 Medway Council, 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 the 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 Medway Council elected not to produce a PADS Tracker at pre-examination stage, indicating to the Applicant that they were content that the number of outstanding matters within the SoCG was insufficient to warrant the exercise.

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.

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Deleted: <#>National Highways became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing National Highways made provision for all legal rights and obligations of the Highways Agency, including in respect of the Project, to be conferred upon or assumed by National Highways.¶ Medway Council is a neighbouring authority in respect of the application and as such is a category ‘B’ local authority under section 43(1) of the Planning Act 2008. Medway Council is the local planning, transport, minerals and waste authority for the unitary authority area in north Kent. ‘

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2 Matters

2.1 Movement of outstanding matters

2.1.1 Following submission of the previous version of this Draft Statement of Common Ground between the Applicant and Medway Council, further discussions on the outstanding matters have taken place. These discussions

- are summarised in Table A.1 in Appendix A and the outcome of these discussions is summarised below.
- 2.1.2 The following matters have moved from ‘Matter under Discussion’ to ‘Matter Agreed’:
- a. 2.1.11 Assessment methodology / Analysis of PM2.5
 - b. 2.1.12 Assessment methodology / Air quality modelling during construction
 - c. 2.1.14 - Assessment methodology / The need for feasibility assessment of off-site recycling, as well as recovery and disposal capacity.
 - d. 2.1.15 - Project design and mitigation / Sourcing primary aggregates
 - e. 2.1.16 - Assessment methodology / Segregation of materials to facilitate re-use on site and recovery
 - f. 2.1.17 - Assessment methodology / Local Aggregates Assessments
- 2.1.3 The following matters have moved from ‘matter under discussion’ to ‘matter not agreed’:
- g. 2.1.6 - Local Resident Discount Scheme / Charging regime
 - h. 2.1.7 - Growth assumptions within the Lower Thames Area Model (LTAM)
 - i. 2.1.10 - Assessment methodology / Consideration of Medway’s emerging plan growth within the Environmental Statement
- 2.1.4 The following matter has moved from ‘matter agreed’ to ‘matter under discussion’:
- j. 2.1.2 – Route selection / route alignment
- 2.1.5 Table 2.1 details and presents the matters which have been agreed, not agreed, or are under discussion between (1) the Applicant and (2) Medway Council.
- 2.1.6 In the column ‘Item No’ in Table 2.1, ‘Rule 6’ indicates a matter entered in the SoCG as a result of a request in the Rule 6 letter, ‘RRN’ indicates a matter entered into the SoCG as a result of content in the Relevant Representation, ‘RRE’ indicates an existing SoCG matter that was also raised in the Relevant Representation and ‘DLX’ indicates a new matter added during examination at/around that deadline.
- 2.1.7 At Examination Deadline 1 there are 20 matters in total of which 13 are agreed, 3 are not agreed and 4 that remain under discussion.

Moved up [1]

Deleted: matters not specifically referred to in Section 2 of this SoCG are not of material interest or relevance to Medway Council. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to Medway Council. However, if new matters arise Medway Council reserves the right to comment on those matters as it considers appropriate.¶

Overview of previous engagement ¶

A summary of the meetings and correspondence undertaken between the two parties in relation to the Project is outlined in Appendix C.¶

Status of Statement of Common Ground¶

It is agreed that this statement is an accurate description of the matters raised by Medway Council and the current status of each matter. ¶

It is agreed that Appendix C is an accurate record of the key meetings and consultation undertaken between (1) National Highways and (2) Medway Council in relation to the matters addressed in this Statement of Common Ground.¶

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Table 2.1 details

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Table 2.1 Matters

Topic	Item No.	Medway Council comment	National Highways' Response	Application Document Reference	Status
Need for the project					
Need for the project	2.1.1 <u>RRE</u>	Medway Council support the need for the Project.	Noted.	N/A	Matter Agreed
Route selection, modal alternatives & assessment of reasonable alterations					
<u>Route selection</u> Route alignment	2.1.2	Medway Council agrees with the proposed route alignment. However, an oral representation during Issue Specific Hearing 1 stated Medway Council's concerns regarding M2 junction 1, specifically the northbound off-slip and the southbound on-slip links. The junction has limited spare capacity, i.e. 60 movements during either the morning and evening peak travel periods. The project's Order Limits straddle the northbound off-slip and the southbound on-slip links. The project is not proposing changes to these links. The increase in traffic flows as a result of the project would likely exceed the spare capacity. The junction will need to be improved to accommodate	<u>Noted. The Applicant acknowledges Medway Council's additional comment and will consider a response for inclusion in a subsequent version of this SoCG.</u>	N/A	<u>Matter Under Discussion</u>

Deleted: <#>It is acknowledged there are some matters where further discussion may take place during the detailed design stage of the Project to finalise detail, but the matter is agreed in principle. Matters to which this applies have an asterisk (*) next to them.¶

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Topic	Item No.	Medway Council comment	National Highways' Response	Application Document Reference	Status
		<u>further development once this spare capacity has been exceeded.</u>			
Consultation and engagement					
Adequacy of engagement	2.1.3	Medway Council is satisfied with the adequacy of consultation on the Project.	Noted.	N/A	Matter Agreed
<u>Documents & Information</u> Non-Disclosure Agreement and Data Sharing Agreement	2.1.4	The terms of a Non-Disclosure Agreement (NDA) presented challenges, specifically in communicating impacts derived from the Lower Thames Area Model with Members. The LTC project team considered that this would have put confidential information in the public domain. The LTC project team subsequently disapplied the NDA.	<u>The Applicant recognises</u> that the standard data sharing agreement wording restricts Medway Council officers from briefing Councillors on the impacts of the Project. This is not the intention, and clarification has been provided to Medway Council to allow them to proceed with briefings to Council and preparation of the Local Impact Report.	N/A	Matter Agreed
<u>Need for consultation</u> Community Impacts Consultation (2021)	2.1.5	As part of the 2021 'Community Impacts Consultation', local information was published on the potential adverse impacts for wards within the Order Limits and for other wards immediately north and south of the Dartford Crossing. This information was not provided for Medway, despite potential adverse impacts shown in the	<u>The Applicant confirms that the following Medway wards are now included</u> within the Community Impact Report, <u>as they are close neighbours of the Project</u> ; Cuxton and Halling, Strood South, Strood North and Strood Rural.	N/A	Matter Agreed

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Medway Council is seeking clarity on the terms of a Data Sharing Agreement.

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Topic	Item No.	Medway Council comment	National Highways' Response	Application Document Reference	Status
		wider consultation documents, and this limited our ability to respond to the consultation. Medway Council requested three wards are included in the Community Impact Report.			
Charging					
<u>Local Resident Discount Scheme</u> charging regime	2.1.6 <u>RRE</u>	During a 28 July 2020 briefing from the project team, Members called for a resident and business discount scheme to be extended to Medway. It is understood that this would be a decision for the Secretary of State following any decision to grant a Development Consent Order, and that the Department for Transport may require a consultation.	It is proposed to offer a Local Resident Discount Scheme (LRDS) on the same basis as that provided at Dartford. That is, the discount will be offered to residents living in Boroughs that host a tunnel portal, which Medway does not. The option to include business travel within the LRDS, as well as to modify the geographical extent, was among several reviewed by the Department for Transport (DfT) in 2012. Inclusion of business travel was rejected, as recorded in the 2013 report since it would generate more traffic and reduce income and would be an extra cost to administer. The report also concluded that any extension of the LRDS to other boroughs or parts thereof generates more	Road User Charging Statement [Application Document <u>APP-517</u>] <u>Draft Development Consent Order (DCO)</u> [Additional Submission AS-038]	Matter <u>Not Agreed</u>

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Topic	Item No.	Medway Council comment	National Highways' Response	Application Document Reference	Status
			<p>traffic, and leads to further boundary issues.</p> <p>In the 2018 Statutory Consultation comments were invited on charging flexibility in particular in relation to:</p> <ul style="list-style-type: none"> • charge amounts • charged and non-charged hours • application of peak charges • vehicle classifications • emissions-based charging • accounts, discounts and exemptions <p>The majority of local authority stakeholders that commented on charging flexibility stated that their preference was for charges at the Lower Thames Crossing, to mirror those at Dartford. National Highways supported this preference on the grounds of economies of scale, the performance of the Project and better customer experience.</p> <p>The draft DCO states that there will be a charge mirroring that at Dartford and that the charge will apply from the Project's day of opening.</p>		

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Topic	Item No.	Medway Council comment	National Highways' Response	Application Document Reference	Status
			The Secretary of State is the charging authority and will always have the power within the relevant legal framework to amend the charge as <u>appropriate</u> .		
Traffic and Economics					
<u>Local plan growth</u> Growth assumptions within the Lower Thames Area Model (LTAM)	2.1.7 <u>RRE</u>	The Planning Inspectorate's Scoping Opinion, dated December 2017, required the Environmental Statement to consider Medway Council's emerging Local Plan. Medway Council has raised concerns about the assumptions for future development in traffic modelling since the 2018 Statutory Consultation. The 'Traffic Modelling Update' as part of the 2020 'Supplementary Consultation' noted that "growth associated with government housing targets which have not yet fully progressed through the planning system is not included." Medway Council intends to meet its development needs, including the government's assessment of Local Housing Need according	The Project's transport model was built following the <u>guidance</u> , set out in the <u>DfT, Transport Analysis Guidance (TAG)</u> . Growth within the transport model is capped in line with DfT traffic forecasts (Trip End Model Presentational Program (TEMPro7.2) and adjusted locally to account for developments close to the Project that are under construction, have a planning application and planning permission (as of <u>30 September 2021</u>). <u>Low and high growth scenarios have also been</u> undertaken and reported within the Transport Forecasting Package (Appendix C of the Combined Modelling and Appraisal Report (ComMA)), a copy of which <u>dated October 2020 was provided to the</u>	<u>Combined Modelling and Appraisal Report - Appendix C - Transport Forecasting Package [Application Document APP-522]</u>	Matter <u>Not Agreed</u>

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Topic	Item No.	Medway Council comment	National Highways' Response	Application Document Reference	Status
		<p>to the Standard Method, through an emerging Local Plan.</p> <p>It is understood that the project team's transport model was built following the principles and processes set out in the Department for Transport's (DfT) Transport Analysis Guidance (TAG).</p> <p>Growth within the transport model is capped in line with DfT traffic forecasts (TEMPro 7.2) and adjusted locally to account for developments close to the project that are under construction, have a planning application and planning permission (as of 30 September 2021). This comprises the Core Scenario.</p> <p><u>The LTAM Core scenario does not reflect relevant planned development or Medway's development needs and this presents challenges for local plan-making.</u></p> <p><u>The matter was discussed further at a meeting on 12 May 2023, and Medway Council</u></p>	<p>authority. <u>(This has been updated for the DCO application within an updated version of the document).</u></p> <p><u>The Applicant has provided Medway Council with further information on the assumptions within the core scenario in the form of a technical note (August 2021). Further discussions are being planned for the Applicant and Medway Council to discuss potential new pieces of work in relation to the development of Medway's local plan.</u></p>		

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Topic	Item No.	Medway Council comment	National Highways' Response	Application Document Reference	Status
		indicated that they wished to move the matter to Not Agreed.			
Wider Network Impacts					
<u>WNI approach</u> Potential improvements to the local road network at various locations	2.1.8 <u>RRE</u>	National Highways is not committing to any direct additional funding for mitigation of effects on the wider network through the DCO, on the basis that it does not consider there are any unacceptable impacts. Instead, National Highways refer to existing investment processes and collaborative work with local authorities. However, Medway Council has appointed a contractor to use the Medway Aimsun Model to assess associated impacts in preparing a Local Impact Report. the Medway Aimsun Model is a more appropriate tool to assess local impacts in Medway, rather than the Lower Thames Area Model. <u>Medway Council's Local Impact Report sets out highway schemes required to mitigate the impact of the Project.</u>	<u>The Applicant</u> is working with Kent County Council and Medway Council to conduct a series of modelling exercises to interrogate the impacts of the project on the wider road network in more detail, led by the outputs from the main <u>Project</u> modelling which has been shared with authorities. In line with the Wider Network Impact monitoring and Management Plan (WNIMMP), these outputs will be discussed with Kent County Council and Medway Council, and <u>the Applicant</u> will continue to engage in accordance with the license obligations to work with others to align national and local plans and investments, balance national and local needs and support better end-to-end journeys for road users. Progress is being reviewed at monthly meetings with Kent County Council and Medway Council.	Wider Network <u>Impacts</u> , Management and <u>Monitoring Plan</u> [Application Document <u>APP-545</u>]	Matter Under Discussion

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Topic	Item No.	Medway Council comment	National Highways' Response	Application Document Reference	Status
			Following DCO resubmission, the possibility of further collective work to advance the understanding of the Project's impacts on the wider road network was discussed at a meeting on 12 May 2023. This has led to an outline scope of work being progressed and agreed.		
Monitoring approach Wider Network Impacts Monitoring and Management Plan	2.1.9 RRE	Medway Council's Local Impact Report sets out highway schemes required to mitigate the impact of the Project.	A list of monitoring locations was included within the WNIMMP which was submitted as part of the draft DCO resubmission. However, the detailed monitoring scheme will be subject to further consultation with the Local Planning Authority and Local Highway Authority following DCO decision and prior to submission to the Secretary of State for approval before the Project opens.	Wider Network Impacts Management and Monitoring Plan [Application Document APP-545]	Matter Under Discussion
EIA Methodology					
Assessment methodology Consideration of Medway's emerging plan	2.1.10	The Planning Inspectorate's Scoping Opinion, dated December 2017, required the Environmental Statement to consider Medway Council's emerging Local Plan. Medway Council has raised concerns	The Environmental Statement (ES) considers Medway Council's emerging Local Plan, both through growth considered within the traffic model (which informs the air quality and noise modelling) and developments	ES Chapter 4: EIA Methodology [Application Document APP-142] Combined Modelling and Appraisal Report -	Matter Not Agreed

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Topic	Item No.	Medway Council comment	National Highways' Response	Application Document Reference	Status
growth within the Environmental Statement		about the assumptions for future development in traffic modelling since the 2018 Statutory Consultation. <u>The LTAM Core scenario forms the basis of assessments to support the application.</u> <u>Please see matter 2.1.7 for the position on the traffic modelling.</u>	<u>included in the inter-project Cumulative Effects Assessment.</u> <u>Please see item 2.1.7 for a response to the traffic modelling aspect of this matter.</u>	<u>Appendix C - Transport Forecasting Package [Application Document APP-522]</u>	
Air Quality					
<u>Assessment methodology</u> Analysis of PM2.5	2.1.11 <u>RRE</u>	Medway Council <u>has previously noted concerns</u> about the number of receptors modelled in Medway, and the absence of any analysis in respect of PM2.5, and its potential impact on public health. <u>Medway Council discussed this matter with the Applicant at a meeting on 22 June and indicated the matter could be moved to agreed.</u>	The assessment considers receptors adjacent to all affected roads in Medway and elsewhere. The air quality assessment for the <u>ES considers</u> the impact of the Project on Particulate Matter, both for PM10 and PM2.5. PM10 <u>is</u> explicitly modelled using road traffic PM10 emissions factors and Defra background pollution maps. In the case of PM2.5, it <u>is</u> assumed that all road traffic PM10 is also equivalent to PM2.5, which is a worst-case assumption given that PM2.5 typically makes up less than 70% of PM10. DCO version 1 air quality modelling indicated that there would be no exceedances of legal thresholds for PM10 or	<u>ES Chapter 5: Air Quality [Application Document APP-143]</u>	Matter <u>Agreed</u>

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- Deleted:** The 'Traffic Modelling Update' as part of the 2020 'Supplementary Consultation' noted that "growth associated with government housing targets which have not yet fully progressed through the planning system is not included." Medway Council intends to meet its development needs, including the government's assessment of Local Housing Need according to the Standard Method, through an emerging Local Plan.¶
It is understood that the project team's transport model was built following the principles and processes set out in the Department for Transport's (DfT) Transport Analysis Guidance (TAG). ¶
Growth within the transport model is capped in line with DfT traffic forecasts (TEMPro 7.2) and adjusted locally to account for developments close to the project that are under construction, have a planning application and planning permission (as of 30 September 2021). This comprises the Core Scenario.¶
Medway Council officers understand that DfT traffic forecasts do not reflect the full scale of Medway's development needs. ...
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Topic	Item No.	Medway Council comment	National Highways' Response	Application Document Reference	Status
			PM2.5 with the Project in operation but the final modelling results <u>are</u> presented in the Environmental Statement submitted with the DCO application.		
<u>Assessment methodology</u> Air quality modelling during construction	2.1.12 RRE	Medway Council <u>has previously noted concerns</u> about the need for modelling of air quality during construction. <u>Medway has reviewed the relevant DCO submission information and indicated that this matter could be moved to agreed at a meeting on 22 June 2023.</u>	The air quality impacts of the construction phase, including modelling of construction traffic impacts on air quality, <u>are</u> also presented in the Environmental Statement. <u>No roads in Medway are impacted.</u> The Applicant will continue to liaise with the local authorities on matters relating to Community Impacts and Public Health.	<u>ES</u> Chapter 5: Air Quality [Application Document <u>APP-143</u>]	Matter <u>Agreed</u>
<u>Assessment of likely significant effects</u> Air quality along the A228	2.1.13 RRE	Medway Council have raised concerns regarding the indicative predictions that exceedance of air quality objectives are possible at relevant receptor locations adjacent to the M2 and A228 in Medway, and the burden <u>would</u> be on Medway Council to deal with <u>this</u> (developing and implementing air quality action plan(s)). Medway Council <u>requested</u> further <u>clarificatory air quality</u>	The air quality modelling predicted exceedances of air quality objectives on the A228 and M2, however it should be noted that the assessment predicted exceedances on the A228 without the Project. In terms of the M2, exceedances were predicted at four receptors, and for three of these receptors the concentrations were only marginally above the objective with the Project and would be likely to drop below the objective	<u>ES</u> Chapter 5: Air Quality [Application Document <u>APP-143</u>]	Matter Under Discussion

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Topic	Item No.	Medway Council comment	National Highways' Response	Application Document Reference	Status
		<p>information at a meeting on 22 June 2023, and indicated that this matter should remain under discussion pending Medway's review.</p>	<p>within a year of the Project opening. The Applicant has discussed the assessment results with Medway Council, who do not consider based on their own recent monitoring data that there is currently a need for an Air Quality Management Area (AQMA) along the A228 or on the M2. The Project is unlikely to lead to the designation of a new AQMA on the A228, as if the model predictions are correct then there would need to be an AQMA on the A228 both now and in the Project opening year (without the Project). The Applicant has, however acknowledged that the assessment is likely to be pessimistic compared to air quality monitoring undertaken by Medway Council, as in order to calibrate the model, the Applicant has factored monitored concentrations back to the base year of 2016, when concentrations were higher than they are currently. The key point however is the absence of a scenario where the Project</p>		

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			would create an AQMA on the A228, because based on the modelling predictions, there should be an AQMA on the A228 now and in the future without the Project, so the change in concentrations when the Project opens would not trigger the need for an AQMA.		
Materials, assets and waste					
Assessment methodology The need for feasibility assessment of off-site recycling, as well as recovery and disposal capacity.	2.1.14 <u>RRE</u>	Paragraph 2.6.17 of the Outline Site Waste Management Plan notes that an Excavated Materials Assessment will be undertaken to verify that sufficient capacity is available in the study area to accept excavated materials for recovery activities. There may also be a need for feasibility assessment of off-site recycling, as well as recovery and disposal capacity. <u>This matter was discussed with the Applicant during a meeting on 25 April 2023. Medway Council is satisfied with the Applicant's response to this matter.</u>	A review of the recycling, recovery and disposal capacity of the Project's study area (Kent and Essex County Councils and East London Waste Authority) has been carried out and is presented in ES Chapter 11: <u>Material Assets and Waste</u> . The Contractor would undertake a similar exercise to ascertain the provision of capacity of reuse, recycling and recovery facilities within the study area for the waste generated by the project. The Environmental Statement does not define exactly which waste management sites the waste will be sent to, but does provide a list of currently permitted third party sites that could be	<u>ES Chapter 11: Material Assets and Waste [Application Document APP-149]</u> <u>Figure 11.1: Active Landfill and Waste Transfer and Treatment [Application Document APP-308]</u>	Matter <u>Agreed</u>

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			<p>potentially used by the contractor. At this point in time specific locations have not been defined, as the project does not want to restrict the potential options for the contractor. The ability to use waste management infrastructure from a wide range of locations would allow existing waste management capacity to be used effectively and efficiently, without resulting in local overcapacity to the detriment of the local economy.</p> <p><u>At a meeting on 25 April 2023, Medway Council agreed this matter, noting that the Excavated Material Assessment (Application Document 6.3) Figure 11.1 and Appendix 11.3 include two 'active landfills' in Medway which do not appear to be active landfills (industrial locations in Rochester). It was acknowledged that this is a production error and has been included in the Project errata list, and did not impact assessments.</u></p>		
Project design and mitigation	2.1.15 <u>RRE</u>	Sourcing primary aggregates 'as close to the project as possible' should include aggregates, including marine	The Applicant recognises the opportunity that the use of the river for material transportation	Outline Materials Handling Plan, Annex B of the Code of Construction Practice	Matter Agreed

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<u>Sourcing</u> primary aggregates		dredged sand and gravel, landed in Kent, Medway, Essex (including new CMAT at Tilbury) and London wharves. A commitment to including marine dredged and imported material from wharves would clarify this and reflect the local context (proximity of major wharves) and be consistent with commitments regarding use of ports and the 'proximity principle'. <u>This matter was discussed with the Applicant during a meeting on 25 April 2023. Medway Council is satisfied with the Applicant's response to this matter.</u>	presents for reducing impacts of vehicle movements. The outline Materials Handling Plan sets out a commitment to use port facilities to import bulk aggregates (subject to exceptions).	<u>[Application Document APP-338]</u>	
<u>Assessment methodology</u> Segregation of materials to facilitate re-use on site and recovery	2.1.16 RRE	In summary, the measures to segregate materials to facilitate re-use on site and recovery appear to be reasonable and sensible. However, there is reference to other documents where more detail may be set out, which have yet to be produced. For example, excavated materials are anticipated to be the largest sources of waste, and a target	The Excavated <u>Materials</u> , Assessment (EMA) was developed to validate available offsite capacity at third-party potential receiver sites and determine which of these would be capable of receiving excavated materials from the Project. <u>The EMA was published as part of the DCO application.</u>	<u>ES Appendix 11.1: Excavated Materials Assessment [Application Document APP-435]</u>	<u>Matter Agreed</u>

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		<p>has been set to ensure that these would be diverted from landfill disposal. It is understood that an Excavated Materials Assessment will be undertaken to verify that sufficient capacity is available in the study area to accept excavated materials for recovery activities.</p> <p><u>This matter was discussed with the Applicant during a meeting on 25 April 2023. Medway Council is satisfied with the Applicant's response to this matter.</u></p>	<p><u>At a meeting on 25 April 2023, Medway Council indicated that this matter could be moved to agreed.</u></p>		
<p><u>Assessment methodology</u></p> <p>Local Aggregates Assessments</p>	<p>2.1.17</p> <p><u>RRE</u></p>	<p>Local Aggregates Assessments produce a forecast of demand, analysis of supply options, and balance between demand and supply. The Medway Local Aggregates Assessments update (November 2020 'dashboard') identifies that the Project is one National Significant Infrastructure Project which may increase demand for aggregates from Medway which may be supplied by Kingsnorth Quarry and supply from wharves. The Kent Local Aggregates Assessments</p>	<p>A review of aggregate demand was carried out in 2020 as requested by Kent County Council and Essex County Council. It is currently being updated to reflect the latest Project design requirements and the latest local aggregates data. This has been extended to include Medway and will be shared.</p> <p>The Outline Materials Handling Plan <u>was published as part of DCO submission. The Local Aggregates Assessment was</u></p>	<p>Outline Materials Handling Plan, Annex B of the Code of Construction Practice <u>[Application Document APP-338]</u></p>	<p>Matter <u>Agreed</u></p>

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		<p>(April 2020) also identifies the Project as one 'significant infrastructure' development influencing future demand.</p> <p>However, neither Local Aggregates Assessments quantifies the likely demand and so it would be helpful (in terms of forward planning and assessing demand and supply options) for further detail to be provided to the Mineral Planning Authorities (from whose areas material is likely to be sourced) on quantities, types and potential sources of aggregates to be used in construction.</p> <p>This matter was discussed with the Applicant during a meeting on 25 April 2023. Medway Council is satisfied with the Applicant's response to this matter.</p>	<p>also supplied to Medway Council, which commented that it was viewed as very useful information.</p> <p>At a meeting on 25 April 2023, Medway Council indicated that this matter could be moved to agreed.</p>		
Nitrogen Deposition					
<p>Site Selection and Surveying</p> <p>Lack of compensation</p>	<p>2.1.18</p> <p>RRE</p>	<p>Based on current assessments, Figure 5-1 shows two site clusters likely to be affected: 1) around the proposed A2/M2 junction for Lower Thames Crossing and M2 Junction 2</p>	<p>The Applicant has prepared a Nitrogen Deposition Site Selection Technical Note to respond to questions regarding the methodology used for site selection. This technical note</p>	N/A	Matter Agreed

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Topic	Item No.	Medway Council comment	National Highways' Response	Application Document Reference	Status
areas proposed within Medway		<p>and 2) around M2 Junction 3 and the A229 at Blue Bell Hill. Designated sites likely to be affected in Medway include Ranscombe Farm and a section of the River Medway itself.</p> <p>Figure 5-3 of Lower Thames Crossing Guide to Local Refinement Consultation identifies proposed areas for compensatory habitat creation. There are no such areas within Medway. As a matter of principle, it would seem unreasonable that no compensatory areas have been identified in Medway. However, the consultation material states that the National Highways is following guidance and advice from the Department for Environment, Food and Rural Affairs and Natural England.</p> <p>It is noted that a landscape scale compensation approach, rather than a series of scattered sites, is more likely to deliver multiple benefits. Medway Council accept National Highways' reasoning for site selection as per the Nitrogen</p>	<p>was shared with Medway Council on 22 July 2022 and they have confirmed they are content with the approach.</p>		

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		Deposition Site Selection Technical Note that was shared with Medway Council on the 22 July 2022.			
Site Selection and Surveying Request for compensatory land to be publicly accessible where appropriate	2.1.19 <u>RRE</u>	Medway Council note that the four parcels of land identified would provide visual screening of an existing overhead powerline in an Area of Outstanding Natural Beauty (AONB). Medway Council would welcome engagement to ensure compensatory land is publicly accessible, where appropriate.	The objective of the sites includes avoiding significant effects and providing enhanced landscapes and public access where possible. The detailed design and long-term management plans are ongoing. <u>The Applicant</u> would be happy to discuss the development of the plans which form part of the Landscape and Ecology Management Plan.	Outline Landscape and Ecology Management Plan / Application Document APP 490	Matter Agreed
Detailed Design / Management Plans / Implementation Proposed mitigation measures should include speed cameras	2.1.20 <u>RRE</u>	The consultation material states that road users are more likely to exceed the speed limit between M2 Junctions 3 and 4 once the Lower Thames Crossing is open. Driving at faster speeds can increase nitrogen emissions, so by enforcing the speed limit on certain sections of road, average vehicle speed can be brought down, reducing nitrogen deposition on nearby designated sites. This could mitigate the impact of nitrogen	The exceedance of the speed limit between M2 junction 3 and 4 is an existing situation, and not one caused or exacerbated by the Project. The enforcement of a 70mph limit could reduce nitrogen deposition from existing levels and therefore mitigate any increase in nitrogen from the Project. There is a difference between reducing the speed limit and enforcement measures (which is keeping the existing speed limit but improving compliance). <u>The Applicant</u> is	N/A	Matter Agreed

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		<p>deposition and potentially reduce the area of compensatory land required. This is set out as justification for the installation of speed cameras between M2 Junctions 3 and 4 once the Project is open.</p> <p>Given that the nitrogen deposition site survey assessments are ongoing, and the consultation material presented initial conclusions because traffic and air quality modelling is yet to be finalised, it is unclear whether the implementation of a 60mph speed limit between M2 Junctions 3 and 4 once the Lower Thames Crossing is open can be ruled out at this stage. This is a concern, given the consultation material acknowledges that a 60mph speed limit between M2 Junction 3 and 4 would result in other negative impacts, including increased traffic and emissions on local roads as road users seek alternative routes.</p>	<p>still considering enforcement measures, but not speed limit reductions.</p>		

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Appendix A Engagement activity

Engagement activities between the Applicant and Medway Council since the DCO Application was submitted on 31 October 2022.

Date	Overview of Engagement Activities
11 November 2022	Emailed to offer DCO briefing session
14 November 2022	Emailed to notify of publication of documents on Planning Inspectorate website
28 November 2022	Emailed to inform that Lower Thames Crossing DCO application was accepted for Examination
09 December 2022	Emailed with pre-examination strategy, timetable and matters under discussion
14 December 2022	Emailed to inform of Planning Inspectorate announcement of the Relevant Representations and Interested Party Registration opening date
04 January 2023	Emailed to advise of PADS Tracker request from Planning Inspectorate
09 January 2023	Emailed to advise on Relevant Representations opening and further PADS tracker guidance from Planning Inspectorate
12 January 2023	Emailed to advise on Relevant Representations closing date and further PADS tracker guidance from Planning Inspectorate
20 January 2023	Medway emailed with a traffic modelling query (uncertainty log)
25 January 2023	Responded regarding uncertainty log and other traffic modelling query
3 February 2023	Meeting on noise increases on Bush Road / Warren Road / Cobhambury Road
30 March 2023	Offered SoCG meeting dates in April
25 April 2023	Meeting to discuss Material Assets and Waste SoCG matters under discussion
12 May 2023	Meeting to discuss Traffic and Wider Network Impacts SoCG matters under discussion
22 June 2023	Meeting to discuss Environmental SoCG Matters Under Discussion
26 June 2023	Emailed SoCG for final comments
6 July 2023	Emailed SoCG for endorsement

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Appendix B Glossary

Term	Abbreviation	Explanation
A122 Lower Thames Crossing	Project	A proposed new crossing of the Thames Estuary linking the county of Kent with the county of Essex, at or east of the existing Dartford Crossing.
Air Quality Management Area	AQMA	An area, declared by a local authority, where air quality monitoring does not meet Defra's national air quality objectives.
Area of Outstanding Natural Beauty,	AONB	Statutory designation intended to conserve and enhance the ecology, natural heritage and landscape value of an area of countryside.
Combined Modelling and Appraisal Report	ComMA	The purpose of the Combined Modelling and Appraisal Report is to inform decision makers and stakeholders on how the evidence underpinning the business case has been developed, from the initial identification of the underlying problem through the collection of data and the production of any supporting traffic models and forecast impacts of the Project on traffic to the eventual economic appraisal.
Department for Environment, Food and Rural Affairs	Defra	The government department responsible for environmental protection, food production and standards, agriculture, fisheries and rural communities in the United Kingdom of Great Britain and Northern Ireland.
Department for Transport	Dft	The government department responsible for the English transport network and a limited number of transport matters in Scotland, Wales and Northern Ireland that have not been devolved.
Development Consent Order	DCO	Means of obtaining permission for developments categorised as Nationally Significant Infrastructure Projects (NSIP) under the Planning Act 2008.
Lower Thames Area Model	LTAM	Transport model designed to forecast impacts of providing additional road _based capacity across the River Thames at locations at or east of the existing Dartford Crossing.
SoCG	SoCG	A Statement of Common Ground is a written statement containing factual information about the proposal which is the subject of the appeal that the appellant reasonably considers will not be disputed by the local planning authority.
Transport Analysis Guidance	TAG	National guidance document produced by the Department for Transport.

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Term	Abbreviation	Explanation
Trip End Model Presentational Program	TEMPro	DfT software for viewing data from the DfT's National Trip End Model
Wider Network Impacts Management and Monitoring Plan	WNIMMP	The wider network impacts relate to the changes expected in traffic flows and the levels of congestion following the Project being open for public use, at various locations on the road network away from the immediate vicinity and Order Limits of the Project. This includes impacts on the strategic road network, Major Road Network and Local Road Network .
Community Impacts and Public Health Advisory Group	CIPHAG	The group was established in 2018 as a body for public health officials and other local authority representatives to attend that could provide support during the preparation of the H&EqIA in terms of information sharing, provision of technical advice and guidance around best practice.

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List of engagement activities¶

A summary of the meetings and correspondence undertaken between the two parties in relation to the Project is outlined in Table C.1 below.¶

It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) National Highways and (2) Medway Council in relation to the matters addressed in this SoCG.¶

Engagement activities between National Highways and Medway Council¶

October 2020 – August 2022

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