

FAO Mr Smith (Lead Panel Member for the Examining Authority)  
c/o Mr Bartkowiak (Case Manager)  
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18 July 2023

Dear Mr Smith

## **A122 Lower Thames Crossing (Reference Number TR010032)**

### **Deadline 1**

#### **1 Response to Rule 6 Letter 25 April 2023 and Rule 8 Letter 27 June 2023 – Deadline 1**

- 1.1.1 This submission is in response to the Rule 6 Letter [\[PD-013\]](#) issued by the Examining Authority on 25 April 2023, the Rule 8 Letter [\[PD-018\]](#) issued by the Examining Authority on 27 June 2023 and the amended Rule 8 Letter [\[PD-020\]](#) issued by the Examining Authority on 3 July 2023.
- 1.1.2 Annex A to this letter identifies the documents that accompany this submission.
- #### **1.2 Post-event submission, including written submissions on oral comments made at hearings held between 20 June 2023 and 6 July 2023 and Action Points**
- 1.2.1 Open Floor Hearing 1 (OFH1) was held on 20 June 2023 as a virtual event. The Applicant refers the Examining Authority to 'Post-event submissions, including written submission of oral comments, for OFH1' [**Document Reference 9.9**] which contains the Applicant's oral submissions and response made to the points made by the Interested Parties. No actions arose at this hearing [\[EV-018a\]](#).
- 1.2.2 Issue Specific Hearing 1 (ISH1) on the Project Definition was held on 21 and 23 June 2023 as a virtual event. The Applicant refers the Examining Authority to 'Post-event submissions, including written submission of oral comments, for ISH1' [**Document Reference 9.10**] which contains the Applicant's oral submissions and further written submissions. Ten actions were recorded at this hearing [\[EV-023a\]](#), eight of which require action at Deadline 1. Refer to Section 5 for more information on Hearing Actions.

- 1.2.3 Issue Specific Hearing 2 (ISH2) on the draft Development Consent Order (DCO) was held on 22 June 2023 as a virtual event. The Applicant refers the Examining Authority to 'Post-event submissions, including written submission of oral comments, for ISH2' [**Document Reference 9.11**] which contains the Applicant's oral submissions and further written submissions. Eight actions were recorded at this hearing [[EV-030a](#)], all of which require action at Deadline 1. Refer to Section 5 for more information on Hearing Actions.
- 1.2.4 Open Floor Hearing 2 (OFH2) was held on 28 June 2023 at Orsett Hall, Essex, and as a virtual event. The Applicant refers the Examining Authority to 'Post-event submissions, including written submission of oral comments, for OFH2' [**Document Reference 9.12**] which contains the Applicant's oral submissions and response made to the points made by the Interested Parties who attended OFH2. Five actions were recorded at this hearing [[EV-036](#)], three of which require action at Deadline 1. Refer to Section 5 for more information on Hearing Actions.
- 1.2.5 Open Floor Hearing 3 (OFH3) was held on 5 July 2023 at Dartford Hilton and as a virtual event. The Applicant refers the Examining Authority to 'Post-event submissions, including written submission of oral comments, for OFH3' [**Document Reference 9.13**] which contains the Applicant's oral submissions and response made to the points made by the Interested Parties. No actions arose at this hearing for the Applicant [[EV-040](#)].

### **1.3 Comments on additional submissions submitted since the Application was accepted**

- 1.3.1 The Applicant has reviewed the additional submissions made since the Application was accepted outlined in Section 16 of Annex F of the Rule 6 Letter [[PD-013](#)].
- 1.3.2 The Applicant notes Gravesend Borough Council's 'Potential s106 asks (DRAFT) – 10/02/2023' [[AS-070](#)]. The Applicant is working with Gravesham Borough Council on the progress of the s106 and does not propose to comment on the specifics of those discussions here. Progress on the s106s with each local authority will be reported in the updated 'Consents and Agreements Position Statement' [[APP-058](#)] submitted at each deadline (refer to Section 1.7 for more information).
- 1.3.3 The Applicant thanks the stakeholders who produced Principal Areas of Disagreement Summary (PADS) in response to a request in [PD-005: AS-063](#) to [AS-067](#), [AS-069](#), [AS-071](#) to [AS-079](#), [AS-081](#) and [AS-085](#). The Applicant has no comments on the PADS themselves and will continue to work with the stakeholders on the matters identified in the PADS through the work on Statements of Common Grounds. The Applicant also thanks those parties who confirmed they didn't intend to submit a PADS as set out in [AS-062](#).
- 1.3.4 The Applicant has no comments to make on the following additional submissions since the Application was accepted:
- a. Responses from Essex County Council and Thurrock Council in response to a request in [PD-010](#) – [AS-068](#) and [AS-080](#)

- b. Request by Thurrock Council to delay examination – [AS-084](#)
- c. Email from Tonbridge and Malling Borough Council regarding delay – [AS-087](#)

1.3.5 This section has been produced in response to procedural decision PD-013-15 within the Rule 6 Letter [[PD-013](#)].

#### 1.4 Comments on Relevant Representations (RRs)

1.4.1 The Applicant refers the Examining Authority to the Relevant Representations Report [**Document Reference 9.4**].

#### 1.5 Applicant’s amended proposed ASI Itinerary

1.5.1 The Applicant thanks the Examining Authority for its Guidance on the Draft Site Itinerary [[PD-019](#)] and Interested Parties who commented on the Applicant’s proposed Accompanied Site Inspection (ASI) Itinerary [[PDB-001](#)]. The Applicant has considered the comments made and refers the Examining Authority to the Applicant’s amended proposed ASI itinerary [**Document Reference 9.2**].

1.5.2 This document has been prepared in response to procedural decision PD-013-15 within the Rule 6 Letter [[PD-013](#)].

#### 1.6 Statements of Common Ground (SoCGs)

1.6.1 The Applicant refers the Examining Authority to Annex B which provides a schedule and status of the SoCGs submitted (or not) at Deadline 1 which includes:

- a. Updates to those SoCGs submitted with the Development Consent Order (DCO) application on 31 October 2022
- b. New SoCGs prepared with Interested Parties in response to the Rule 6 Letter [[PD-013](#)]
- c. Additional SoCGs with further Interested Parties that were not submitted with the Application, or requested in the Rule 6 Letter [[PD-013](#)], but which the Applicant feels will assist the Examining Authority

1.1.1 All updated SoCGs have been included in track and clean versions.

1.6.2 In negotiating the matters within these SoCGs changes/updates have been made to DCO application documents. Table 1 identifies these DCO application documents and updated versions which are included as part of this submission.

**Table 1 Updated DCO application documents following SoCG discussions**

Document reference	Document title
TR010032/APP/2.14	River Restrictions Plans (Version 2)
TR010032/APP/7.14	Outline Traffic Management Plan for Construction (Version 2)
TR010032/APP/7.21	Stakeholder Actions and Commitments Register (Version 2)

Document reference	Document title
TR010032/APP/6.7	Outline Landscape and Ecology Management Plan (Version 2)
TR010032/APP/6.3	Environmental Statement Appendix 2.2 – Code of Construction Practice, First iteration of Environmental Management Plan (Version 2)
TR010032/APP/6.3	Environmental Statement Appendix 2.2 – Code of Construction Practice, First iteration of Environmental Management Plan – Annex C – Preliminary Works Environmental Management Plan (Version 2)

1.6.3 These documents have been provided in track and clean versions.

## 1.7 Applicant's submission of documents at Examination Deadlines and the Applicant's amended draft DCO

1.7.1 The Applicant notes that procedural decision PD-013-17 within the Rule 6 Letter [\[PD-013\]](#) identifies nine documents which should be submitted at each Examination Deadline or included as a 'nil return'. In addition to the documents listed, the amended Rule 8 letter [\[PD-020\]](#), Section 29, also requested that three additional documents should be included at each regular submission. Table 2 confirms which of these documents are being submitted as updated versions with this submission and those which are being submitted as 'nil return'. Those documents submitted will be provided in track and clean versions.

1.7.2 To accompany each amended version of the draft DCO [\[AS-038\]](#) the Applicant shall provide a new document titled 'Schedule of changes to the draft DCO' **[Document Reference 9.47]**. This will provide a consolidated schedule of changes listing all amendments to the draft DCO since the application version, including the version number, date and change and reason for each amendment. This will be updated for each submission with the latest draft DCO.

1.7.3 An updated Explanatory Memorandum [\[APP-057\]](#) has not been requested to be submitted at each update, however if a change within the draft DCO requires the Explanatory Memorandum to be updated, this will be provided. This will be detailed in each relevant submission. An updated Explanatory Memorandum has been provided at Deadline 1 to respond to the matters from the Issue Specific Hearing 2 draft DCO agenda Annex A.

1.7.4 To accompany each amended version of the Book of Reference [\[AS-042\]](#) the Applicant shall provide a new document titled 'Schedule of changes to the Book of Reference' **[Document Reference 9.55]**. This will provide a list of all amendments to the Book of Reference since the application version, including the version number, date of change and the reason for each amendment. This will be updated for each submission of the Book of Reference.

**Table 2 Applicant's submission of documents**

Document reference	Document title	Status
TR010032/APP/1.4	Navigation Document (Version 5)	Enclosed with this submission
TR010032/APP/3.1	draft Development Consent Order (DCO) (Version 3)	Enclosed with this submission

Document reference	Document title	Status
TR010032/EXAM/9.47	Schedule of changes to the draft DCO	Enclosed with this submission
TR010032/APP/3.2	Explanatory Memorandum (Version 2)	Enclosed with this submission
TR010032/APP/4.2	Book of Reference (Version 3)	Enclosed with this submission
TR010032/EXAM/9.55	Schedule of changes to the Book of Reference	Enclosed with this submission
TR010032/APP/5.3	Statement of Commonality (Version 2)	Enclosed with this submission
TR010032/APP/4.2	Annex B Status of Negotiations / Compulsory Acquisition Schedule	Enclosed with this submission
TR010032/EXAM/9.3	Status of Negotiations with Statutory Undertakers	Enclosed with this submission
TBC	National Policy Statement Tracker	Nil return
TR010032/APP/7.21	Stakeholder Actions and Commitments Register (Version 2)	Enclosed with this submission
TR010032/APP/3.3	Consents and Agreements Position Statement (Version 2)	Enclosed with this submission
TR010032/APP/1.6	Errata Report (Version 2)	Enclosed with this submission

## 1.8 Changes to land interests

- 1.8.1 Procedural decision PD-013-18, within the Rule 6 Letter [[PD-013](#)], states ‘*When the Applicant becomes aware that there has been a change in ownership or a new interest in relevant land, the Applicant is requested to make the relevant person or organisation aware that they can make a request to the ExA to become an Interested Party under section 102A of the Planning Act 2008.*’
- 1.8.2 The Applicant has identified 129 changes to land interests and confirms the relevant individuals have been identified and informed of their rights under section 102A of the Planning Act 2008. This has been recorded in Appendix A of the Schedule of Changes to the Book of Reference (Document reference 9.55).
- 1.8.3 The Book of Reference [[AS-042](#)] and Statement of Reasons [[AS-040](#)] have been updated to reflect changes to land ownership received from the Land Registry. These Land Registry updates have required the Applicant to make alterations to the Land Plans [[AS-006](#), [AS-008](#) and [AS-010](#)], Special Category Land Plans [AS-018 to AS-022](#)], and Crown Land Plans [[AS-012 to AS-016](#)].
- 1.8.4 For the avoidance of doubt, there is no change proposed in the land use or acquisition for these plots. They have been updated simply to take into account the updated land interests in respect of land already in the Order Limits.

## 2 Environmental Statement Addendum

- 2.1.1 The Environmental Statement (ES) Addendum document [**Document Reference 9.8**] has been prepared to explain updates to the following application documents submitted as part of the DCO application for the A122 Lower Thames Crossing (the Project) in October 2022:
- a. Application Document 6.1 Environmental Statement [[APP-138](#) to [APP-155](#)]
  - b. Application Document 6.2 Environmental Statement – Figures [[APP-156](#) to [APP-331](#)]
  - c. Application Document 6.3 Environmental Statement – Appendices [[APP-332](#) to [APP-485](#)]
  - d. Application Document 6.4 Environmental Statement – Non-Technical Summary (NTS) [[APP-486](#)]
- 2.1.2 It is intended that the ES Addendum will remain a live document throughout the Examination and would be used to track updates and amendments to the Environmental Statement documents, as these are required. Further amendments or points of clarification which arise through Issue Specific Hearings, Written Representations, Written Questions or other relevant elements of the Examination process, would be incorporated into this document accordingly. This document will be updated and re-submitted for each of the relevant Examination Deadlines, where there are updates to report.
- 2.1.3 Where an update is required, it will be provided in Table format where each row describes an amendment or update to the Environmental Statement. Each update is identified by Document Reference, location within the document, reason for amendment and amendment required. In most cases the original chapter or appendix has not been re-issued as a new version and the relevant rows within the ES addendum tables form the record of the update to that document.
- 2.1.4 Where the update cannot simply be presented as a row in a table, the relevant document has been updated and is submitted as an updated version alongside the ES Addendum at the same Deadline. This is the case for some chapter and appendix updates and for all updates to figures. Information on the updated version of each document is provided in the tables alongside the description of the change. The Examination Library reference numbers will be added for relevant rows at the next subsequent update of this ES Addendum.

## 3 Errata

- 3.1.1 Where minor corrections have been identified within the DCO application, these are reported within the Errata Report [[AS-004](#)]. These are all minor in nature and do not change the meaning of documents, analyses or any assessments.
- 3.1.2 In addition, updates have been made to the documents identified in Table 3.

**Table 3 Updated drawings due to minor corrections**

Document reference	Document title
TR010032/APP/2.7	Right of Way and Access Plans (Volume B Version 2 and Volume C Version 3)
TR010032/APP/2.8	Streets Subject to Temporary Restrictions of Use (Version 2)
TR010032/APP/2.9	Engineering Drawings and Sections (Version 2)
TR010032/APP/2.11	Classification of Road Plans (Version 2)
TR010032/APP/2.13	Structures Plans (Version 2)

## 4 Change

### 4.1 Applicant's approach to change

4.1.1 The Applicant has undertaken a review of modifications that it intends to make to the application. In doing this review the Applicant has considered the information set out in Advice Note 16. For each modification the Applicant has considered:

- a. Whether the modification would result in a change to the proposals with an impact that would require a formal request to change the application in accordance with Advice Note 16. Modifications that meet this criterion are referred to as proposed changes. Changes that meet this criterion are subject to the Examining Authority's discretion to accept the change.
- b. Whether these changes would be so substantial as to constitute a materially different project, in accordance with paragraph 2.1 of Advice Note 16. None of the identified changes, either individually or collectively, are considered to meet this criterion.
- c. Modifications that are not considered to require a formal request to change the application are referred to as planned amendments. Amendments that meet this criterion are subject to the Examining Authority's discretion to accept any relevant additional or updated documents which relate to those amendments.

4.1.2 The Applicant has provided a clarification relating to the methodology for the tunnel construction including an explanation of their assessment that to use one or two TBMs does not constitute a change to the application. This is contained in Annex C of this letter.

### 4.2 Current status

4.2.1 The Applicant has submitted two notifications of proposed change to the Examining Authority.

4.2.2 The first notification of proposed change was submitted in March 2023 [[AS-082](#) and [AS-083](#)] which included three proposed changes and a clarification on construction methodology. These changes have been consulted on and the

Applicant is aiming to submit the change application to the Examining Authority in early August 2023

- 4.2.3 A second notification of proposed changes was submitted in July 2023 [[AS--89](#)] which included two proposed changes and five planned amendments. It is currently planned to submit the change application in September 2023 for the Examining Authority's consideration to accept into the examination.

## 5 Applicant's response to Hearings Action List

- 5.1 The Examining Authority has issued Action Lists for the hearings between the 20 June and 6 July 2023.
- 5.2 The Action lists from The Issue Specific Hearing 1 (ISH1) [[EV-023a](#)], Issue Specific Hearing 2 (ISH2) [[EV-030a](#)] and Open Floor Hearing 2 (OFH2). [[EV-036](#)] contain actions for the Applicant at Deadline 1. The actions and the Applicant's response are contained in Annex D to this letter.
- 5.3 Note, no actions arose from Open Floor Hearing 1 [[EV-018a](#)] and there were no actions for the Applicant in the Action List for Open Floor Hearing 3 [[EV-040](#)].

## 6 Response to Rule 9 Procedural decision addressing proposed changes to the application (14 July 2023)

- 6.1.1 The Examining Authority issued a Rule 9 Procedural decision addressing proposed changes to the application ([PD-022](#)) on 14 July 2023. The Applicant notes that, towards the end of the Examining Authority's procedural decision, it is stated that "*it would be advisable and prudent for [the Applicant] to proceed on the basis that any consultation undertaken in relation to proposed "formal changes" EC01 and EC02 should meet the requirements of those regulations from the outset*". The Applicant can confirm that its intention is to write to persons with an interest in land at the outset of the consultation seeking their consent to the changes for the purposes of regulation 4 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 ("the 2010 Regulations").
- 6.1.2 The Applicant is not proposing to give notice and carry out publicity in accordance with regulations 7 and 8 of the 2010 Regulations at this time, but would instead propose to do so following submission of the formal change request to the Examining Authority, to the extent that any consents required under the 2010 Regulations have not been obtained.
- 6.1.3 The Applicant understands that this approach accords with practice generally and would further note that, under regulation 11 of the 2010 Regulations, the Examining Authority is required to make an initial assessment of the issues arising in connection with a proposed provision within 21 days of the deadline specified in a notice under regulation 7(2). If notice under regulation 7 was given at the same time as the proposed landowner consultation, the deadline under regulation 11 is likely to fall before or close to the date on which the Applicant proposes to submit a formal change request to the Examining Authority in respect of the changes. However, the Applicant is conscious that the Examining Authority is likely only to be in a position to make this initial assessment following acceptance of the proposed provision under regulation 6 of the 2010 Regulations. The Applicant is therefore concerned that any notice given under regulation 7 (or publicity for the purposes of regulation 8) at the



same time as the landowner consultation may prove to be premature, if the Examining Authority is then unable to make its initial assessment within the timescales required by regulation 11 of the 2010 Regulations.

6.1.4 The Applicant would therefore welcome further guidance and clarity from the Examining Authority in relation to the approach which is proposed to comply with the 2010 Regulations as part of the examination process.

## **7 Other matters**

7.1.1 The Applicant wishes to raise no other matters at this time.

Yours sincerely

Dr Tim Wright

Head of Consents – Lower Thames Crossing

## Annex A Documents which accompany the Applicant's Deadline 1 submission

A.1.1 Table A.1 below identifies the documents which accompany the Applicant's Deadline 1 submission. Note this does not include Statement of Common Ground submissions which are covered in Annex B.

**Table A.1 Documents that accompany Deadline 1**

Document reference	Document title
TR010032/EXAM/9.9	Post-event submissions, including written submission of oral comments, for OFH1
TR010032/EXAM/9.10	Post-event submissions, including written submission of oral comments, for ISH1
TR010032/EXAM/9.11	Post-event submissions, including written submission of oral comments, for ISH2
TR010032/EXAM/9.12	Post-event submissions, including written submission of oral comments, for OFH2
TR010032/EXAM/9.13	Post-event submissions, including written submission of oral comments, for OFH3
TR010032/EXAM/9.4	Relevant Representations Report
TR010032/EXAM/9.2	Applicant's amended proposed ASI itinerary
TR010032/APP/2.14	River Restrictions Plans (Version 2)
TR010032/APP/7.14	Outline Traffic Management Plan for Construction 9 (Version 2)
TR010032/APP/7.21	Stakeholder Actions and Commitments Register (Version 2)
TR010032/APP/3.3	Consents and Agreements Position Statement (Version 2)
TR010032/APP/1.6	Errata Report (Version 2)
TR010032/EXAM/9.8	Environmental Statement Addendum
TR010032/APP/1.4	Navigation Document (Version 5)
TR010032/APP/3.1	draft Development Consent Order (DCO) (Version 2)
TR010032/EXAM/9.47	Schedule of changes to the draft DCO
TR010032/APP/4.2	Book of Reference (Version 3)
TR010032/EXAM/9.55	Schedule of changes to the Book of Reference
TR010032/APP/5.3	Statement of Commonality (Version 2)
TR010032/APP/4.2	Annex B Status of Negotiations / Compulsory Acquisition Schedule
TR010032/EXAM/9.3	Status of Negotiations with Statutory Undertakers
TR010032/APP/4.1	Statement of Reasons (Version 3)
TR010032/APP/2.2	Land Plans (Version 3)
TR010032/APP/2.4	Special Category Land Plans (Version 3)

<b>Document reference</b>	<b>Document title</b>
TR010032/APP/2.3	Crown Land Plans (Version 3)
TR010032/APP/2.7	Right of Way and Access Plans (Version 2)
TR010032/APP/2.8	Streets Subject to Temporary Restrictions of Use Plans (Version 2)
TR010032/APP/2.9	Engineering Drawings and Sections (Version 2)
TR010032/APP/2.11	Classification of Road Plans (Version 2)
TR010032/APP/2.13	Structures Plans (Version 2)
TR010032/APP/6.2	ES Fig 5.5 – Construction Traffic Receptors and Results (Version 2)
TR010032/APP/6.2	ES Fig 7.20.1 – Traffic effects on Kent Downs AONB during construction (Version 2)
TR010032/APP/6.2	ES Fig 7.20.2 – Traffic effects on Kent Downs AONB during operational year 2030 and 2045 (Version 2)
TR010032/APP/6.2	ES Fig 7.23 – Existing Tree Constraints Plan (Version 2)
TR010032/APP/6.2	ES Fig 7.24 – Trees at Risk of Removal and Retention Plan (Version 2)
TR010032/APP/6.2	ES Fig 7.4 – Landscape Designations (Version 2)
TR010032/APP/6.2	ES Fig 7.16 – Visual Effects Drawing with Representative Viewpoint and Photomontage Locations (Version 2)
TR010032/APP/6.2	ES Fig 11.1 – Active Landfill and Waste Transfer and Treatment (Version 2)
TR010032/APP/6.2	ES Fig 13.3 – Population and Human Health Assessment – Properties and Businesses at Risk of Demolition (Version 2)
TR010032/APP/6.3	ES App 5.3 – Air Quality Construction Phase Results (Version 2)
TR010032/APP/6.3	ES App 7.11 – Traffic and Noise Effects on the Kent Downs Area of Outstanding Natural Beauty (Version 2)
TR010032/APP/6.3	ES App 10.11 – Remediation Options Appraisal and Outline Remediation Strategy (Version 2)
TR010032/APP/6.3	ES App 11.3 – List of Third-party Offsite Waste Infrastructure Receptors (Version 2)
TR010032/APP/6.3	ES App 12.4 – Construction Noise and Vibration Assessment (Version 2)
TR010032/APP/6.3	ES App 14.6 – Flood Risk Assessment (Version 2)
TR010032/APP/6.2	ES Fig 6.6 – Representative Viewpoints – Summer View Heritage Viewpoint (Version 2)
TR010032/APP/6.3	Environmental Statement Appendix 2.2 – Code of Construction Practice, First iteration of Environmental Management Plan (Version 2)
TR010032/APP/6.3	Environmental Statement Appendix 2.2 – Code of Construction Practice, First iteration of Environmental Management Plan – Annex C – Preliminary Works Environmental Management Plan (Version 2)
TR010032/APP/6.7	Outline Landscape and Ecology Management Plan (Version 2)
TR010032/EXAM/9.15	Localised Traffic Modelling
TR010032/EXAM/9.15	Localised Traffic Modelling Appendix B – Orsett Cock LMVR

<b>Document reference</b>	<b>Document title</b>
TR010032/EXAM/9.15	Localised Traffic Modelling Appendix C – Orsett Cock Forecasting Report
TR010032/EXAM/9.15	Localised Traffic Modelling Appendix D – Manorway Forecasting Report
TR010032/EXAM/9.15	Localised Traffic Modelling Appendix E – Thurrock East-West LMVR
TR010032/EXAM/9.15	Localised Traffic Modelling Appendix F – Thurrock East-West Forecasting Report
TR010032/EXAM/9.15	Localised Traffic Modelling Appendix G – Traffic Operational Appraisal – VISSIM Local Model Validation Report (LMVR)
TR010032/EXAM/9.15	Localised Traffic Modelling Appendix H – Traffic Operational Appraisal – VISSIM Forecasting Report
TR010032/EXAM/9.16	OFH2 Action Point 2 – Additional Cross Sections
TR010032/EXAM/9.17	Design and Operational distinction between an All-Purpose Truck Road and Smart Motorway
TR010032/EXAM/9.22	Schedule of Changes to the Book of Reference
TR010032/EXAM/9.22	Schedule of Changes to the Book of Reference Appendix A – Schedule of Notifications under section 102A of the Planning Act 2008

## Annex B Schedule and status of SoCGs

### Status of those SoCGs submitted with the Application

Interested Party (IP)	Our Doc Ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 1 summary
Barking Power Limited	5.4.3.2 v1	No									Barking Power Limited and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Basildon Council	5.4.4.1 v2	Yes									Updated narrative, no change in matter status
Brentwood Borough Council	5.4.4.2 v2	Yes									Change in status of one or more matters
Cadent Gas Ltd	5.4.3.3 v2	Yes									Change in status of one or more matters and new matters added
Cellnex UK Ltd	5.4.3.4 v2	Yes									Updated narrative, no change in matter status
Cobham Parish Council	5.4.5.1 v2	Yes									Updated narrative, no change in matter status
Dartford Borough Council	5.4.4.3 v2	Yes									Change in status of one or more matters and new matters added
DP World London Gateway	5.4.2.1 v1	No									DP World London Gateway and the Applicant are targeting Deadline 2 for an updated SoCG.

Interested Party (IP)	Our Doc Ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 1 summary
Environment Agency	5.4.1.1 v2	Yes									Change in status of one or more matters
Northumbrian Water Limited – Trading as Essex and Suffolk Water	5.4.3.6 v1	No									Essex and Suffolk Water and the Applicant are targeting Deadline 2 for an updated SoCG
Essex County Council	5.4.4.5 v2	Yes									Change in status of one or more matters and new matters added
EXA Infrastructure Services UK Ltd	5.4.3.8 v2	Yes									Change in status of one or more matters
Forestry Commission	5.4.1.2v1	No									Forestry Commission and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Forestry England	5.4.5.2 v1	No									Forestry England and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Gravesham Borough Council	5.4.4.6 v2	Yes									Change in status of one or more matters and new matters added.
Health and Safety Executive	5.4.3.9 v2	Yes									Change in status of one or more matters
Higham Parish Council	5.4.5.3 v2	Yes									Change in status of one or more matters and new matters added

Interested Party (IP)	Our Doc Ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 1 summary
Historic England	5.4.1.3 v2	Yes									Change in status of one or more matters and new matters added
High Speed One Ltd	5.4.3.10 v2	Yes									Updated narrative, no change in matter status and new matters added
ITS Technology Group Ltd (NextGen Access)	5.4.3.15 v2	Yes									Updated narrative, no change in matter status
Kent County Council	5.4.4.7 v2	Yes									Change in status of one or more matters and new matters added
Kent Downs AONB Unit	5.4.1.4 v2	Yes									Change in status of one or more matters
London Borough of Havering	5.4.4.8 v2	Yes									Change in status of one or more matters and new matters added.
Marine Management Organisation	5.4.1.5 v1	No									The Marine Management Organisation has not been able to complete its review of the updated SoCG in line with its governance. The updated SoCG will be submitted at a later Deadline
Medway Council	5.4.4.10 v2	Yes									Change in status of one or more matters

Interested Party (IP)	Our Doc Ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 1 summary
Natural England	5.4.1.6 v1	No									Natural England has not been able to complete its review of the updated SoCG in line with its governance arrangements. The updated SoCG will be submitted at a later Deadline
Network Rail Infrastructure Ltd	5.4.3.14 v2	Yes									Updated narrative, no change in matter status and new matters added
Openreach Ltd	5.4.3.16 v2	Yes									Change in status of one or more matters
Port of London Authority	5.4.1.7 v1	No									The Port of London Authority and the Applicant are meaningfully engaged in negotiations regarding protective provisions and working together on an updated SoCG for submission at a later Deadline
Port of Tilbury London Ltd	5.4.2.2 v1	No									Port of Tilbury London Ltd and the Applicant are meaningfully engaged in negotiations regarding protective provisions and working together on an updated SoCG for submission at a later Deadline
Royal Mail Group	5.4.3.17 v1	No									All matters were agreed in the v1 submitted with the Application



Interested Party (IP)	Our Doc Ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 1 summary
Shorne Parish Council	5.4.5.4 v1	No									Shorne Parish Council has indicated to the Applicant that they are focusing their attention on the Written Representation and will revisit the SoCG when they have capacity.
Southern Gas Networks PLC	5.4.3.18 v2	Yes									Change in status of one or more matters and new matters added
Thames Chase Trust	5.4.5.5 v2	Yes									Change in status of one or more matters
Thurrock Council	5.4.4.12 v1	No									Thurrock Council requested that the SoCG not be submitted at Deadline 1 as they have not completed their internal governance processes. The Council also indicated that due to other examination workstreams it wanted to target Deadline 3 for the next submission of an updated SoCG. The Applicant will work with the Council on a programme to achieve this.
Thurrock Power Ltd	5.4.2.3 v1	No									Thurrock Power Ltd and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline

Interested Party (IP)	Our Doc Ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 1 summary
Tonbridge & Malling Borough Council	5.4.4.13 v2	Yes									Updated narrative, no change in matter status
Transport for London	5.4.4.11 v2	Yes									Change in status of one or more matters and new matters added.
UK Power Networks Ltd	5.4.3.21 v2	Yes									Change in status of one or more matters and new matters added
Verizon UK Ltd	5.4.3.22 v2	Yes									Updated narrative, no change in matter status
Virgin Media Ltd	5.4.3.23 v2	Yes									Change in status of one or more matters
Vodafone Ltd	5.4.3.24 v2	Yes									Updated narrative, no change in matter status
Zayo Group UK Ltd	5.4.3.25 v2	Yes									Change in status of one or more matters

### Status of the new SoCGs requested in the Rule 6 Letter/post Rule 6 letter

Interested Party (IP)	Our Doc ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 1 summary
Cuxton Parish Council	9.39 v1	Yes									New SoCG at Deadline 1
Dover District Council	9.34 v1	Yes									A SoCG was being developed during the pre-application phase but was not submitted with the Application at Dover District Council's request. That SoCG has been updated and submitted at Deadline 1
Emergency Services and Safety Partnership Steering Group (ESSP SG)	9.28 v1	Yes									A SoCG was being developed during the pre-application phase but was not submitted with the Application at the Emergency Services and Safety Partnership Steering Group's request. That SoCG has been updated and submitted at Deadline 1
Essex Police	9.41v1	Yes									New SoCG at Deadline 1
Hutchinson Ports	Interested party has confirmed to the Examining Authority that they do not see a need for a SoCG										
Kent & Medway Economic Partnership	9.36 v1	Yes									New SoCG at Deadline 1
Kent Police	9.42 v1	Yes									New SoCG at Deadline 1

Interested Party (IP)	Our Doc ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 1 summary
Luddesdown Parish Council	n/a	No									Luddesdown Parish Council has indicated to the Applicant that they wish to enter into a SoCG but cannot meet the timescales for submission at deadline 1. The Applicant will work with the Council to submit a SoCG at a later Deadline
Maidstone Borough Council	9.35 v1	No									Maidstone Borough Council has not been able to complete its review of the updated SoCG in line with its governance arrangements. The updated SoCG will be submitted at a later Deadline
Maritime and Coastguard Agency	Interested party has confirmed to the Examining Authority that they do not see a need for a SoCG										
Meopham Parish Council	9.40 v1	Yes									New SoCG at Deadline 1
Metropolitan Police	Interested party has confirmed to the Applicant that they do not see a need for a SoCG										
NHS Kent and Medway Integrated Care Board	n/a	No									NHS Kent and Medway Integrated Care Board has not yet confirmed if they wish to enter into a SoCG
NHS Mid & South Essex Integrated Care Board	n/a	No									NHS Mid & South Essex Integrated Care Board has not yet confirmed if they wish to enter into a SoCG

Interested Party (IP)	Our Doc ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 1 summary
NHS North East London Integrated Care Board	9.44 v1	Yes									New SoCG at Deadline 1
North Kent Marshes Internal Drainage Board	9.43 v1	Yes									New SoCG at Deadline L 1
Peel Ports	Interested party has confirmed to the Examining Authority that they do not see a need for a SoCG										
Sevenoaks District Council	9.37 v1	Yes									New SoCG at Deadline 1
Swale Borough Council	9.38 v1	Yes									New SoCG at Deadline 1
Trinity House	Interested party has confirmed to the Examining Authority that they do not see a need for a SoCG										

**\*Further additional SoCGs submitted by the Applicant to assist the Examining Authority**

Interested Party	Our Doc ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 1 summary
Anglian Water Services Limited	9.27 v1	Yes									The SoCG was being developed during the pre-application period but was not ready to be submitted at that time. Ongoing engagement has led to the development of a SoCG that is now ready for submission
National Grid Electricity Transmission PLC	9.30 v1	Yes									The SoCG was being developed during the pre-application period but was not ready to be submitted at that time. Ongoing engagement has led to the development of a SoCG that is now ready for submission
National Gas Transmission PLC	9.31 v1	Yes									The SoCG was being developed during the pre-application period but was not ready to be submitted at that time. Ongoing engagement has led to the development of a SoCG that is now ready for submission
Southern Water Services Ltd	9.32 v1	Yes									The SoCG was being developed during the pre-application period but was not ready to be submitted at that time. Ongoing engagement has led to the development of a SoCG that is now ready for submission

Interested Party	Our Doc ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 1 summary
Anglian Water Services Limited	9.27 v1	Yes									The SoCG was being developed during the pre-application period but was not ready to be submitted at that time. Ongoing engagement has led to the development of a SoCG that is now ready for submission
Thames Water Utilities Ltd	9.33 v1	Yes									The SoCG was being developed during the pre-application period but was not ready to be submitted at that time. Ongoing engagement has led to the development of a SoCG that is now ready for submission
Cole Family (Land & Property)	9.46 v1	Yes									New SoCG at Deadline 1

*\*Further additional SoCGs may be submitted at later deadlines*

*Note: The Applicant was approached by Global Mutual (c/o Lakeside Centre Limited) shortly before Deadline 1 with regards to production of a SoCG. Global Mutual confirmed that they would like to formalise discussions held to date in a SoCG such that they have a formal record of engagement. Global Mutual informed the Applicant that they had already submitted a draft SoCG listing their issues and would like to work with the Applicant on an agreed SoCG at a later Deadline to capture the Applicants responses if accepted by the Examining Authority.*

# Annex C Tunnel construction methodology clarification

## C.1 Introduction

C.1.1 The Applicant has set out information on the flexibility provided with regard to construction of the tunnels. It is apparent from discussions held at the hearings June 2023 that there is uncertainty amongst certain stakeholders as to whether the flexibility proposed would constitute a change. Further information to set out why the flexibility is not a change is provided below.

## C.2 Single tunnel boring machine approach

C.2.1 The Applicant's DCO application set out an assessment which assumed works would be undertaken using two TBMs. This clarification relates to the opportunity to adjust the construction methodology to use a single TBM, starting and finishing at the North Portal.

C.2.2 The Applicant does not consider this to be a change to the DCO application. The clarification is being set out here and was included within the consultation in order to ensure there is an understanding of the proposed flexibility in TBM approach. This clarification sets out how the works would be undertaken if a single TBM was to be used.

C.2.3 Using a single TBM could deliver several efficiencies, particularly in terms of significant cost savings and a reduction in material use. A single TBM would result in a saving of approximately 38,000 tonnes of carbon (CO<sub>2e</sub>) by using less machinery.

C.2.4 The implications of adopting a single TBM approach to the tunnelling works were, therefore, kept under review following the submission of the DCO application. The Applicant undertook a review to understand in further detail the implications of a single TBM approach. This review concluded that, while there are a small number of differences in the logistics, construction programme and impacts associated with a single TBM approach, there would be no materially new or different likely significant adverse environmental effects arising compared with those presented in the DCO application.

C.2.5 The single TBM approach to tunnel construction would involve no physical changes to the Project presented in the DCO application and the plans which form part of it, nor would it require the Applicant to seek new powers over land to deliver those works.



- C.2.6 The single TBM approach provides an opportunity to bring the start of the tunnel drive forward in the programme as the quantum of temporary works required to construct the launch portal is reduced under a single TBM approach. The duration of tunnelling under a single TBM approach is longer than a two TBM approach, however the opportunity to start the tunnel drive earlier means there would be no change to the overall programme of works.
- C.2.7 The single TBM approach is, therefore, deliverable as part of the Project design and DCO application as submitted.
- C.2.8 The Applicant would, however, like to provide clarity to Interested Parties and the Examining Authority that the tunnel construction works could proceed by means of either a single or two TBM approach and that the assessments reported in the ES are, in effect, representative of both approaches.

### **C.3 Description of single TBM construction methodology**

- C.3.1 The single TBM approach would reduce the number of TBMs driving from the North Portal from two to one. The TBM would need to be turned around at the South Portal so that it could complete the second tunnel drive back to the North Portal where the TBM would be decommissioned. All servicing of the south to north tunnel drive would be provided from the northern tunnel entrance compound through the earlier constructed tunnel.
- C.3.2 The size of the permanent North and South Portals would remain unchanged and all activities servicing the tunnel construction (e.g. temporary power, muck removal, slurry treatment) would remain in the northern tunnel entrance compound.
- C.3.3 If a single TBM is used it would be driven from the north and turned around at the southern tunnel entrance to drive the second tunnel back to the north. The spoil from the second drive back north would be taken back through the tunnel.
- C.3.4 There may be a reduction in the size of the temporary North Portal structure used to launch the single TBM as less space would be needed to launch and then receive the single TBM. The slurry plant in the northern tunnel entrance compound may also be smaller in size but would operate for a longer duration while muck is being removed from the tunnel.
- C.3.5 There is no change required to the southern tunnel entrance compound beyond the temporary works needed to turn the TBM around, which will be done within the footprint of the South Portal.

C.3.6 The single TBM approach does not change the traffic management measures required for the Project. The single TBM approach does introduce a small variation in the number of construction compound vehicles, but these numbers are consistent with those already assessed in the ES and traffic assessments. Further details are provided in the environmental appraisal below.

## C.4 Single TBM approach environmental appraisal

C.4.1 An environmental appraisal of the single TBM option has identified the potential for changes to the air quality, noise and traffic impacts associated with bringing the commencement of the tunnel drive forward in the programme and an overlap of utilities works proposed within the Tilbury area.

C.4.2 The change in programme is associated with an earlier start to the tunnel drive under a single TBM approach as the quantum of temporary works within the tunnel portal where the tunnel drive is commenced is less than that required under a two TBM approach. Although the overall tunnel drive duration is longer under a single TBM approach, the earlier start to the tunnel drive means that there is no change to the overall programme of the works associated with the tunnel construction. The Applicant's review shows that the longer duration of works does not introduce any materially new or materially different adverse environmental effects.

C.4.3 The introduction of an earlier start to the tunnel drive under a single TBM approach results in a small number of utilities works (Works Nos. OH3, OH4 and MU33) being undertaken adjacent to the northern tunnel entrance compound at the same time as the tunnel drive. An assessment of these cumulative activities indicates that there is sufficient distance between the utility and tunnel works and sensitive receptors to not introduce significant cumulative effects during the period of these overlapping works.

C.4.4 While there would be some changes to the numbers of staff vehicles over the construction period, there would be an overall reduction in the number of journeys made to both the northern and southern tunnel entrance compounds. The traffic management measures assumed in the transport assessment would not change.

C.4.5 As some works would be starting sooner at the northern tunnel entrance compound, there would be an increase in journeys in the second year of construction. However, even with this increase they would remain lower than during the most intensive construction phase. Traffic during the most intensive construction phase would be slightly lower than compared with using two TBMs.

## C.5 Conclusion

- C.5.1 The Applicant confirms for the reason set out above that the flexibility is not a change.
- C.5.2 In response to the comments made by Gravesham Borough Council, the Applicant has provided the following commitment *“The tunnel boring machinery will be serviced from the North Portal. Material excavated by the tunnel boring machinery will be generated as a slurry and this will be transferred by pipeline through the tunnel to the North Portal for placement. Similarly tunnel segments and major services required to operate the tunnel boring machinery and erect the tunnel segments will be supplied from the North Portal.”*
- C.5.3 This is proposed to be secured via the Code of Construction Practice of which Chapter 7 is the Register of Environmental Actions and Commitments. The commitment has the reference MW009. This has been submitted at this deadline. This commitment is applicable whether one or two TBMS are utilised.

## Annex D Hearing Action List Signposting

Action Number	Action	Applicant's Response
ISH1 Action 1 and 2 <a href="#">[EV-023a]</a>	These actions are due at Deadline 2.	
ISH1 Action 3 <a href="#">[EV-023a]</a>	On 15 April 2023, the UK government announced the cancellation of uncompleted elements of the Smart Motorway programme. IPs have made RRs and oral submissions to the extent that the LTC design is (in their view) equivalent to a Smart Motorway in design and operation, whereas the Applicant has made submissions that it has been designed and will be operated as an All-Purpose Trunk Road (AAPT). Please provide a summary document describing the design and operational distinction between a three lane per side AAPT and a Smart Motorway.	The Applicant refers the Examining Authority to the Design and Operational distinction between an All-Purpose Truck Road and Smart Motorway (Document Reference 9.17) submitted at this deadline.
ISH1 Action 4 <a href="#">[EV-023a]</a>	This action is for: Ports – Port of Tilbury London Ltd (PoTLL), and DP World London Gateway (Gateway) and not the Applicant.	
ISH1 Action 5 <a href="#">[EV-023a]</a>	Please explain the extent of the Nitrogen compensation area sought. Is it clear that no land outside order limits is being relied upon as compensation for the LTC project (and is it also clear that no land outside the order limits is being counted as providing such benefits)?	The Applicant refers the Examining Authority to section F.5 of Post-event submissions, including written submission of oral comments, for ISH1' (Document Reference 9.10) submitted at this deadline.
ISH1 Action 6 <a href="#">[EV-023a]</a>	This action is for Thurrock Council and not the Applicant.	

Action Number	Action	Applicant's Response
ISH1 Action 7 <a href="#">[EV-023a]</a>	Please respond to Gravesham and Thurrock Councils' concerns that the 'value of travel time savings' assessment has not been undertaken in the sensitivity testing, in accordance with the guidance contained in DFT's document "TAG unit A1-3 user and provider impacts". Please explain whether this concern is correct and, if so, why that is the case?	The Applicant refers the Examining Authority to section H.2 of Post-event submissions, including written submission of oral comments, for ISH1' (Document Reference 9.10)
ISH1 Action 8 <a href="#">[EV-023a]</a>	Provide a summary of requests made to them by the following Councils (Thurrock, Essex, LB Havering, Gravesham, Medway and Kent CC) and Ports (PoTLL and Gateway) for localised traffic modelling data and specific intersection modelling around LTC, which ones they have assisted with and provided information, and which ones they have not and why not?	The Applicant refers the Examining Authority to Localised Traffic Modelling (Document Reference 9.15) submitted at this deadline.
ISH1 Action 9 <a href="#">[EV-023a]</a>	Please provide a summary list of local intersections for which localised traffic modelling has been completed. If there are any intersections for which modelling has been completed but has not been shared with the relevant local highway authority, what is the reason for that decision?	The Applicant refers the Examining Authority to Localised Traffic Modelling (Document Reference 9.15) submitted at this deadline.
ISH1 Action 10 <a href="#">[EV-023a]</a>	The ExA was left with an impression that multiple local road stakeholders had been seeking objectively-based means to assess the traffic effects of LTC on key elements of the local road network, but that requests for local / micro modelling of key intersections had not necessarily been responded to positively by the Applicant and that the Applicant's reasons for its approach to such requests were not always clearly communicated and understood. The ExA accepts that the Applicant needs to make prioritised decisions about access to and the cost of its modelling resources. It will not be able to accede to all modelling requests. But equally there are likely to be requests that proceed from key local stakeholders on a reasonable basis (seeking to ensure that project design avoids/ minimises adverse effects on local road	The Applicant refers the Examining authority to Localised Traffic Modelling (Document Reference 9.15) submitted at this deadline.

Action Number	Action	Applicant's Response
	<p>performance) where a publicly stated basis for and commitment to consideration of requests would assist. Further to actions 8 &amp; 9, please provide a document describing the criteria that the Applicant will use going forward to determine whether and if so how to respond to requests for local / micro modelling of intersections. This relates to requests that have arisen from Thurrock Council (such as but not limited to the Dock Road/ Thurrock Park Asda roundabout (A1089) and Orsett Cock roundabout (A13/ Stanford Road)). However, in responding, the Applicant should take account of existing and possible future requests from other local authorities with local highway authority duties, from Gravesham Council as a main host local planning authority and from PoTLL and Gateway as major users of the local road network proposed to link to LTC.</p>	
ISH2 Action 1 <a href="#">[EV-030a]</a>	Please list your proposed refinements to the draft Development Consent Order (dDCO) [APP-056] and provide reasoning on why refinements are required.	The Applicant refers the Examining Authority to the Schedule of Changes to the Draft DCO (Document number 9.47) submitted with this deadline.
ISH2 Action 2 <a href="#">[EV-030a]</a>	Please provide a table on the current status of consents, s106 agreements and other legal agreements.	The Applicant refers the Examining Authority to Appendix A and B of the updated Consents and Agreements Position Statement (Document reference 3.3) submitted at this deadline.
ISH2 Action 3 <a href="#">[EV-030a]</a>	Please take the consents position statement [APP058] and track at rolling deadlines as well as [APP505] (s106 Heads of Terms). 'Nil returns' may be provided if there is no change	The Applicant refers the Examining Authority to the updated Consents and Agreements Position Statement (Document Reference 3.3) submitted at this deadline.  This has been added to the list of Applicant's submission of documents at each Examination Deadline (refer to Section 1.7 above)

Action Number	Action	Applicant's Response
ISH2 Action 4 <a href="#">[EV-030a]</a>	Please provide a joint note of legal advice on the handling of energy (gas transport and electricity transmission) NSIPs within the dDCO. Are these lawfully capable of being addressed as associated development?	The Applicant refers the Examining Authority to Annex D of "Post-event submissions, including written submission of oral comments, for ISH2" [Document Reference 9.11] submitted at this deadline.  This has been approved by Michael Bedford KC (acting for Gravesham Borough Council), Michael Humphries KC (acting for Kent County Council) George Mackenzie and Douglas Edwards KC (acting for Thurrock Council), in addition to Andrew Tait KC, Isabella Tafur and BDB Pitmans (on behalf of the Applicant).]
ISH2 Action 5 <a href="#">[EV-030a]</a>	Please submit a copy of DFT & DESNZ letter agreeing that Secretary of State for Transport (SoST) will be sole decision maker for the DCO application.	The Applicant refers the Examining Authority to Annex A of "Post-event submissions, including written submission of oral comments, for ISH2" [Document Reference 9.11] submitted at this deadline
ISH2 Action 6 <a href="#">[EV-030a]</a>	This action is for the Relevant local planning authorities and local highway authority and not the Applicant	
ISH2 Action 7 <a href="#">[EV-030a]</a>	Provide examples of instances in which the SoST as discharging body has refused an application for the discharge of a requirement from the undertaker of a made transport DCO (specifically from NH or its predecessor Highways England)	The Applicant refers to section 1.3.22 to 1.3.23 of "Post-event submissions, including written submission of oral comments, for ISH2" [Document Reference 9.11] submitted at this deadline
ISH Action 8 <a href="#">[EV-030a]</a>	Provide a tabular response to Annex A of ISH2 Agenda on the dDCO.	This was provided as a discretionary early submission to the Examining Authority on 6 July 2023 and has been published on the Planning Inspectorate Website <a href="#">[AS-089]</a> .
OFH2 Action 1 <a href="#">[EV-036]</a>	Please clarify the availability within the application documents of up-to-date maps showing the status of existing and proposed dedicated Public Rights of Way (PRoWs) and permissive routes on foot, by bike and on horseback, arising from submissions by the British Horse Society (Kent). Is document [APP-320] the applicant's comprehensive plan set of existing and proposed	The Applicant refers the Examining Authority to section 3 of 'Post-event submissions, including written submission of oral comments, for OFH2' [Document Reference 9.12] with regards to the clarification of the availability of information showing existing and proposed Public Rights of Way (PRoW) and permissive paths.

Action Number	Action	Applicant's Response
	<p>PRoWs and permissive paths? Please clarify whether (and if so which ones) the PRoWs annotated as 'new' on the [APP320] plan set are upgrades of existing routes? Please also provide justification for the apparent lack of a dedicated bridleway south of the A2 between Church Rd, Henhurst and Halfpence Lane (north of Cobham), clarification of the terms of permissive path use, and state whether a shared cycle path and footpath will also be available and suitable for equestrian users</p>	<p>The Applicant refers the Examining Authority to the Draft Development Consent Order [AS-038] Schedule 5 Part 6 which details the routes which are new and improved. This should be cross-referenced with Rights of Way and Access Plans Volume B (sheets 1 to 20) [APP-025] and – 2.7 Rights of Way and Access Plans – Volume C (sheets 21 to 49) [AS-032].</p> <p>In addition to the above referenced information and subject to agreement by the Examining Authority, the Applicant intends to publish a new set of plans at Deadline 2 which will draw together all the various sources of Walking, Cycling and Horse Riding (WCH) information into a single place.</p> <p>With regards to WCH provision south of the A2 between Church Road, Henhurst Road and Halfpence Lane the Applicant refers the Examining Authority to the response to the British Horse Society comments in section 3 of 'Post-event submissions, including written submission of oral comments, for OFH2' [Document Reference 9.12].</p>
<p>OFH2 Action 2 [EV-036]</p>	<p><b>Required for Deadline 2:</b></p> <p>Please provide vertical cross sections within the A13/ A1089/ LTC Baker Street intersection at the locations shown on the annotated version of the Junction Layout Plans [PDB003] provided by the ExA (linked as [EV-035]). In addition, please provide vertical cross sections within the A2 / M2/ LTC intersection and the M25 / LTC intersection as identified by the ExA in [EV-035]. While the latter were not specifically identified by participants at OFH2,</p> <p>the issue of vertical cross section plans generally was raised in earlier hearings and the ExA has decided to make a combined request addressing each of the main intersections in preference, providing a consistent set of sections drawings.</p>	<p>The Applicant refers the Examining Authority to Open Floor Hearing 2 Action Point 2 – Additional Cross-sections (Document reference 9.16) where an update is provided and guidance is sought.</p>



Action Number	Action	Applicant's Response
	<p><b>Required for Deadline 1:</b></p> <p>The applicant should advise on progress by Deadline 1 and is encouraged to seek further guidance from the ExA on the production of these sections if necessary at that time.</p>	
OFH2 Action 3 <a href="#">[EV-036]</a>	This Action is for Deadline 2	
OFH2 Action 4 <a href="#">[EV-036]</a>	This action is for Mr Robin Beard and not the Applicant	
OFH2 Action 5 <a href="#">[EV-036]</a>	Please confirm that the actual photomontage references for the Tilbury Viaduct are viewpoints N-07, N-08 and N-12 within document [APP-246] and not S-28 in document [APP-245] as advised orally at OFH2. (Reference S-28 appears to be a cross section of the A2/ LTC from footpath NS169 adjacent to Gravesend urban edge.)	<p>We can confirm that Photo-montages N-07, N-08 and N-12 within document [APP-246] are the correct photomontages that should be referenced and not S-28 in document [APP-245].</p> <p>It may assist that the following document contains a plan which shows where the viewpoints are located: 6.2 Environmental Statement Figure 7.16 – Visual Effects Drawing with Representative Viewpoint and Photomontage Locations [APP-234]</p>
OFH3 Action 1 to 3 <a href="#">[EV-040]</a>	These actions were for Interested Parties and agents working on behalf for Interested Parties and not the Applicant.	