

Summary of Comments made by Thurrock Council at Issue Specific Hearing 1 (ISH1) on 21 June 2023 and 23 June 2023

These comments present the Council's initial views of the issues considered in the ISH1 Hearing and further details will be provided in the Council's Local Impact Report.

In preparing these comments the Council has made reference to Annex B of the Rule 6 Letter ([PD-013](#)), which sets out the Initial Assessment of Principal Issues of interest to the Examining Authority (ExA). In providing these comments the Council hopes to assist the ExA in the Examination of these issues.

a)	The Need Case	
i	Can the Applicant demonstrate that the proposed development will meet anticipated need?	<p>Comments by Douglas Edwards KC (page 35 of transcript) The Council made two preliminary points.</p> <p>First, the Council recognise that this is not an opportunity to rehearse in full matters that will be addressed in due course and in detail in the Local Impact Report. So, a high-level response is offered below to these matters at this stage.</p> <p>Second, the Council is continuing to undertake a review and an analysis of the DCO application documentation. That process is far from complete at this stage, and therefore the observations made at this stage obviously will be without prejudice to the completion of that process</p> <p>Comments by David Bowers (page 36 of transcript) To build on the analysis and the description of the project, the Council has taken a preliminary look at the scheme's objectives.</p> <p>As described previously, a key objective is to relieve congestion at the Dartford Crossing. Building on the comments by Gravesham BC, which reflect the Council's initial examination of the traffic flows, it also thinks that in certain time periods the Dartford Crossing will return to existing conditions of congestion after only perhaps five years from the opening of LTC.</p> <p>It would be helpful to understand further what the significant relief, which is described at the conclusion of the Traffic Forecast Non-Technical Summary, actually refers to. This is because the Council's understanding of the information presented previously by National Highways (NH) relates to the opening year of Lower Thames Crossing (LTC). Given traffic flows change, what are the changes at Dartford Crossing after, say, five years or 10 years?</p> <p>To build on the discussion around the modelling, clearly if the forecasts are underestimating demand and traffic flows are higher, then Dartford Crossing would return to existing conditions earlier. If the forecasts are lower than expected, then the benefits that are articulated in the economic analysis would be lower, leading to a reduction in the benefit cost ratio, which, as NH's analysis shows, is already low – at a level of 1.22.</p> <p>Understanding more about what the significant relief forecast by the NH actually is, and how that relates to different time periods, is something that we are interested in examining as part of our Local Impact Report (LIR), and it would be useful to have further insight on this issue from NH.</p> <p>Comments by Dr Colin Black The Council note that Professor Bowkett was reluctant to be drawn on your specific question as to whether the traffic modelling is sufficiently conservative.</p> <p>It would be helpful to know if Professor Bowkett considers that the appraisal scenarios modelled do cover the worst-case scenarios in this particular region. Is it possible that induced and suppressed traffic in this particular region may</p>

		likely be greater than the scenarios the applicant has in fact modelled (even if these scenarios have been prepared in accordance with DfT modelling guidance).
ii	Is it anticipated and if so, how swiftly is it anticipated that the proposed LTC alignment might become capacity constrained by traffic demand?	No comments made
b)	Transport demand, traffic modelling and the role of the road in the National and regional transport system	
i	How will the proposed LTC affect the operation of the existing M25/ A282 Dartford crossing?	This issue was addressed by Comments made for Question a) (i)
ii	How will the proposed LTC address traffic demand arising from the M20 corridor (and possible demand for trips between the LTC alignment and the M20 alignment in Kent)?	No comments at this stage
iii	Are there elements of demand for the LTC alignment that can be met by existing or new heavy rail, or light rail/ tram services (such as KenEx/ Thames Gateway Tramlink) and to what extent has the contribution of such modes and options been explored?	<p>Comments by David Bowers (page 57 of transcript)</p> <p>It is worth noting that NH ruled out public transport as a solution to the cross-river connectivity issues that they have highlighted back in 2009 with the Dartford River Crossing study.</p> <p>Obviously, that was a long time ago, and things have moved on, and schemes like the Kent Fast Track bus scheme have been implemented since then.</p> <p>There was a further review of the optioneering analysis in 2017, which included a post-consultation scheme analysis report, which looked again at the 2009 decision.</p> <p>Based on this report, NH has stated that the same decision held, i.e., a highways solution was required to help resolve the highway issues that have been identified.</p> <p>But NH has not actually been willing to share the underpinning analysis [of this report], which looked at the different public transport options. It would be very useful to be able to see this analysis which is referred to in other NH reports.</p> <p>Without the analysis, it is hard to see how they have considered how public transport could meet the same level of reduction in demand across the Dartford Crossing.</p> <p>The Council note that the level of change in traffic flows across the Dartford Crossing [caused by LTC is actually very low.</p> <p>It seems plausible that a public transport scheme could deliver the same level of change in traffic flows in a reasonable way, which would be potentially delivered in the same way that other public transport schemes are delivered around the country. The Council note the comments about the X80 having a decreased journey time [through the Dartford Crossing.</p> <p>Again, it would be useful to know if that was just in the opening year and what the decrease in journey time for the X80 would be in, say, five years, 10 years or in 2045 because, as we have been seeing earlier, traffic flows at Dartford</p>

		Crossing will return back to their current level quite swiftly after opening and so to understand the impact of LTC on the X80 would be very informative.
c)	Effects of the two-year rephasing in capital funding	
i	Is there sufficient scope within the Rochdale Envelope for the proposed development (affects as assessed in the Environmental Statement (ES)) to take account of the two-year rephasing in capital funding that has occurred in the period between the acceptance of the application and the commencement of the Examination?	No comments made by Thurrock Council
ii	What is the effect on construction duration and environmental effects of the proposed use of a single tunnel boring machine (TBM)?	<p>Chris Stratford (page 69 of transcript)</p> <p>The comments stay within the confines of 'not enough information'. The Council has submitted a consultation response to the MRC to the applicant and a copy was provided to the Planning Inspectorate (PINS). Essentially, the only information we have received is set out within the booklet that NH provide of 30-ish pages and in a short briefing the Council received from NH.</p> <p>Now, in the booklet, this construction update is described in one page with a couple of other pages setting out in summary what the environmental effects may or may not be.</p> <p>So, the Council's approach has been to ask a number of questions, for the simple reason that there is no information on which to base anything other than what is within this short booklet.</p> <p>The Council has not actually seen the evidence and we have made 25 separate points and questions about a range of matters in its MRC response.</p> <p>The subheadings of these questions were: proposal definition; excavated and constructed materials; the construction method and transport; worker operation; DCO commitments and control; and, the emergency and incident provision of such a proposal, i.e. how do emergency vehicles get to and from when every other movement is in contained within that first single bore?</p> <p>The Council alert the Examining Authority (ExA) to that submission, as it might provide some guidance to possible ExA questions or requests for information. It may, in fact, provide the applicant with ways to respond. However, please note that NH do not normally respond to the Council's consultation responses</p>
d)	Road design approach	
i	Having regard to anticipated traffic levels and user safety, is there a case for a different road design approach, including consideration of a special road/ motorway, provision of a continuous hard shoulder or any other	<p>Comments by Dr Colin Black (page 80 of transcript)</p> <p>The Council note a key scheme objective is to improve safety and it is concerned that this key objective is not borne out by the accident and economic analysis submitted by the applicant, which shows that the scheme will increase the number of casualties.</p> <p>The applicant, in fact, predicts that this scheme will mean 26 more people are killed and 182 more people are seriously injured within the design assessment period.</p>

	particular safety measures?	<p>The Council is concerned that the scheme adopts many elements of 'so-called' smart motorway design and the Council is unclear which elements of smart motorway design (for example, the provision of a hard shoulder and the use of variable message signing) are considered appropriate for adoption on this scheme and the extent to which these 'so-called' smart motorway design features may contribute to the predicted increase in casualties.</p> <p>Furthermore, we are seeking clarification as to why the government's safety concerns that led to the recent cancellation of the new smart motorway programme are not considered appropriate for this scheme. The Council remains concerned that the narrative provided by the applicant to date on the applicability of design standards and safety matters has been confusing and inconsistent throughout the consultation period and evidently remains so now.</p>
e)	Routeing and intersection design	
i	What consideration has been given to possible alternative routes and/ or alignment design mitigations at route 'pinch points', specifically in open land between North and South Ockendon, at Baker Street and between the hamlet of Thong and Riverview Park?	<p>Comments by Dr Colin Black (page 92 of transcript)</p> <p>The Council has sought for the LTC route to be designed such that the layout between North and South Ockendon does not preclude the future creation of an interchange at this location and we remain concerned that appropriate safeguarding is not written into the control documentation.</p> <p>The proposed LTC junction arrangements incorporate, as part of the design, the Council's local highway network at and around Orsett Cock junction. Part of the local road network at the A13 to the Orsett Cock junction was recently upgraded by the Council at substantial cost.</p> <p>The applicant is proposing the use the capacity provided at Orsett Cock junction as part of its LTC scheme. From opening, the applicant's modelling shows long queues and persistent congestion at this location. This is what the applicant prefers to refer to as 'slow moving traffic'.</p> <p>The Council is concerned that the applicant has been unable to put forward any modification that would relieve this traffic congestion.</p> <p>The LTC scheme will use all available local road capacity at Orsett Cock. It places the burden, instead, on the Council to remedy the serious traffic congestion issues that the applicant has identified in its operational traffic modelling, which has not yet been shared with the ExA.</p> <p>The Council has continued to raise concerns about the lack of adequate alternative option appraisal at this junction. An analysis undertaken by the Council suggests that, in fact, there are alternative design options that would provide a better balance between strategic benefits and local harm in Thurrock. The Council is concerned that the proposed LTC design does not provide adequate provision for port access and for future access to industrial and employment uses. Of particular concern is the removal of the Tilbury Link Road from the scheme.</p> <p>The applicant states in its Planning Statement (APP-495), that the Tilbury Link Road is not included as part of LTC, because the road would not contribute to the scheme objectives.</p> <p>The Council do not believe this position is substantiated by the modelling provided to the Council, which in facts demonstrates significant benefits for</p>

		alternatives incorporating the Tilbury Link Road, including the potential to significantly reduce the need for land around the A13/A1089 LTC intersection incorporating Orsett Cock and to reduce congestion, including for Port of Tilbury traffic.
ii	<p>What consideration has been given to land take at intersections and whether alternatives to the 'all directional slip' model for the main intersections at Baker Street and Shorne /A2 /M2 have been considered?</p> <p>Are all directions to all directions outcomes needed at these intersections? If not, could some slips be deleted to reduce land take?</p> <p>If so could it be feasible to incorporate roundabouts into elements of intersection designs to reduce land take?</p>	Covered by comments to 4 (e) i
iii	<p>Has adequate provision been made in the proposed LTC design for port access (referring specifically to Tilbury, Tilbury 2, DP World London Gateway Port and extension) and for access to other proposed and emerging business, industrial and employment uses of land?</p>	<p>Comments by Douglas Edwards KC (page 104 of transcript)</p> <p>So far as this item is concerned, the Council supports what has been submitted on behalf, in particular of DP World London Gateway Port., in terms of the impact of the scheme as currently proposed on the port, and also in large measure what is said on behalf of the Port of Tilbury.</p> <p>The Council at this stage aligns itself with those comments. The Council's opposition does go further in the sense that, and as already rehearsed in what Dr Black said in an earlier response, the Council has concerns about whether there has been proper, proportionate and objective assessment with regard to the Tilbury Link Road, which was part of a proposal at an early stage.</p> <p>At this stage, the Council considers that that Tilbury Link Road has not been properly assessed and that, when properly assessed, its merits in terms of both providing access to the ports and also relieving impacts on the wider road network become compelling. The Council's position is that it is necessary for provision of that nature to be made in order for the LTC proposal to be more acceptable.</p> <p>The Council's position in respect of this particular matter will be expanded upon in its LIR in due course.</p>
iv	<p>Has adequate provision been made for the provision/ restoration of community connections across the LTC alignment?</p>	<p>Comments by David Bowers (page 105 of transcript)</p> <p>The LTC provides very significant severance across Thurrock and so therefore it is really important that the connections across the alignment enable people to continue to be able to access different parts of the borough and that could be by car or by cycle or by bus.</p> <p>The Council has very significant concerns about the design of those connections across LTC in terms of their width, particularly the ability of the connections to provide facilities for cycling and walking and also in terms of providing bus-priority facilities. In several cases, the width of these connections precludes the ability to provide those public transport facilities required to enable good public transport services to be provided.</p> <p>The Council has suggested that two of the crossings could be adjusted to provide those sorts of facilities, but NH have not progressed with these suggestions as a part of the DCO application, which will be further develop as</p>

		part of the LIR. The Council consider these connections as a very important consideration for ensuring the residents of Thurrock can continue to move around the Borough.
v	Has adequate provision been made for the provision/restoration of connectivity across the LTC alignment for non-motorised users (NMUs)?	The comments made for 4 (e) iv apply
f)	Mitigation design and delivery	
l	<p>There appears to be some element of double counting of the benefits of some elements of mitigation design and delivery. Examples arising from site inspections include the following:</p> <ul style="list-style-type: none"> • The observation that land at Hole Farm near Great Warley is identified as already having been purchased and drawn into the creation of community woodland that has been publicly described as serving some general purposes not directly linked to the effects of LTC. • The observation that land proposed for nitrogen management at Bluebell Hill and Burham was added to the land requirement for the project between the first application and the second application, but that elements of this land are identified in the minor refinements consultation as potentially surplus to need and to be reduced in extent. The possible inclusion of some of this land in Stewardship is given as a basis for some of the exclusion, but again there does not appear to be a direct 	No comments at this stage

	link between the management of land under Stewardship and the management of the effects of LTC?	
ii	Can the extent of land take and acquisition for mitigation be fully justified as addressing need arising from LTC?	No comments at this stage
g)	Utilities and transmission diversions	
i	These works are currently characterised as Nationally Significant Infrastructure Projects (NSIPs) in their own right. The statutory basis for this approach will be explored in ISH2.	<p>Comments from Douglas Edwards KC (page 126 of transcript) In respect of the point raised by the ExA concerning how the utility diversions are dealt with and how national policy statements apply.</p> <p>This is, essentially, is a legal matter, that in the Council's view, the proposed utility diversions can be treated as NSIPs in their own right.</p> <p>There is also no reason, as far as the Council understand the position in law, why they should not be considered as associated development.</p> <p>However, whichever way they are considered, either as NSIPs in their own right or as associated development, the Council agree with what the applicant has submitted, that they would have to be considered by reference to and against the National Policy Statements (NPSs) that apply to those particular forms of development.</p> <p>If they are considered as associated development, those NPSs are still engaged and need to be applied. The Council will address any matters of conflict with those NPSs that arise in the context of the proposed diversion works in its LIR in due course.</p> <p>Chris Stratford (page 127 of transcript) Annex B of the Rule 6 letter indicated that the majority of today would be about utilities. Consequently, the Council made a submission under Procedural Deadline C and, in that submission, it dealt, in several pages, with the issues it had about the way utilities have been dealt with throughout the DCO application.</p> <p>The Council drew attention to previous comments that were made in earlier consultations, that utilities were dealt with in a rudimentary way and information was scattered over several documents.</p> <p>Since then the Council has undertaken an initial assessment of the current DCO documentation and has listed all the different documents in which you could find reference to utility diversions.</p> <p>Andy Davis can go into a little bit more detail after this, but the two assessments of the gas and the electricity diversions are contained in two separate documents. The Gas Diversion NSIP is within ES Appendix 1.3, which is APP-334 and the electricity diversion is contained in Annex 2 of the Explanatory Memorandum (APP-057).</p> <p>Given there is 55,000 pages devoted to the impact of the LTC scheme. In all those DCO application documents, there are only 25 pages devoted to the assessment of the four NSIP diversions, which seems slightly inconsistent.</p> <p>Andy Davis (page 127 of transcript) From reading the information provided to date, the utilities information is spread over a wide number of documents, which, in essence, makes it very difficult to</p>

		<p>understand the exact limits of the diversionary works and what is entailed.</p> <p>The Council would suggest that these should be contained in one or two documents, one covering the Electricity NSIP and the other document covering the Gas NSIPs with plans that clearly identify the existing routes and the proposed routes of diversions, what works are going to be entailed, and temporary works corridors.</p>
ii	What design approach has been taken to the siting and design of replacement utilities and transmission alignments?	Comments to 4 (g) i apply
h)	Economic benefits	Day Two of Hearing – 23 June 2023
i	Are the economic benefits (BCR) of the proposed LTC robust and measurable?	<p>Comments by David Bowers (page 8 of transcript)</p> <p>It is worth noting that the Council do not have an up-to-date transport business case for this scheme and although this has been requested, it has not been provided by NH. After a long period of discussions, an outline business case (OBC) was provided for the scheme as it stood in 2020, but the Council note that the NPSNN states in paragraph 4.5 that, ‘<i>Applications for road and rail projects will normally be supported by a business case prepared in accordance with Treasury Green Book principle</i>’ and at the conclusion of that paragraph, ‘<i>It is expected that NSIP schemes brought forward through the development consent order process, by virtue of Section 35 of the Planning Act 2008, should also meet this requirement.</i>’</p> <p>It would be very helpful to understand the economic case for this scheme by having access to the full business case.</p> <p>In terms of this question, the summary is that the Council has significant concerns that the stated economic benefits of the proposed LTC are neither robust nor measurable.</p> <p>Much information is provided in the economic analysis, but it is worth noting that in the Combined Modelling and Appraisal Report (APP-518) states that the benefit-cost ratio for the scheme, based on journey time benefits, i.e. the well-established benefits just mentioned, is very low, at only 0.48, so this shows that in terms of journey time benefits, this scheme is not justified.</p> <p>This seems to be a crucial point for a transport scheme: the transport benefits on their own do not provide more benefits than costs, and actually, there is an issue around how those benefits have been assessed.</p> <p>The modelling that underpins that economic analysis is based on DfT’s National Trip End model (version 7.2) to assess trip patterns. This looks at trip origins and destinations, how people travel and the rate of propensity to travel.</p> <p>These assumptions are now out of date, because the DfT has issued NTEM Version 8.0 and what that new version of data has done is reflect on changes in behaviour in society and how people have travelled over recent years because of technological changes. It also covers how people do their shopping, for example, and the how the rise of internet deliveries has changed how we all travel. Those changes are reflected in this new database of trip ends and they’ are provided for each local authority around the country and the Council is examining these changes for this area.</p> <p>This initial analysis shows that the number of trips you would expect people to make is generally much lower in this new version of 8.0 than 7.2 and this has a fundamental impact on the assessment of traffic and travel behaviour in this area of Thurrock.</p> <p>The Council has requested sensitivity tests to be run using NTEM 8.0, because</p>

it thinks that would be very informative to understand the impacts of the scheme in a way that actually reflects current travel patterns.

So, because the journey time benefits are so low, the benefit-cost ratio, which is in the 'low' category and which in the central case is 1.22, is based on the reliability and wider economic benefits.

Again, it is just worth noting that, although Prof. Bowkett said that Level 1 benefits, the journey time benefits, are well established, she did not say whether the Level 2 benefits (which have been added in recent years to the appraisal process) are established.

In the Council's view, these are more uncertain benefits, which are harder to measure and actually harder to assess. That is the nature of these benefits, and whilst they would normally be included in the assessment of a scheme, it is very unusual, in the Council's view, that the whole scheme is predicated in the delivery of these benefits.

So, to put it another way, to go from the 0.48 BCR to a 1.22 BCR is all based on the assumptions that the analysis of reliability and wider economic benefits is accurate.

The reliability benefits look at how by providing the extra capacity of the LTC enables journey times, and particularly perhaps journey times across the Dartford Crossing, to be more reliable, and people value that, and that is understandable.

This estimate has been calculated by NH using a piece of software called MyRIAD, and the 'M' in MyRIAD stands for 'motorway,' because it is typically used for motorway analysis of reliability and the outputs of that process are provided in the DCO.

However, the inputs and the assumptions underpinning the calculation have not been provided.

Again, the Council has requested that information from NH, because that would help us understand the validity of the reliability benefits, which underpin the economic case for the scheme.

To turn to the agglomeration benefits, again, the DfT's TAG Unit 2.1 says 'static agglomeration benefits', which actually provide almost 50% of all the economic benefits of the scheme and so it is really important to understand how they are calculated. Agglomeration benefits are the justification for getting the BCR above 1 and they are seen as having high levels of uncertainty as stated in, as I said, TAG Unit 2.1.

The Council understand that this reliance on WEBs (wider economic benefits) to make the economic case is unprecedented in the use for a highway scheme. The Council would welcome any guidance that NH can provide on other schemes that they have promoted where WEBs, these wider economic benefits, provide such a pivotal role.

Again, the outputs of this process of calculating the wider economic benefits have been made using something called WITA software and again the Council has requested the assumptions that have been used in that software. This is so it can see what assumptions have been made to help understand and interrogate the outputs. Again, the Council has requested those inputs but they have not been forthcoming from NH as yet.

This is a crucial point about these agglomeration benefits being crucial to the economic case and in our LIR we will be looking at this issue in more detail.

		<p>The Council consider it is really important that the actual wider economic benefits research, as stated by Prof Bowkett, has come into the appraisal world quite recently. It is actually based on evidence around effective densities and employment elasticities, based on research in 2009.</p> <p>Clearly, the labour market has changed very significantly since then, for lots of reasons around technology. Covid-19 has had its impact and the way people work has had to change. At the moment we feel that these behavioural changes are not factored into NH's calculations.</p> <p>If the agglomeration benefits are not as substantial as stated, then overall level of economic benefits would fall and given that the scheme is already at a very low, with a low level of economic benefit with its BCR of 1.22, it would not take much for it to fall below 1.0.</p> <p>In looking at the wider economic benefits provided by NH, it is the case that only £77 million out of the £1,374 million worth of benefits actually occurs in Thurrock. That is shown in Table 12 C.11 of Appendix D of the economic appraisal package (APP-526).</p> <p>So to put it another way, the scheme has a very significant effect on Thurrock, as has been said in other comments and submissions, but of the wider economic benefits that are stated, only a very small proportion flow to Thurrock. These benefits account for just under 0.03% of the annual Thurrock economy, which shows that the very low level of benefit that the scheme provides to the residents of Thurrock.</p> <p>Comments made by Chris Stratford (page 11 of transcript) In the Council's Supplementary Submission (PDC-007), following Procedural Deadline B on 9 June, Table 2, page 10, the Council set out the various updated methods of calculating all transport modelling matters, and for the question that the ExA asked, TEMPro 8.0 was released as a forthcoming change in April 2022 and the definitive version came out in December 2022. That is after the DCO submission and acceptance of the application, but nevertheless, it was six months ago now.</p>
ii	Do costs figures adequately address current positions in relation to labour and materials availability and costs? Has inflation been taken into sufficient account?	No Comments made by Thurrock Council.
lii	Is any adjustment to economic benefits necessary, given submissions from Ports to the effect that the lack of local highway connectivity to the waterfront could reduce local journey time reliability and have negative economic impacts on port operations?	<p>Comments made by David Bowers (page 23) The Council considers that a downward adjustment to economic benefits is necessary. This is because, whilst wider economic benefits have been considered, many of the wider economic costs associated with the development have not been fully considered.</p> <p>Many of the comments by NH referred to the Transport Appraisal Guidance and how they seemed to interpret it in a very generic way, which has not looked at the specific issues around the geography and the behaviour of people and businesses in and around the LTC corridor. The Council consider that this is a really important area for further consideration.</p> <p>In terms of the negative effects of the LTC, one way that it affects Thurrock, in particular, is the way that the extra traffic generated by the crossing is how it will affect the ability and desirability of land to be brought forward for development, for either residential or employment use.</p> <p>The Council is not satisfied that this impact of the lost or delayed growth</p>

because of the crossing has been examined in sufficient depth by NH.

The NH analysis has looked at development land within the Order Limits, plus a 500-metre area surrounding it, to see what impact there might be on particular development sites. The Council's view is that the approach of site analysis in looking at those particular sites has overlooked numerous good quality development sites which could, without the LTC, be brought forward earlier, because of the impact of the delivery of the crossing and the extra traffic, which would impinge on the ability of these sites to be brought forward. The Council will be providing examples of this in our LIR.

Finally, it is worth saying that the extra traffic caused by LTC really does have this effect on potential sites in Thurrock. This means that a site that is brought forward with the additional traffic associated with a crossing, might be required to do further junction improvements, which has, obviously, a capital cost which, in the absence of the LTC, would not be required. It is these issues around these extra economic costs associated with the delivery of the project, which the Council consider need further consideration and which we will be part of the LIR.

Comments made by Dr Colin Black (page 24 of transcript)

The applicant regularly refers to the fact that the costs of wider impacts do not necessarily have to be taken into consideration as part of the scheme. However, they are very real costs to the Council. The LTC scheme will mean that the Council will have to spend considerable funding upgrading junctions that are affected by the scheme. LTC puts additional costs on the Council. The Council is unclear as to whether those costs have been sufficiently quantified and fed back into the business case. This is important because the outline business case for the scheme does not work if those local junctions do not work.

Our key concern is that the outline business case is very close, as has been mentioned before, to being poor value for money. The scheme is reliant, therefore, on getting the costs and benefits accurate. There is, actually, very little margin for error. In particular, the Council note that LTC is predicated on the basis that it will deliver free-flow traffic for decades to come. The traffic analysis that NH has provided does appear to contradict this position and will be examined that in more time as the Examination proceeds.

The Saturn modelling provided in the DCO application may technically demonstrate improved access to ports and this is probably what Dr Wright was referring to. However, NH has also undertaken operational modelling work that paints a very different picture. The Council note that the applicant has chosen not yet to submit its operational modelling for consideration by the ExA and this urgently needs more exploration and its provision.

When the long outstanding work on operational modelling is completed, it may potentially necessitate a revision to the business case, to re-adjust the BCR.

If key junctions, such as Orsett Cock, do not perform as predicted by the Saturn modelling, then the value of time benefits will be substantially eroded. The Council note that the BCR value for money category is very sensitive to the traffic modelling. Equally, if local junctions do not work, then this will affect the ability of LTC to deliver its BCR. This is a crucial point that merits transparent and open assessment and it is noted that the applicant has repeatedly referred to WebTAG as a justification for its approach. The Council therefore highlights, and it is important to note, that this is guidance, it is not rigid or mandatory. It is possible to be in compliance with WebTAG and demonstrate different results.

Comments by David Bowers (page 30 of transcript)

To come back on the point about using the LTAM model for assessing junctions, it would be very useful to know where else NH has applied this approach. In doing research since Part 1 of the Issue Specific Hearing 1, the Council

		<p>understands that, for example, on the A66, the A303 and the A428 DCOs – operational modelling of the form described, in terms of LinSigs or Vissim models, which look in detail at junction performance, were all provided as part of those DCO applications. It would be very useful to know other locations where large schemes like LTC have not provided that level of detailed operational modelling.</p> <p>Comments by Colin Black (page 30 of transcript) As the local highway authority, the Council is not in agreement with the applicant as to the appropriateness of the modelling. NH have a very different view as to what they consider is appropriate compared to the local highway authority. Furthermore, some of the work that we have repeatedly requested in our consultations, as absolutely appropriate and in accordance with what has been provided on other similar scale of schemes, nationally, has simply not yet been undertaken for this scheme.</p> <p>So, to understand how that then feeds back into the traffic assumptions and the potential business case, that information is lacking at this stage. The Council do have some information, but we do need to progress that information, particularly at Manorway and at Orsett Cock roundabouts and at Asda junction. But there are a number of other critical junctions where the work remains in desperate need of completion; and, then that work needs to feed back into the strategic modelling. That has been, consistently, our position and it is a major point of disagreement between the Council and the applicant.</p>
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TECHNICAL NOTE

Job Name: Lower Thames Crossing
Job No:
Note No: TN02
Date: 17 July 2023
Prepared By: Joe Payne
Subject: Outstanding data requests to National Highways from Thurrock Council

Introduction

Following Issue Specific Hearing 1 (ISH1), Thurrock Council was given the following action by the Examining Authority ([EV-023a](#)):

6	Thurrock Council	Please provide copies of communications between Thurrock Council and the Applicant, requesting information relevant to the calculation of economic benefits and the outline business case and which it is alleged have not been responded to.	D1
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This Technical Note provides a response to this action. The note is split into two sections:

- **EMAIL: DCO data review – Appraisal Data – Requested: 9 June 2023** – this section provides a copy of the email sent to the NH LTC sponsorship team to request data missing from the DCO documentation to allow the Council to understand the economic case for the scheme and the assumptions underpinning certain elements of this and possible impacts upon Thurrock.
- **Timeline of previous data requests** – this details the timeline of communications and data requests between the Council and NH/DfT around the release of the LTC OBC.

EMAIL: DCO data review – Appraisal Data – Requested: 9 June 2023

The email below shows the Council's latest request (made on the 9 June 2023) to NH for additional information. This information concerns the appraisal underpinning LTC and is required to understand the assumptions behind the economic case and to understand the local impacts within Thurrock and their scale.

From: Thurrock Council
To: LTC Sponsorship team

Subject: Information Request

Hi Both,

In progressing with our DCO review work a number of requests have been forthcoming, which we would appreciate your help with and responses to and the first is set out below.

APP-528 Non Technical Summary – Traffic Flows

Paragraph 5.2.11, point a) of the APP-528 Non-Technical Summary states that the 'overall level of traffic using the Dartford Crossing would fall on average by 19% in 2030 and 12% in 2045 (but up to a maximum

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of 25% in 2030 and up to a maximum of 25% in 2045 in the modelled hours) when compared to the Do Minimum scenario'. We have been unable to derive these figures from the data provided in either this document or Document 7.7 Combined Modelling and Appraisal Report and its Appendices (APP-518 to APP-526). **Can the derivation of this figure be provided?**

APP-526 ComMA Appendix D – Economic Appraisal Report

Section 8.6 Accidents

A reduction in accidents of 0.57 PIC/km is presented within the ComMA Appendix D (APP-526). **Can this be provided as a rate in terms of PIC/mvkm as this is the standard unit for accident rate used by COBALT?**

The A2 from M2 J7 to Dover is excluded from the assessment despite Plate 8.3 (APP-526) suggests it is an impacted link. **Can the reason for this exclusion be provided?**

The COBALT accident impacts are presented at a high level at a total level. Plates of results provided in various reports shows there are some accident changes in Thurrock. The A13 sees an increase in accidents and LTC through Thurrock shows a large amount of accidents. **Can the detailed results for Thurrock links and junctions be supplied?**

Annex B Journey Time Reliability

Annex B states that user defined assumptions for MyRIAD have been used but these are not presented. **Can these assumptions be provided?**

The results (Table B.7) show that the PM shoulder shown to have more benefits than PM peak. The reason for this is not explained within the text. **An explanation as to the reason for this be provided?**

The four time periods with the biggest benefit are (in order of magnitude from largest), the Interpeak, the PM Shoulder, Weekend Charged and the PM Peak. **Further commentary around the reasons for these periods being the highest benefit is requested.**

It is not clear if the increase in accidents caused by the scheme has been accounted for in travel time variability element (specifically the Incident-related variability component) of the reliability assessment. **Can National Highways please clarify this?**

Section 8.5 Greenhouse Gas Emissions

The National Highways Carbon Valuation Toolkit was used to value the embodied carbon emissions. A copy of this has not been provided to allow full analysis of the assumptions behind it. **Can a copy of the schemes National Highways Carbon Valuation Toolkit (including results, input assumptions and other relevant information) be provided?**

Only the core carbon values for the carbon impacts (tailpipe and embodied) have been provided whereas many National Highways schemes provide both these and the high values of carbon. **Can the value of carbon disbenefits using the higher carbon value be provided?**

Section 9.3 Wider Economic Impacts

Can NH please provide the input and output files for the WITA2 analysis including any masking (and any differences between it and the TUBA masking)?

Look forward to hearing from you soon.

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Timeline of previous data requests

The Council has been liaising with NH to obtain the LTC Outline Business Case (OBC) since 2021. This process was delayed by NH's refusal to release the OBC until the Information Commissioner's Office via the FOI process determined that it should be released to the Council. Table 1 below outlines the timeline of the interactions to obtain this information and the continued attempts by the Council to engage with NH over the cost of LTC.

Table 1: Timeline of requests for LTC OBC and interaction with DfT

Date	Request	Response	Relevant Document in Annex
Autumn 2021	Requests to meet DfT over concerns about the way in which NH was approaching the DCO and clarification on costs, assumptions in business case and options assessment	Meeting on the 25 January 2022	n/a
25/01/2022	Kate Cohen, DfT - Teams meeting	Meeting with DfT to discuss Council's continuing difficulties engaging NH effectively and in obtaining clarity regarding financial obligations if the LTC scheme is approved.	n/a
11/03/2022	Council submits FOI request for LTC Outline Business Case	FOI submitted as last resort due to Council not obtaining clear answers. (Relevant Rep I.11 TR010032-002112-Thurrock Council Relevant Representation.pdf (planninginspectorate.gov.uk))	n/a
06/07/2022	Letter from DfT to Council in response to email of 16 May 2022	Refers to elements of disagreement for ExA to rule on (even back in July). Also states that " <i>The Tilbury junction and link road are outside of the scope of LTC nevertheless the scheme is being designed so that a future junction and link road, subject to funding and planning permission, can be built in the future as a connection to Tilbury.</i> " This is clearly NOT the case.	n/a
10/06/2022	Leader of Thurrock Council sends detailed letter to Chief Secretary of Treasury outlining serious concerns regarding LTC	The Council has not received a response.	Annex A – Letter from Thurrock Council to Chief Secretary of Treasury (set out below)
13/06/2022	Matt Palmer, NH briefs the Leader and Portfolio Holder of Thurrock Council	Mr Palmer informs the Council that NH has gone back to the Treasury to secure a further extension to increase the LTC budget envelope.	n/a

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08/08/2022	Council responds to DfT letter	Council continues to express its frustration at NH and DfT refusal to clarify key issues of financial liability and design options.	n/a
06/10/2022	DfT Response to Council	DfT response to Council email dated 8 August 2022	Annex B – DfT response to Council email dated 8 August 2022 (set out below)
14/10/2022	Information Commissioner rules that NH must release the LTC business case information		Annex C – Information Commissioners Signed Decision Notice (set out below)
26/10/2022	NH release 2020 LTC scheme Outline Business Case in response to Information Commissioner ruling	NH provides the OBC prepared for the last DCOv1 (aborted) claiming that it remains valid. (Relevant Rep I.11 TR010032-002112-Thurrock Council Relevant Representation.pdf (planninginspectorate.gov.uk))	Annex D – National Highways Response to Information Commissioners Ruling (set out below)
13/12/2022	Continued (unsuccessful) attempts by the Council to meet with the DfT to obtain clarification on cost implications of LTC.	The Council continued to make attempts to resolve issues with DfT throughout 2022.	Annex E - EMAIL: Proposed date for Meeting – DfT – 13/12/2022 (set out below)

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Annex A – Letter from Thurrock Council to Chief Secretary of Treasury

Civic Offices, New Road, Grays
Essex RM17 6SL
Leaders Office

10 June 2022

[REDACTED]
House of Commons
London
SW1A 0AA

[REDACTED]
Dear [REDACTED]

Re: Concerns Regarding the Outline Business Case for the Proposed Lower Thames Crossing

I write to express Thurrock Council's significant concerns on the proposed Lower Thames Crossing. The Council believes the current project is no longer achieving its stated aims and that the basis for the project needs to be re-examined. This is due to significant and exceptional domestic and international challenges and events over the preceding 3 years. The Council's concerns are exacerbated by poor engagement by National Highways, especially in relation to sharing key information about local impacts.

The Council believes that the project in its current form would underdeliver on benefits, overrun on costs and fails to take advantage of the significant potential of a project of this nature. The Council therefore requests prior to approval of the Outline Business Case, that the scheme be referred back for serious and substantial discussions between the National Infrastructure Commission, National Highways and stakeholders.

National Highways are shortly proposing to seek approval from the Chief Secretary to the Treasury for their promoted scheme, the Lower Thames Crossing. National Highways suggest that the technical work they have carried out is sufficiently thorough and reliable to justify this approval, and only minor details remain to be refined before submitting the scheme for Examination under the Planning Act (2008) process.

Despite continuous engagement between Thurrock Council and National Highways on the Lower Thames Crossing scheme for over 6 years, starting before the Route Consultation in early 2016, the Council remains apprehensive about the scale of the impacts of the scheme on Thurrock's residents and businesses.

The Council contests that insufficient evidence has been presented to demonstrate that there are scheme benefits that outweigh these impacts, or that alternatives could not be identified that would deliver a better balance between local impact and strategic benefit.

There is substantial and growing evidence to suggest that the current scheme is at risk as it will fail to provide value for money in accordance with Government requirements. Significantly more work is required to develop the Outline Business Case, particularly with regard to the strategic case and the economic case.

A more robust strategic analysis of the benefits and risks is required to ensure that the scheme design and its alternatives have been tested against the need to align with national and regional economic and social priorities, along with growth and development strategies. In addition, detailed analysis is needed of both the economic and social benefits and disbenefits attributing to the scheme. These should take fully into account the likely negative impacts of the scheme on growth in Thurrock, on air quality, health and its impact on greenhouse gas emissions.

In demonstrating the need for the Lower Thames Crossing, alternative options need to be examined which would be better integrated with local plans for sustainable growth, and which would support more sustainable transport options and carbon reduction. This work has not been completed, and there are no guarantees that Lower Thames Crossing will deliver the connectivity required by the Thames Freeport to support either its growth objectives, or its goals for innovation and carbon reduction. Without this evidence, the Council is concerned that the rationale for the preferred option and value for money for Government has yet to be proved.

There are major issues of principle, inconsistencies with international obligations and Government policy, inadequacy of scheme assessment and consideration of alternative design options, absence of integration with local plans for growth and mitigation of local effects, that are yet to be resolved or agreed. An appendix to this letter is included, to set out some of these issues in more detail, under the following headings:

- Progress in sharing important underpinning data: despite extensive engagement, over 400 important issues remain outstanding between National Highways and the Council. This includes the Outline Business Case, as well as some of the key underpinning data, including traffic forecasts and options appraisal.
- Topics unresolved because of ambiguous or incomplete data provided by National Highways: Many pertinent questions about the Outline Business Case and its underpinning analysis, so far remain unanswered, and which could have a significant bearing on the outcomes of the strategic and economic case.
- Aspects where National Highways' approach is inconsistent with Government principles, policy, or practice, including the National Networks National Policy Statement, the Decarbonisation Strategy, and changes to appraisal in the Treasury Green Book.

- Problematic treatment of traffic forecasts; the assumptions used to assess future changes in traffic demand and CO₂, appear to underplay the importance of key related factors, such as induced traffic and the role of public transport, and there are inconsistencies in the consideration of predicted changes to the vehicle fleet.
- Problems of consultation: There is an opportunity for the Council and NH to engage more fully and constructively about the options for the Lower Thames Crossing, and to refine the scheme to be better aligned with national policies and priorities, local growth, and Thames Freeport ambitions.

Despite a considerable number of meetings, engagement has not yet led to meaningful sharing of data and evidence, or resolution of key issues. Given the continued lack of meaningful engagement the Council is concerned that there is high risk that the current scheme will fail the test of acceptance by the Planning Inspectorate, and that ultimately it would likely fail to secure consent.

This would add further time to the process of promoting this project, delays in delivering its intended objectives, and put at risk the significant investment in the project thus far. There is an opportunity however to engage constructively about how this scheme might be developed to better support national and local priorities and improve its value for money.

Key issues with the current Lower Thames Crossing scheme proposed include but are not limited to:

- The appraisal of different options to the proposed highway scheme has not assessed the strategic transport alternatives. It does not consider alternative ways of catering for future regional accessibility requirements.
- There are no guarantees of access to the Thames Freeport, or those connections needed to facilitate local growth. There is also no agreement about how the major severance of existing routes is going to be overcome and provision made for sustainable access. This puts at risk both local economic growth as well as local strategies to address climate change.
- The proposed scheme has a significant impact on local roads. Significant work remains outstanding to demonstrate the ability of the proposed scheme to work in conjunction with key local road junctions.
- The use of local roads as part of the Lower Thames Crossing scheme will significantly reduce capacity for future local growth and create a substantial additional financial burden on the Council for future maintenance.
- No plans have been developed to address the requirement to support and benefit public transport or future low carbon transport options as part of this new cross-river transport opportunity, thus reinforcing car dependence making it increasingly difficult to meet legally binding carbon targets.

Collectively, these factors need to be addressed and an alternative design option for key elements of the scheme should be given due consideration, to demonstrate that it offers best value for money. National Highways are currently promoting a scheme that they have not yet proved is able to work effectively nor achieve its objectives.

A key example of the misalignment between Lower Thames Crossing and important national and local priorities is illustrated by its interaction with Thames Freeport. The Full Business Case (FBC) for Thames Freeport sets out how it will deliver national, regional, and local policy objectives, bring substantial benefits to local businesses and residents and how it will become a key component in implementing the UK's international trade and economic recovery and growth policies by accelerating greater trade and investment through the Thames Estuary. The Thames Freeport will deliver levelling up in left-behind communities through investment in skills, innovation, and physical and social infrastructure including transport infrastructure such as sustainable travel initiatives, road, rail and river multi-modal travel solutions.

The Thames Freeport's ambitions also include the opportunity for piloting of electric and autonomous vehicles, reducing congestion, emissions and pollution. However, there is a risk that the current Lower Thames Crossing scheme could significantly restrict the ability of the Thames Freeport to realise this opportunity for economic growth and innovation. A disruptive period of construction activity will significantly increase local traffic congestion and in doing so restrict port access. Despite significant engagement and the promotion of a new junction at Tilbury, there is yet no agreement about how the connection to Tilbury will be delivered, or how it will connect to the wider highway network providing essential connections for employees and goods once Lower Thames Crossing is operational.

It is of significant concern that there will be a lack of road capacity to cope with significantly increased traffic caused by Lower Thames Crossing and compounded by inadequate provision of necessary requirements for port access.

There is a serious likelihood that, until these issues are properly discussed and resolved, the Outline Business Case will not be technically robust; nor will it support important Government objectives. The scheme cannot therefore be justified in economic or environmental terms.

The Council's view is that the Lower Thames Crossing scheme in its current form will not deliver the wider economic benefits predicted. Conversely, it will have substantial negative impacts on an already deprived area, fail to support longer term economic growth, and therefore act against the important strategy of levelling up.

Furthermore, the scheme will significantly increase cross river traffic. This will undermine the benefits of the anticipated transition of the vehicle fleet to alternative low carbon fuels, thus widening the gap between the UK's existing carbon trajectory, and the achievement of its legally binding carbon targets and pathway.

The Council continues to seek to engage positively with National Highways. However, the Council recently and reluctantly considered it necessary to submit a Freedom of Information request to gain sight of the Outline Business Case to help provide a better understanding of these issues. The Council's request was refused. The justification

provided by National Highways stated that this work is so incomplete that it should not be revealed to stakeholders; whilst at the same time making the case that the appraisal and assessment of the scheme is sufficiently complete for it to be ready to be submitted for Treasury approval and onward into planning.

The Council has subsequently and recently requested of National Highways that they undertake an internal review of that decision to refuse access to the Outline Business Case. This is because, in the Council's view, the public interest in maintaining the exemption does not outweigh the public interest in disclosing information and does not allow the public generally, and the Council in particular, to comment on the Outline Business Case prior to any Development Consent Order approval being granted. The Council considers that its role as a representative of those residents who will be most impacted by the project is key to understanding the true cost and benefits of the project, particularly environmental, climate and health issues.

Approval of the Outline Business Case for this Lower Thames Crossing scheme would force the Council to commit to a very long, complex, time-consuming and expensive argument through the public examination, and the potential need for subsequent challenge should key issues not be resolved. Yet, there is an opportunity to devise a better scheme that delivers against national and local priorities. Whilst this may lead to a short-term delay, the long-term benefits of this course of action are compelling.

The Council proposes that, prior to approval of the Outline Business Case from Treasury, the scheme is referred back for serious and substantial discussions between the National Infrastructure Commission, National Highways and stakeholders.

The legislative and political priorities of the UK have developed significantly over the last decade since the decision was made to pursue the Lower Thames Crossing. For example, in the past 3 years the UK has introduced a legally binding target for net zero emissions by 2050 and significantly altered our trade patterns through leaving the European Union. The world economic situation has also dramatically changed due to the impact of the pandemic and war in Ukraine. Considering the unprecedented changes in the last 3 years, it is appropriate to consider, not only design, but also need, alternatives, and objectives, aiming to deliver a better scheme that delivers greater strategic benefit and lower local impacts, and accompanied by appraisal which is fully compliant with both evidence and principles.

Yours sincerely,



Leader of Thurrock Council

CC:



[REDACTED]

Encl: appendix

Appendix

1. The main topics of difficulty are summarised below. Each can be supported by detailed citation of Government documents, research evidence, technical argument, and legal advice, which we are currently preparing.

Progress in sharing essential underpinning data

2. The Council has engaged with National Highways on a long list of disputed topics, of which at least 300 remain unresolved at the time of writing.
3. High amongst these issues is the Outline Business Case, which the Council has been seeking further information about. In the absence of satisfactory answers, a Freedom of Information request was submitted, but National Highways has rejected this on the basis that:
“... the Outline Business Case is incomplete and hasn't been approved by the Chief Secretary of Treasury. The information is therefore being withheld as it falls under the exception in Regulation 12(4)(d) material in the course of completion, unfinished documents and incomplete data. “
4. A further difficulty is that National Highways has provided the Council with some sample outputs of their traffic forecasts, but in a strictly limited form which does not include the whole modelled area. The Council has only been allowed to see figures for the modelled cordon around its boundaries. The Council understands that National Highways has given similar data to other neighbouring authorities, but on condition that local authorities cannot not talk to each other to seek to develop an understanding of the modelled region. This seriously limits the ability of each Council to check whether the assumed base, and projected forecasts correspond with local knowledge of actual trends in recent years, or likely future trends. Analysis of the data by the Council has found significant indications of discrepancies, so it does not have the assurance that the forecasts are sensible, which is material given the comments below.

Topics unresolved because of ambiguous or incomplete data provided by National Highways

5. It is not clear if the latest versions of software change the findings of the Economic Appraisal? i.e. TUBA (version 1.9.17 instead of 1.9.13), COBALT (2.2 instead of version 2013.2, as COBALT v2.2 was released around 7 March 2022) and WITA (version 2.2 instead of WITA2 Beta).
6. A weak economic case has been presented and it is not clear that this has been updated? Please explain the justification of the scheme given its weak economic case.
7. It is not clear whether the TUBA/COBALT warning messages been checked and found to be acceptable?
8. The Council has requested that the spatial distribution of the benefits attributed to Thurrock be provided. The Council notes that it appears to be ranked 1st for

Average User Benefits per Head (£) and also has the highest % share of average user benefits at 21% (Table A.34).

9. Only interim construction disbenefits have been reported and it is unclear if the construction impacts have now been refined. The Council has requested details on how the disbenefits are calculated.
10. The Council requests evidence on how and whether the economic appraisal outputs are consistent with the case for change, including whether scheme objectives and need for the scheme are consistent with the economic appraisal outputs. It is not clear if the 7 scheme objectives have been met when reviewed against the economic case?
11. It is acknowledged that there is significant uncertainty about how the transport system will evolve in the future, particularly with the potential for emerging trends in behaviour and technology to drive significant change over time (reference: Uncertainty Toolkit TAG Supplementary Guidance). Core, Low and High growth scenarios have been tested within National Highways' LTAM traffic model, simply based upon TAG M4. There has been little consideration, regarding the effects of entirely possible mobility futures, particularly in relation to the business case, impacts on the local road network including junction operation, air quality and carbon emissions. It is important that the scheme is designed to be resilient to future change and able to help achieve desirable outcomes. How has it been demonstrated that the assessment of uncertainty influenced the scheme, configuration, components, and design?
12. Can discussion or sensitivity testing consider the potential impacts on the scheme value for money of increased participation of activities via digital means?
13. Can the air quality impacts including greenhouse gases (GHG), be explicitly assessed for scenarios likely to have worse impacts than those of Core (such as the High Growth scenario) or better (such as the low growth scenario) instead of assuming them to be equal to those of the Core scenario as has been done? (Though note below our comment on these scenarios).
14. National Highways has not undertaken options testing to evaluate the relative benefits of a junction at Tilbury providing Port access and eliminating the need for Lower Thames Crossing connectivity with the A1089 via a highly complex and expensive junction arrangement. National Highways has agreed to do the technical work to assess this scenario, but this work is not likely to be completed in time to enable consideration of the outcomes of this work before DCO submission. National Highways remains steadfast that it will not change its design regardless of any potential to reduce costs or improve local connectivity. This is analogous to the position adopted by National Highways with respect to Tilbury Fields. Despite robust engagement, the importance of integration between Lower Thames Crossing and the Thames Freeport was not fully grasped by National Highways, resulting in delay to the scheme in order to redesign the area around the tunnel portals and ensure the Thames Freeport could progress unencumbered. This entirely avoidable position appears to be being repeated in relation to its integration with important national and local

priorities, which unless addressed will create future delays to project implementation.

15. In this Lower Thames Crossing scheme, National Highways proposes to disconnect the existing strategic road network (SRN) port link between the A13 west-bound and the A1089 south-bound and instead divert this traffic via local authority roads. It also proposes to provide some links to LTC with the A1089 via local authority roads, whilst other links are provided via a direct SRN connection for which National Highways will be responsible. Local authority assets are being used to reduce the costs of the scheme and this is not being reflected in the cost envelope for Lower Thames Crossing. In addition, the Lower Thames Crossing scheme absorbs capacity on the local highway network, including the A13 which has recently been widened at a cost of over £130M. The use of local highways to reduce the costs of Lower Thames Crossing distorts the real cost of the scheme. Through its approach National Highways has necessitated substantial further costs to be incurred by the Council to re-create planned capacity to accommodate both Local Plan growth comprising over 30,000 homes, and the substantial growth in employment generated by the Thames Freeport designation of the local ports.
16. National Highways has not provided details of the cost of traffic delays and congestion that will be caused to local motorists over a construction period of 7 years. Strategic modelling to calculate this will underestimate the negative scheme cost impact, and good practice approaches to calculate journey time disbenefits using operational modelling have clearly not been adopted. National Highways has also not set out any practical proposals to reduce the cost of congestion on local residents, as they are aware is commonplace as part of other major road schemes and have been repeatedly encouraged to adopt by its regulator the Office of Road and Rail. Thurrock Council is hamstrung in attempts to work with the Department for Levelling Up, Housing and Communities on its Levelling Up strategy for the Borough by the repeated refusal of National Highways to provide details of the additional social costs anticipated to be borne by the Borough as a result of its Lower Thames Crossing scheme.
17. National Highways has repeatedly refused to undertake sensitivity tests to consider how its proposed Lower Thames Crossing scheme functions in relation to high-wind closures and incidents at the Dartford crossing. A key benefit of the scheme is claimed to be to address the fact that "over 300 times a year the Dartford Crossing is partially or fully closed for around 27 minutes on average, due to incidents". It is noted that Transport for London has deemed it important to run scenarios as part of the Silvertown Tunnel DCO. In contrast, despite this being a central justification for the Lower Thames Crossing scheme, National Highways has repeatedly refused to make a commitment to demonstrate how the scheme will improve the ability of the network to perform more reliably.

Aspects where National Highways' approach is inconsistent with Government principles, policy, or practice

18. The proposed Lower Thames Crossing scheme appears incompatible with the National Networks National Policy Statement (2014) requirement to consider

'successor documents' consistently, and to carry out proper appraisal of alternatives, as reinforced by Department for Transport's Transport Analysis Guidance. It appears that National Highways considers that consideration of alternatives are not necessary, because of its Road Investment Strategy 2 designation, but that does not apply in this case because of the nature and scale of the scheme and the changes in strategic priorities resulting from the Treasury Review of the Green Book.

19. Policy and context changes since 2014 are fundamental, especially: Declaration of Climate Emergency, the 6th Carbon Budget, the advice of the Climate Change Committee, the Government's Decarbonisation Strategy, the UK's Nationally Determined Contribution as part of the Paris Agreement, introduction of a UK Emissions Trading Scheme in January 2021. It seems that National Highways is relying on an assumption (in advance of demonstrating it) that the carbon effects of the scheme are below the level of 1% of all other emissions from all other sources, that they have arbitrarily decided to treat as a threshold level for considering carbon as material. But the scheme is unusually large, the 1% level cannot be assumed as relevant (as confirmed in recent decisions by the Secretary of State for Transport). The presumption that the Lower Thames Crossing scheme impacts can be easily compensated by other initiatives conflicts with the current Department for Transport decarbonisation trajectories.
20. Important appraisal changes have been made since 2019, especially Green Book and Department for Environment, Food and Rural Affairs' recommendations on climate scenarios of 2°C and 4°C average worldwide temperature change (which would be directly and drastically relevant to living, working and travel conditions in the whole Thames Corridor); Department for Business, Energy and Industrial Strategy; and Department for Transport's advice on carbon values for appraisal, and Department for Transport's Transport Analysis Guidance advice on scenarios, uncertainty, risk, baseline definition, and appraisal of alternatives.

Problematic treatment of traffic forecasts

21. The intended outcome of the Department for Transport's decarbonisation strategy: include, as well as uptake of electric vehicles, many initiatives, now committed as formal Government policy, which are designed to reduce traffic growth, especially in all urban areas with shifts to walking, cycling and public transport, and also on longer distance journeys (including shifts to improved rail and longer distance coach services, and significant increases in average car occupancy). The most recent Department for Transport calculation of carbon trajectories shows that these demand changes are a necessary part of achieving the targets. All of these will have a material effect on traffic forecasts in the baseline, whether or not the Lower Thames Crossing scheme is implemented. It would clearly be inconsistent to assume that these policies have zero effect on traffic forecasts, while assuming, at the same time, that they are entirely successful in reducing carbon outputs.
22. Department for Transport's treatment of scenarios for forecasting traffic allow for uncertainty, scenarios including both upwards and downwards pressure on traffic

trends, risk registers, and the interaction of electrification of vehicles, congestion, and fuel costs. The National Highways' traffic model tests are not scenarios in the sense used by Department for Transport's Transport Analysis Guidance guidelines (i.e. corresponding with specific stated conditions of changes in incomes, fuel prices, population estimates, continuation or otherwise of specific trends observed in recent years before the forecasts, and level of uptake of electric vehicles). Rather, they are simple sensitivity tests of a narrow arbitrary range of traffic growth, not allowing for internal consistency with other modelling assumptions. The 'low growth' test does not include any recognition of downward pressure on traffic due to the decarbonisation strategy, trends of traffic in London, post (or continuing) Covid trends on working from home and internet shopping with home delivery, or the outcome of Brexit changes on freight traffic to and from Dover. The 'high growth' test does not account for significant local growth at the recently designated Thames Freeports of Tilbury and DP World/London Gateway, nor through the Local Plan. While the Local Plan is not yet advanced sufficiently to be included in the baseline forecasts, the reality is that significant growth is planned which is likely to have a significant effect on the forecasts.

23. In this context, the National Highways' assumption of fixed land use as between 'with' and 'without' forecasts, while being a common simplifying assumption for many schemes, seems inappropriate with a scheme which is likely to have a 'transformative' effect on cross-river movement, and therefore the desired location of homes or workplaces or both. This is likely to underestimate the induced traffic resulting from the scheme, especially in the longer run, and therefore materially underestimate the congestion and carbon emissions in the 'with' case.
24. There appears to be selective 'cherry picking' of assumptions about base line and 'with project' projections to frame the project in an unrealistically good light. This includes ambiguous and inconsistent treatment of baseline trends, which appear to assume simultaneously no impact of government decarbonisation policies on traffic growth, but 100% success of those policies in justifying ignoring carbon impacts.
25. There is potentially inconsistent adjustment of journey length distributions in response to changing travel generalised costs, especially affecting shifts of traffic between strategic and local networks, close and more distant destinations, active travel and vehicle travel. This means that the scheme and its effects cannot be properly assessed in relation to other Government and local policy priorities.
26. No impact is discussed, even in principle, of the effect on demand forecasts of critically important projected rail and other public transport policies, arising out of the imminent opening of the Elizabeth Line, its extension by tram or other means to the Lower Thames, and resulting potential for improving public transport both North and South of the Thames. These ideas might represent a serious alternative to the Lower Thames Crossing, or an enhancement of it, or a competition with it. There is not yet a firm view of which of these three relationships might apply, but any of them would have significant effects on the demand for the Lower Thames Crossing, and therefore its justification.

27. Work is currently under way on National Networks National Policy Statement Strategic Environmental Assessment in which indications have already been given of the direction of travel, including questioning the doctrine of 'de minimis' in relation to carbon impacts of road schemes.
28. The sensitivity tests for higher and lower traffic growth do not correspond with either the method or the numbers with the Department for Transport's treatment of scenarios for the national forecasts.
29. There is no consideration of the effects on demand or the resilience of infrastructure of more radical changes to the climate beyond that projected in the latest set of climate projects, as required in National Networks National Policy Statement and specifically recommended by the Department for Environment and Rural Affairs in baseline tests for 2°C and 4°C increases in global average temperature. As discussed by the Office for Budget Responsibility, these are likely to have very serious economic, social and political effects overall. The whole Thames corridor is particularly vulnerable to the effects of any changes in the risk register for flooding, whether by storms, tidal incursion, or run-off from the surrounding countryside, and it appears that any consideration of such risk has used out-dated and over-optimistic assumptions. For obvious reasons, such risks have both direct effects on travel in emergency situations, and longer lasting impacts on settlement patterns, land use, nature and location of employment, and effects on real incomes.
30. There is lack of clarity about the realistic effects of the proposed toll arrangements on traffic levels and financial viability, especially in the context of changes in the costs of travel further upstream.
31. Project costs have increased but have not been amended in the outline business case, either due to general inflation of construction costs, or specific requirements which were not envisaged when the scheme was designed some years ago.
32. There appears to be a presumption that there are no issues of urgency and timing in the near future which will affect either needs, or demand responses. This is the opposite assumption to that underpinning the Department for Transport's projections of greenhouse gas emissions from domestic transport which demonstrate clearly that for the trajectory to be consistent with the 6th carbon budget, there will need substantial travel mode shift by 2025.
33. The treatment of sustainability is cursory and superficial. National Highways states that Lower Thames Crossing is to be its greenest road scheme and a pathfinder project, yet there is little evidence that this has had any substantial effect on the design of the scheme or the effect that would have on the business case and options appraisal. National Highways claims to be enhancing measures for walking and cycling appear to be little more than reconnecting severed corridors. The proposals do nothing for public transport, especially to facilitate cross river public transport – to the extent that cross river bus travel would be entirely unviable. Inclusion of the Tilbury Link Road could make it

viable. National Highways is now including an operational junction (albeit untested for traffic demand and currently for emergency access only), but there are no guarantees that the link road (required to provide necessary port access to Tilbury for public transport and freight vehicles) will be delivered. The scheme fails to take the opportunity to make such improvements and the appraisal ignores the serious policies and programmes of improvement that Government and local authorities are committed to, and their effects on demand for short and longer distance travel. There is no evidence of how the project responds to futureproofing for the changes in vehicles, and which include not just electrification but hydrogen options for freight and platooning; and 5G resilience. There is little information in the outline appraisal of how the business case will treat the costs of sustainable construction – such as how the business case handles marine, and rail use for transporting materials or the potential for incentivising the use of alternative fuelled construction vehicles and automation. If this is all to be left to the Main Works Contractors to come up with zero cost proposals, then there are serious questions of how tender specifications will handle value for money or risk.

Problems of consultation

34. An earlier initiative by National Highways to seek approval for its Lower Thames Crossing DCO was not supported by the Planning Inspectorate due to the very inadequate consultation that had been carried out. Although the Council welcomes assurance that this will be corrected, it cannot be sufficient to improve the technical forms of consultation without any change to its terms of reference or scope. The Council are firmly of the view that the issues raised in this note are vital to the residents, businesses authorities and stakeholders in the Lower Thames corridor, as well as movements passing through in all directions.
35. There is an opportunity for the Council and NH to engage more fully and constructively about the options for the Lower Thames Crossing, and to refine the scheme to be better aligned with national policies and priorities, local growth and Thames Freeport ambitions. Given the very long-term nature and importance of this investment, taking the opportunity to review the scheme to ensure it is delivering optimum value would seem to be the logical and rational thing to do.

TECHNICAL NOTE

Annex B – DfT response to Council email dated 8 August 2022

██████████
**Director for Roads and
Projects Infrastructure
Delivery, DfT**

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Email: ██████████

Web site: www.gov.uk/dft

██████████ Interim Assistant Director
Regeneration and Place Delivery
Thurrock Council
Civic Offices
New Road, Greys
Essez, RM17 SL

By: Email only

6th October 2022

Dear ██████████,

Thank you for your email dated 8th August to the Department outlining your concerns about the impact of the Lower Thames Crossing on Thurrock Council. I am replying as the Director with responsibility for this scheme.

I am aware that National Highways has shared with you its proposal for the trunking of the A13, which provides the basis for further discussion on the points you raise in the email.

We understand from your letter that you have concerns about future growth, and how sustainable transport solutions can continue to be developed if the A13 is trunked. These are reasonable concerns to be explored as part of the trunking provision, noting that all Government spending needs to follow guidelines for value for money, and decisions on future growth will always need to be a balance between flexibility and certainty. In response to the specific points you raise:

1. It is expected that LTC will see some traffic that uses the new crossing also using the Orsett Cock Roundabout. The appropriateness of forecast traffic

conditions on that roundabout will be considered by the Planning Inspectorate as part of the scheme-wide assessment of the traffic effects of LTC when a decision is taken on the scheme's DCO application.

2. National Highways has undertaken work in collaboration with the Council to explain the forecast performance of the Orsett Cock Roundabout junction with LTC. We understand this work has involved microsimulation modelling. We understand that NH have provided the models for consideration by Thurrock Council, and are working with you to agree next steps in testing different scenarios.
3. National Highways' renewed offer to work together with Thurrock Council on concluding a trunking order for the A13 does include consideration of the junctions being with the trunking order.
4. The letter sent by National Highways on the 18th August to the Council sets a broad outline of the trunking proposals with a target of completing the trunking order within the current road investment period and for National Highways to assume responsibility at the start of RP3 in 2025. I hope this additional clarity will enable the Council to respond positively to the letter and agree to the principle of trunking development work re-starting so that the further detail you request can be provided.
5. The Department welcomes and supports the principles you outline on promoting sustainable transport modes.
6. National Highways schemes such as junction 25 on the M25 show that through collaboration, sustainable infrastructure will be put at the heart of enhancement schemes.

I suggest that Thurrock Council, National Highways and the Department for Transport meet at the earliest opportunity to progress these issues in the context of the A13 trunking offer letter sent by National Highways on the 18th August.

Please could you let [REDACTED] know your availability and we will arrange an invitation to meet at our offices in Great Minister House, London.

Best wishes,

[REDACTED]

Director, Roads and Projects Infrastructure Delivery, RAPID, Department for Transport

TECHNICAL NOTE

Annex C - Information Commissioners Signed Decision Notice

Environmental Information Regulations 2004 (EIR)

Decision notice

Date: 14 October 2022

Public Authority: National Highways (Highways England)

Address: National Traffic Operations Centre

3 Ridgeway

Quinton Business Park

Birmingham

B32 1AF

Complainant: [REDACTED] obo Thurrock Council

Address: [REDACTED]

Decision (including any steps ordered)

1. The complainant has requested information about the Outline Business Case (OBC) for the Lower Thames Crossing. The above public authority ("the public authority") relied on regulation 12(4)(d) of the EIR (material in the course of completion, unfinished documents and incomplete data) to withhold the information.
2. The Commissioner's decision is that:
 - The information being withheld under regulation 12(4)(d) of the EIR engages that exception but the public interest favours disclosure.
3. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation:
 - Disclose the withheld information having first redacted from it the information categorised as personal information under regulation 13(1) of the EIR as appropriate.
4. The public authority must take these steps within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the Act and may be dealt with as a contempt of court.

Request and response

5. On 11 March 2022, the complainant wrote to the public authority and requested information in the following terms:

“Further to email exchanges in November last year between us, this is a formal request by Thurrock Council pursuant to the Environmental Information Regulations 2004 (the EIR Regulations) for the latest Lower Thames Crossing Outline Business Case (OBC).”

6. The public authority refused to provide the information and relied on regulation 12(4)(d) of the EIR as its basis for doing so. At internal review, it noted that the PIT was not included within its original response, therefore included it within the review. The public authority upheld its original position.

Reasons for decision

7. The following analysis sets out why the Commissioner has concluded that the public authority was entitled to rely on regulation 12(4)(d) of the EIR in this particular case.
8. Regulation 12(4)(d) of the EIR allows a public authority to withhold information which is in the course of completion, unfinished documents or incomplete data.
9. The Commissioner is satisfied that the withheld information can be categorised as material in the course of completion. He accepts that the draft in question forms part of the process of assessing options for the Lower Thames Crossing. That process is not yet settled and no final decision on the crossing has been made. As such, the Commissioner has decided the public authority was entitled to apply regulation 12(4)(d) of the EIR to the information it is withholding. He has therefore gone on to consider the associated public interest test.

Public Interest Test

10. The public authority has recognised that there is a public interest in transparency, openness and accountability, as well as the environmental impact and assessment of new road development. However, they argue that the Business Case is currently incomplete and not approved by the Chief Secretary of the Treasury, therefore sharing this may cause confusion.

11. The complainant argues that the OBC submitted to the Treasury sets out the economic case for the project, so it's essential that interested parties have the opportunity to comment, and potentially help to avoid the commitment of funds based on potentially flawed conclusions. They also state that the public authority has said: "There are no scenarios that consider the climate impacts of the project" And that "There is no information on this in the Outline Business Case."
12. They go on to argue that: "residents and businesses will be exposed to the largest share of the Lower Thames Crossing project's disbenefits, and the Council believes that it is entirely reasonable to expect this information to be shared in order that it can understand how the disbenefits have been quantified in the economic case." And "It is understood that National Highways has already gathered and validated its Outline Business Case sufficient to submit it to the Treasury. The Council fails to understand why a safe space is required that exempts it from necessary engagement with the Council on matters crucial to the future health and economic wellbeing of local residents." Also "of concern that National Highways' considers the current Outline Business Case so controversial that it does not want to consult on it as it would take a 'significant' amount of resources. This is in our opinion is a compelling reason for the document to be disclosed. In addition, responding to the Council's legitimate requests now would represent a significant saving of public resources required to challenge the economic case through DCO Examination and future legal mechanisms."

The Commissioner's conclusion

13. Regulation 12(2) of the EIR states that a public authority shall apply a presumption in favour of disclosure.
14. The Commissioner has reviewed both the complainants requests and the public authorities responses, and on the evidence presented to him in this case, the Commissioner is not persuaded. The Commissioner considers that the public authority would be able to place the disclosed information in context and deal with any queries that emerge.
15. The Commissioner does not consider the arguments that the public authority has put forward for withholding the information in this case are sufficiently compelling so as to outweigh the EIR's presumption in favour of disclosure. The project will have a major and lasting impact on people living and working in that area. Those people are entitled to take part in the associated decision-making and to be as fully informed as possible before any final planning decisions are made.

Right of appeal

16. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0203 936 8963

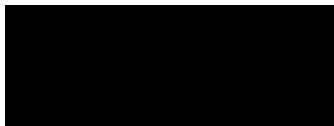
Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

17. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
18. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed



Phillip Angell
Group Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

TECHNICAL NOTE

Annex D – National Highways Response to Information Commissioners Ruling



Information Rights
Digital Services
National Highways
FOIAdvice@nationalhighways.co.uk

Ref: FOI 3385 / IC-182335-R3F3

26 October 2022

Dear [REDACTED],

RE: Latest Lower Thames Crossing Outline Business Case (OBC)

We are writing in response to your environmental information request under the Environmental Information Regulations 2004 (the EIR) of 11 March 2022 requesting the release of the '*latest Lower Thames Crossing Outline Business Case (OBC)*.' We advised in response to your request that the information was being withheld as it falls under the exception in Regulation 12(4)(d) of the EIR *material in the course of completion, unfinished documents and incomplete data*.

You wrote to us on 13 May 2022 asking us to undertake an internal review, which we completed advising that we were satisfied that the information could be withheld under the exception in Regulation 12(4)(d) and that the exception had been engaged correctly via a public interest test.

You then referred this decision to the Information Commissioner's Office who decided on 14 October 2022 that the information being withheld under regulation 12(4)(d) of the EIR engages that exception but the public interest favours disclosure. The Information Commissioner's Office further stated that National Highways should disclose the withheld information having first redacted from it the information categorised as personal information under regulation 13(1) of the EIR.

Following this decision, National Highways are providing the latest Outline Business Case. This is provided with this letter and will also be published online in due course on the National Highways library of Freedom of Information requests.

The Outline Business Case was prepared in August 2020 and is reflective of the proposals at that time. Subsequent to the preparation of the Outline Business Case a number of changes have occurred:

- National Highways submitted an application for development consent in October 2020, and in November withdrew the application following feedback from the Planning Inspectorate. The revised application is being prepared for resubmission in late 2022. As a result of this, the modelled opening year has changed from 2026 to 2030.

- Revised guidance on future growth has been incorporated into the transport modelling, along with the revised opening year. This has changed the forecast benefits.
- Following public consultation in 2021, a number of changes were made to the proposals. Of particular note are the redesign of the proposals north of the River Thames, to better support the planned Thames Freeport, and modifications have been made to the configuration of the A13 junction, to reduce traffic flow impacts on the local roads in Thurrock.
- The change in opening year, along with the modifications to the proposals, have led to changes in the estimated costs for the project.

The information in the Outline Business Case has therefore been superseded.

The planned application for development consent, being submitted to the Planning Inspectorate in 2022, will contain a revised Economic Appraisal Report. This document will provide an update to the costs and economic benefits of the project. In accordance with the statutory requirements, this document will be provided online by the Planning Inspectorate following receipt of the application from National Highways.

Yours sincerely



FOI Manager

Information Rights

TECHNICAL NOTE

Annex E - EMAIL: Proposed date for Meeting – DfT – 13/12/2022

From: Thurrock Council Interim Assistant Director – Place
To: DfT Assistant Project Sponsor
Sent: 13th December 2022

Subject: RE: Proposed date for Meeting, Department for Transport

DfT Assistant Project Sponsor

DfT colleagues are very much aware of the Council's serious concerns about the impact of LTC. The original concern raised with DfT in the summer was in relation to the lack of progress working with NH to resolve these issues and to seek DfT assistance to resolve these.

These serious issues were not resolved and the decision has now been made to progress with the LTC application regardless of fundamental flaws with the scheme.

We therefore seek assurance that the shared objective of a meeting is for DfT to table firm commitments that will ensure that LTC works.

Regards

Thurrock Council Interim Assistant Director – Place

From: DfT Assistant Project Sponsor
To: Thurrock Council Interim Assistant Director – Place
Sent: 12 December 2022

Subject: RE: Proposed date for Meeting, Department for Transport

Dear **Thurrock Council Interim Assistant Director – Place**,

Thank you for your email and for following up on this matter, I apologise for my very delayed response.

We are still keen to agree a time and date to meet with the Council, and after a discussion with National Highways we would like to propose the below times:

18th January 15.30 – 16.30
19th January 09.00 – 10.00

Please let me know if either of these times work for you. Once a date has been set, we will be in touch to agree the shared objectives and agenda for the meeting.

I can confirm that the meeting will be attended by **Director for Roads and Projects Infrastructure Delivery in DfT**, and **Executive Director for Lower Thames Crossing, National Highways**. We will be able to confirm other colleagues who will be attending in due course, depending on the agenda.

Thank you and kind regards,
DfT Assistant Project Sponsor

Thurrock Council Technical Note
Lower Thames Crossing

TECHNICAL NOTE

From: Thurrock Council Interim Assistant Director – Place
To: DfT Assistant Project Sponsor
Sent: 12 December 2022

Subject: RE: Proposed date for Meeting, Department for Transport

Hi **DfT Assistant Project Sponsor**, a gentle reminder that we have not yet heard back from you...

From: Thurrock Council Interim Assistant Director – Place
To: DfT Assistant Project Sponsor
Sent: 16 November 2022

Subject: RE: Proposed date for Meeting, Department for Transport

Hi **DfT Assistant Project Sponsor**

Thank you for getting in touch. The Council would welcome the opportunity to meet with DfT and it would be most helpful if we could agree in advance some shared objectives to set expectations of what we would like to achieve? Unfortunately, the slot you have offered us does not work with existing diary commitments however we would be keen to mutually agree an alternative time and date.

Given concerns about the scheme, it is likely that local political representatives may wish to attend. It would be helpful therefore if you could clarify which senior representatives from DfT would be in attendance?

Regards

Thurrock Council Interim Assistant Director – Place

From: DfT Assistant Project Sponsor
To: Thurrock Council Interim Assistant Director – Place
Sent: 15 November 2022

Subject: Proposed date for Meeting, Department for Transport

Dear **Thurrock Council Interim Assistant Director – Place**,

I am getting in touch to discuss the opportunity for a meeting between Thurrock Council, National Highways and Department for Transport, following your letter to the Department dated 8th August 2022 and the latest response from our director, sent on 19th October.

I apologise for the delay in getting back to you on this matter. After liaising with National Highways, we would like to propose a tripartite meeting on **7th December, 15:00 - 16:00** at our offices in Great Minster House, London.

Please could you respond by **16:00 this Friday, 18th November** to confirm if this time would be suitable, and who from Thurrock Council would be able to attend the meeting.

Thank you and kind regards,
DfT Assistant Project Sponsor

TECHNICAL NOTE

