

PINS Reference number: TR010032  
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3 August 2023

Dear Mr Smith

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

### **1 Deadline 2**

#### **1.1 Response to Rule 6 Letter 25 April 2023 and Rule 8 Letter 27 June 2023 – Deadline 2**

1.1.1 This submission is in response to the Rule 6 Letter [\[PD-013\]](#) issued by the Examining Authority on 25 April 2023 and the Rule 8 Letter [\[PD-018\]](#) issued by the Examining Authority on the 27 July 2023 and amended on 3 July [\[PD-020\]](#). Annex A of this letter identifies the documents that accompany this submission.

#### **1.2 Comments on Written Representations (WRs)**

1.2.1 The Applicant has reviewed the Written Representations (WRs) and thanks those stakeholders who have taken the time to prepare, and submit them.

1.2.2 The Examining Authority is referred to the Applicants comments to Written Representations (Document reference: 9.53) for the Applicant's response on these submissions.

#### **1.3 Comments on Local Impact Reports (LIRs)**

1.3.1 The Applicant has reviewed the Local Impact Reports (LIRs) and thanks the local authorities who have taken the time to prepare and submit them.

1.3.2 The Examining Authority is referred to the Applicant's comments to the Local Impact Reports (Document reference 9.54) for the Applicant's comment on these submissions.

## Earthwork quantities

- 1.3.3 In response to a request from the Local Authorities, made in the Local Impact Reports, the Applicant refers the Examining Authority to Technical Note on Earthworks Quantification (Document Reference 9.62). This paper has been produced to support a better understanding of the methodology used to determine the earthworks quantities. The Outline Materials Handling Plan (oMHP) [APP-338] provides detail on the earthwork quantities that has informed the impact assessments within the Environmental Statement. The purpose of this note is to:
- a. Outline the methodology used determine the earthwork quantities set out in the oMHP.
  - b. Describe how has the information on earthwork quantities informed the DCO Application.
  - c. Outline next steps for the construction delivery phase.

## 1.4 Statements of Common Ground (SoCGs)

- 1.4.1 The Applicant refers the Examining Authority to Annex B which provides a schedule and status of the SoCGs submitted (or not) at Deadline 2 which includes;
- a. Updates to those SoCGs submitted with the DCO Application on 31 October 2022;
  - b. New SoCGs prepared with Interested Parties in response to the Rule 6 Letter [PD-013].
  - c. Additional SoCGs with further Interested Parties that were not submitted at Application nor requested in the in Rule 6 Letter [PD-013] but which the Applicant feels will be helpful to the Examining Authority.
- 1.4.2 All updated SoCGs have been included in track and clean versions.
- 1.4.3 The Statement of Commonality (Document Reference 5.3, Version X) has been updated to reflect the updates in the SoCGs.
- 1.4.4 No other documents have been updated in relation to the SoCGs being submitted at Deadline 2.
- ## 1.5 Applicant's submission of documents at Examination Deadlines and the Applicant's amended dDCO
- 1.5.1 The Applicant notes that procedural decision PD-013-17 contained in the Rule 6 Letter [PD-013] identifies nine documents which should be submitted at each Examination Deadline or include notification of 'nil return'. In addition to the Documents listed, the Rule 8 letter [PD-018] and amended on 3 July [PD-020] also requests three additional documents are included at each regular

submission. Table 1.1 provides information on those which are being submitted with this submission or “nil return” for those that are not, for completeness.

- 1.5.2 It should be noted that an updated draft DCO (Document Reference 3.1) and Schedule of changes to the draft DCO (Document Reference 9.5) is submitted at this Deadline to respond to a number of matters raised in the Written Representations and responses to post-event submissions on Issue Specific Hearing 2. The Applicant continues to engage with interested parties and consider requests for further amendments raised in the Written Representations and will submit further updates to the DCO in due course. Please note that this version includes amendments as a result of Change Application (August 2023), but these are of course subject to acceptance by the Examining Authority.
- 1.5.3 Where these documents are provided, they have been included in track and clean versions.

**Table 1.1 Applicants submission of documents**

<b>Document reference</b>	<b>Document title</b>	<b>Status</b>
TR010032/APP/1.4	Navigation Document (Version 6)	Enclosed with this submission
TR010032/APP/3.1	draft Development Consent Order (DCO) (Version 4)	Enclosed with this submission
TR010032/EXAM/9.47	Schedule of changes to the draft DCO (Version 2)	Enclosed with this submission
TR010032/APP/3.2	Explanatory Memorandum	Nil return
TR010032/APP/4.2	Book of Reference -	Nil return
TR010032/EXAM/9.55	Schedule of changes to the Book of Reference	Nil return
TR010032/APP/5.3	Statement of Commonality (Version 3)	Enclosed with this submission
TR010032/APP/4.2	Annex B Status of Negotiations / Compulsory Acquisition Schedule	Nil return
TR010032/EXAM/9.3	Status of Negotiations with Statutory Undertakers	Nil return
TBC	National Policy Statement Tracker	Nil return
TR010032/APP/7.21	Stakeholder Actions and Commitments Register	Nil return
TR010032/APP/3.3	Consents and Agreements Position Statement	Nil return
TR010032/APP/1.6	Errata Report	Nil return

## **1.6 Changes to land interests**

1.6.1 Procedural decision PD-013-18, within the Rule 6 Letter [\[PD-013\]](#), states “When the Applicant becomes aware that there has been a change in ownership or a new interest in relevant land, the Applicant is requested to make the relevant person or organisation aware that they can make a request to the ExA to become an Interested Party under section 102A of the Planning Act 2008.”

1.6.2 Since Deadline 1, the Applicant has not been made aware of such changes

## **1.7 Comments on any information requested by the Examining Authority and received by Deadline 1**

1.7.1 The Applicant has reviewed the other submissions received at Deadline 1.

1.7.2 A number of Interested Parties provided comments on the draft Development Consent Order (DCO) at Deadline 1. As these comments were provided in a number of different submissions including Written Representations, Local Impact Reports and Written Submissions in respect of Issue Specific Hearing 2, the Applicant has reviewed all the comments and provided a response to them in Applicant’s Response to IP Comments Made on the draft DCO at Deadline 1 (**Document Reference 9.63**).

1.7.3 The Applicant welcomes the submissions from Holland Land and Property Ltd on behalf of C H L Mott and M Mott [\[REP1-318\]](#) and Holland Land and Property Ltd on behalf of E and K Benton Limited [\[REP1-334\]](#) and [\[REP1-336\]](#) requesting a walkers, cyclists and horse-riders hearing. The Applicant welcomes this suggestion for an issue-specific hearing.

1.7.4 The Applicant notes the submissions from the West Kent Badger Group [\[REP1-433\]](#) and [\[REP1-435\]](#). The Applicant considers its assessment of the potential adverse effects on badgers from the Project’s construction and operation, and the associated mitigation measures proposed, as robust. These are reported in 6.1 Environmental Statement - Chapter 8 - Terrestrial Biodiversity [\[APP-146\]](#), paragraphs 8.6.197 – 8.6.202, 8.6.415 – 8.6.423, 8.6.478 – 8.6.484, and 8.6.547 – 8.6.553, and include consideration of mortality, habitat loss and fragmentation, and disturbance.

1.7.5 The Applicant is grateful for the confidential submission provided by the West Kent Badger Group. The information included on changes to badger activity within their area is study is helpful and demonstrates how active this species is within the landscape. This reinforces the need for detailed surveys of badger presence and activity across the Project prior to the start of any works which might affect this species. These pre-construction surveys are secured as Requirement 7 within Schedule 2 to the Draft Development Consent Order [\[REP1-042\]](#).

1.7.6 The West Kent Badger Group also provides comment on the surveys undertaken on sites providing nitrogen deposition compensation planting. These sites will also be included within the scope of pre-construction surveys but, given that these sites form part of the essential ecological mitigation requirements of the Project, their detailed design would look to avoid impacts

on species such as badgers and therefore it is not anticipated that these areas would require any licensable works.

- 1.7.7 The Applicant notes Global Mutual submitted a unilateral SoCG direct to the Examining Authority at Deadline 1 [[REP1-435](#)], the Applicant has since engaged with Global Mutual and collaborated on a SoCG for Deadline 2 which is the first version submitted by the Applicant (**Document reference 9.51**)
- 1.7.8 The Applicant has no comments to make on the following Deadline 1 submissions by others:
- a. Brentwood Borough Council Cover Letter [[REP1-217](#)]
  - b. Higham Parish Council Deadline 1 Submission - Written statement of presentation at OFH1 [[REP1-349](#)]
  - c. Port of Tilbury London
    - i. Deadline 1 Submission - Any further information requested by the ExA under Rule 17 of the Examination Procedure Rules (EPR) [[Rep1-275](#)]. This document has been provided in response to the ExA's request for a clear justification for making a more detailed site visit to the Port of Tilbury.
    - ii. Deadline 1 Submission - Any further information requested by the ExA under Rule 17 of the Examination Procedure Rules (EPR) [[REP1-272](#)] – Response to EXA's request for further information as to the Port's emergency system management.
    - iii. Summary of Oral Submissions at Issue Specific Hearings 1 and 2 [[REP1-277](#)]
    - iv. New and Updated PADS [[REP1-276](#)]
  - d. Shorne Parish Council
    - i. Deadline 1 Submission - Comments on additional submissions submitted since the Application was accepted [[REP1-405](#)]
    - ii. Deadline 1 Submission - Comments after OFH's 1, 2 and 3 [[REP1-407](#)]
    - iii. Deadline 1 Submission - Comments after ISH1 [[REP1-409](#)]
  - e. Stantec for Uniper Deadline 1 Submission - Summary of oral comments [[REP1-412](#)]
  - f. Thurrock Council ISH1 Submission technical note and annexed [[REP1-296](#)]

- g. Transport for London Deadline 1 Submission - New and updated Principal Areas of Disagreement Summaries (PADS) [\[REP1-305\]](#)
- h. Winckworth Sherwood LLP on behalf of Northumbrian Water Limited, operating as Essex & Suffolk Water Summary of oral submissions at ISH1 and ISH2 [\[REP1-268\]](#)

## **2 Response to Hearings Action List.**

- 2.1.1 The Examining Authority has issued Action Lists following each Hearing. The Action List from Issue Specific Hearing 1 (ISH1) [\[EV-023a\]](#) and Open Floor Hearing 2 (OFH2). [\[EV-036\]](#) contains 4 actions for Deadline 2.
- 2.1.2 This includes new Engineering Cross sections (Document reference 9.58) and Enhanced Cross sections (Document reference 9.59) and a updated Environmental Statement (ES) Addendum [\[REP1-181\]](#) to include information requested in the ISH1 Action List on two year rephrasing of the proposed development following the Secretary of State for Transport announcement on the 9 March 2023 (ISH1 Action 1) which is contained within Appendix D of the ES Addendum; and reviewing the construction effects changes consequent on the possible effect of changing from the use of 2 tunnel boring machines (TBMs) to 1 TBM (ISH Action 2) which is contained within Appendix C of the ES Addendum.
- 2.1.3 The actions and the Applicant's full response are contained in Annex C of this cover letter.
- 2.1.4 Within Post-event submissions, including written submission of oral comments, for OFH2 [\[REP1-185\]](#) the Applicant has committed to providing:
  - a. New set of plans drawing together all the various sources of Walkers, Cyclists and Horse riders information into one place in response to the comments made by the British Horse Society. The Applicant refers the Examining Authority to Supplementary Walking, Cycling and Horse Riding (WCH) Maps (Document Reference 9.60)
  - b. An Air Quality Quantitative Health Impact Assessment in response to the comments made by Thames Crossing Action Group. This is proposed to be submitted at Deadline 3.

## **3 Crown consent**

- 3.1.1 The Applicant encloses a letter from the Government Legal Department in respect of covenants held by the Secretary of State for Health and Social Care over land near J29 of the M25 (Codham Hall, Great Warley) which confirms the Secretary of State's consent for the purposes of section 135 of the Planning Act 2008 (Document reference 9.61).

## **4 Other matters**

### **4.1 Natural England**

- 4.1.1 Natural England has provided advice on the assessment of air quality impacts on European sites which are recorded in the Statement of Common Ground (SoCG) [[APP-099](#)], the Relevant Representation [[RR-0784](#)] dated 24 February 2023 and the note “Summary of advice received on National Highways Air Quality assessment” summarising the air quality advice received by email on 11 April 2023.
- 4.1.2 The Applicant does not agree with the advice from Natural England (dated 11 April 2023) in relation to the methods proposed for the assessment of air quality effects.
- 4.1.3 Nonetheless, the Applicant, in due regard to the representations from Natural England and without prejudice to the position above, has undertaken a further assessment of the air quality effects on European sites. This has been carried out as a sensitivity test of the conclusions on the HRA and follows the methodological approaches advised by Natural England.
- 4.1.4 The Applicant refers the Examining Authority to this assessment within: Without prejudice assessment of the air quality effects on European sites following Natural England advice (Document reference 9.57)
- 4.1.5 This without prejudice assessment contains the results of the air quality modelling of the concentrations of nitrogen oxides (NO<sub>x</sub>) and ammonia (NH<sub>3</sub>), as individual pollutants against the relevant critical levels for each European site. The assessment also sets out the results of the predicted nitrogen deposition, regardless of the changes in NO<sub>x</sub>, against the relevant lower critical loads for each European site. The without prejudice assessment found that the Project would have no adverse effect on the integrity of any of the European sites alone or in combination with any other plans and projects.
- 4.1.6 The Applicant has therefore concluded that there would be no material difference to the conclusions of the HRA for the purposes of considering whether the Project can be authorised under Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017 (as amended).

### **4.2 Minor corrections**

- 4.2.1 The Applicant has identified figures which should accompany the Community Impact Report [[APP-549](#)] were missing from the submission, and minor errata within the construction noise level tables (table 6.2, table 6.16, table 6.21, table 6.24, and table 6.31). The Applicant refers the Examining Authority to an updated Community Impact Report which now contains the figures, and resolved the errata noted.
- 4.2.2 The Applicant has identified that the Environmental Masterplan [[APP-159](#) to [APP-168](#)] was missing a number of retaining walls. The Applicant refers the Examining Authority to an updated Environmental Masterplan which now shows all the retaining walls in a clearer way. This is provided in two versions – one

with a revision cloud to show where updates were made and another clean version.

- 4.2.3 The retaining walls are not a project change as these have always been correctly shown in the General Arrangement Plans [[APP-015](#), [APP-016](#) and [APP-017](#)] the Works Plans [[AS-034](#) and [AS-036](#)] and the Engineering Drawings and Sections [[APP-030](#) to [APP-036](#)].
- 4.2.4 The ES Addendum (version 2) has been updated in addition to the Hearing Actions to captures amendments to Environmental Statement documents correcting minor errors and omissions.

Yours sincerely

Dr Tim Wright

Head of Consents – Lower Thames Crossing



## Annex A Documents that accompany Deadline 2

A.1.1 Table A.1 below identifies the documents that accompany Deadline 2. Note this does not include Statement of Common Ground Submissions which are covered in Annex B.

**Table A.1 Documents that accompany Deadline 2**

Document reference	Document title
TR010032/EXAM/9.53	Applicant's Comments to Written Representations
TR010032/EXAM/9.54	Applicant's Comments to Local Impact Reports
TR010032/APP/1.5	Navigation Report (Version 6)
TR010032/EXAM/9.8	Environmental Statement Addendum (version 2)
TR010032/EXAM/9.58	OFH2 Action 2 Engineering Cross Sections
TR010032/EXAM/9.59	OFH2 Action 2 Enhanced Cross Sections
TR010032/EXAM/9.60	Supplementary Walking, Cycling and Horse Riding (WCH) Maps
TR010032/EXAM/9.61	Section 135 Letter of Confirmation – SoS Health and Social Care (Crown Land)
TR010032/APP/7.16	Community Impact Report (version 2)
TR010032/APP/6.2	Environmental Statement - Figure 2.4 - Environmental Masterplan Sections 1 & 1A, 2, 3, 9, 10, 11, 12, 13, 14 (9 of 10) (version 2)
TR010032/EXAM/9.63	Applicant's Response to IP Comments Made on the draft DCO at Deadline 1

## Annex B Schedule and Status of SoCGs (AMC)

Table B.1 Status of those SoCGs submitted with the Application

Interested Party	Doc Ref/latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
Barking Power Limited	5.4.3.2 v2	No	No								Barking Power Limited and the Applicant are meaningfully engaged in negotiations and working together on an updated SoCG for submission at a later Deadline
Basildon Council	5.4.4.1 v2	<b>Yes</b>	No								The Applicant has endeavored to engage with Basildon Council in the further development of the SoCG but Basildon Council has not been able to participate in the SoCG process since Application submission. The Applicant will continue to work towards meaningful engagement and further development of an SoCG

Interested Party	Doc Ref/latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
Brentwood Borough Council	5.4.4.2 v2	Yes	No								Brentwood Borough Council and the Applicant are meaningfully engaged in negotiations and working together on an updated SoCG for submission at a later Deadline
Cadent Gas Ltd	5.4.3.3 v2	Yes	No								Cadent Gas Ltd and the Applicant are meaningfully engaged in negotiations and working together on an updated SoCG for submission at a later Deadline
Cellnex UK Ltd	5.4.3.4 v2	Yes	-	-	-	-	-	-	-	-	Two matters remain under discussion however, these will not change until the detailed design stage (post examination) when the Applicant expects these matters to be agreed. If no new matters emerge during the Examination phase, then this SoCG will be converted to the 'Final SoCG' at Deadline 9

Interested Party	Doc Ref/latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
Cobham Parish Council	5.4.5.1 v2	Yes									Cobham Parish Council and the Applicant are meaningfully engaged in negotiations and working together on an updated SoCG for submission at a later Deadline
Dartford Borough Council	5.4.4.3 v2	Yes									Dartford Borough Council and the Applicant are meaningfully engaged in negotiations and working together on an updated SoCG for submission at a later Deadline
DP World London Gateway	5.4.2.1 v2	No	Yes								Updated narrative and a new matter added
Environment Agency	5.4.1.1 v2	Yes	No								The Environment Agency and the Applicant are meaningfully engaged in negotiations and working together on an updated SoCG for submission at a later Deadline
Northumbrian Water Limited –	5.4.3.6 v2	No	No								Northumbrian Water Limited and the Applicant are

Interested Party	Doc Ref/latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
Trading as Essex and Suffolk Water											meaningfully engaged in negotiations and working together on an updated SoCG for submission at a later Deadline
Essex County Council	5.4.4.5 v2	<b>Yes</b>	No								Essex County Council and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
EXA Infrastructure Services UK Ltd	5.4.3.8 v2	<b>Yes</b>	No	-	-	-	-	-	-		Two matters remain under discussion however, these will not change until the detailed design stage (post examination) when the Applicant expects these matters to be agreed. If no new matters emerge during the Examination phase, then this SoCG will be converted to the 'Final SoCG' at Deadline 9.
Forestry Commission	5.4.1.2 v2	No	No								The Forestry Commission and the Applicant are

Interested Party	Doc Ref/latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
											meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Forestry England	5.4.5.2 v2	No	No								Forestry England and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Gravesham Borough Council	5.4.4.6 v2	<b>Yes</b>	No								Gravesham Borough Council and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Health and Safety Executive	5.4.3.9 v2	<b>Yes</b>	No	-	-	-	-	-	-		All matters were agreed in v2 submitted at Deadline 2. If no new matters emerge during the Examination phase, then this SoCG will be converted to the 'Final SoCG' at Deadline 9
Higham Parish Council	5.4.5.3 v3	<b>Yes</b>	<b>Yes</b>								Updated narrative and new matters added

Interested Party	Doc Ref/latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
Historic England	5.4.1.3 v2	Yes	No								Historic England and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
High Speed One Ltd	5.4.3.10 v2	Yes	No								High Speed One Ltd and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
ITS Technology Group Ltd (NextGen Access)	5.4.3.15 v2	Yes	No	-	-	-	-	-	-		All matters were agreed in v2 submitted at Deadline 2. If no new matters emerge during the Examination phase, then this SoCG will be converted to the 'Final SoCG' at Deadline 9.
Kent County Council	5.4.4.7 v2	Yes	No								Kent County Council and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Kent Downs AONB Unit	5.4.1.4 v2	Yes	No								Kent Downs AONB Unit and the Applicant are meaningfully engaged in

Interested Party	Doc Ref/latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
											negotiations to update and submit the SoCG at a later Deadline
London Borough of Havering	5.4.4.8 v2	<b>Yes</b>	No								The London Borough of Havering and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Marine Management Organisation	5.4.1.5 v1	No	No								The Marine Management Organisation and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Medway Borough Council	5.4.4.10 v2	<b>Yes</b>	No								Kent County Council and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Natural England	5.4.1.6 v2	No	<b>Yes</b>								Change in status of one or more matters and new matters added



Interested Party	Doc Ref/latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
Network Rail Infrastructure Ltd	5.4.3.14 v2	Yes	No								Network Rail Infrastructure Ltd and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Openreach Ltd	5.4.3.16 v2	Yes	No	-	-	-	-	-	-		All matters were agreed in v2 submitted at Deadline 2. If no new matters emerge during the Examination phase, then this SoCG will be converted to the 'Final SoCG' at Deadline 9
Port of London Authority	5.4.1.7 v2	No	No								The Port of London Authority and the Applicant are meaningfully engaged in negotiations regarding protective provisions and working together on an updated SoCG for submission at a later Deadline
Port of Tilbury London Ltd	5.4.2.2 v2	No	No								The Port of Tilbury London Ltd and the Applicant are meaningfully engaged in

Interested Party	Doc Ref/latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
											negotiations regarding protective provisions and working together on an updated SoCG for submission at a later Deadline
Royal Mail Group	5.4.3.17 v2	No	No	-	-	-	-	-	-		All matters were agreed in v2 submitted at Deadline 2. If no new matters emerge during the Examination phase, then this SoCG will be converted to the 'Final SoCG' at Deadline 9
Shorne Parish Council	5.4.5.4 v2	No	No								Since the DCO Application was made, Shorne Parrish Council have been prioritising other Examination deliverables over the SoCG. The Applicant intends to work closely with Shorne Parish Council to help them understand the interrelationship between supporting documents and aid progression of the SoCG,

Interested Party	Doc Ref/latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
											aiming to submit an updated version at a later deadline
Southern Gas Networks PLC	5.4.3.18 v2	Yes	No								Southern Gas Networks PLC and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Thames Chase Trust	5.4.5.5 v2	Yes	No								Thames Chase Trust and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Thurrock Borough Council	5.4.4.12 v2	No	No								Thurrock Council and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Thurrock Power Ltd	5.4.2.3 v2	No	No								Thurrock Power Ltd and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline

Interested Party	Doc Ref/latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
Tonbridge & Malling Borough Council	5.4.4.13 v2	Yes	No								Tonbridge and Malling Council and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Transport for London	5.4.4.11 v2	Yes	No								TfL and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
UK Power Networks Ltd	5.4.3.21 v2	Yes	No								UK Power Networks Ltd and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Verizon UK Ltd	5.4.3.22 v2	Yes	No	-	-	-	-	-	-		Three matters remain under discussion however, these will not change until the detailed design stage (post examination) when the Applicant expects these matters to be agreed. If no new matters emerge during

Interested Party	Doc Ref/latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
											the Examination phase, then this SoCG will be converted to the 'Final SoCG' at Deadline 9
Virgin Media Ltd	5.4.3.23 v2	<b>Yes</b>	No	-	-	-	-	-	-		One matter remains under discussion however, this will not change until the detailed design stage (post examination) when the Applicant expects this matter to be agreed. If no new matters emerge during the Examination phase, then this SoCG will be converted to the 'Final SoCG' at Deadline 9
Vodafone Ltd	5.4.3.24 v2	<b>Yes</b>	No	-	-	-	-	-	-		All matters were agreed in v2 submitted at Deadline 2. If no new matters emerge during the Examination phase, then this SoCG will be converted to the 'Final SoCG' at Deadline 9
Zayo Group UK Ltd	5.4.3.25 v2	<b>Yes</b>	No	-	-	-	-	-	-		One matter remains under discussion however, this will

Interested Party	Doc Ref/latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
											not change until the detailed design stage (post examination) when the Applicant expects this matter to be agreed. If no new matters emerge during the Examination phase, then this SoCG will be converted to the 'Final SoCG' at Deadline 9

**Table B.3 Status of the SoCGs requested in the Rule 6 Letter/post Rule 6 letter**

Interested Party	Our Doc ref/latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
Cuxton Parish Council	9.39 v1	<b>Yes</b>	No								Cuxton Parish Council and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Dover Borough Council	9.34 v1	<b>Yes</b>	No								Dover District Council and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Emergency Services Steering Group	9.28 v1	<b>Yes</b>	No								The Emergency Services Steering Group and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Essex Police	8.41 v1	<b>Yes</b>	No								Essex Police and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Hutchinson Ports	Interested party has confirmed to the Examining Authority that they do not see a need for a SoCG										
Kent & Medway Economic Partnership	9.36 v1	<b>Yes</b>	No								The Kent & Medway Economic Partnership and the Applicant are meaningfully engaged in

Interested Party	Our Doc ref/latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
											negotiations to update and submit the SoCG at a later Deadline
Kent Police	9.42 v1	Yes	No								Kent Police and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Luddesdown Parish Council	v1	No	Yes								New SoCG at Deadline 2
Maidstone Borough Council	9.35 v1	No	No								Maidstone Borough Council and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Maritime and Coastguard Agency	Interested party has confirmed to the Examining Authority that they do not see a need for a SoCG										
Meopham Parish Council	9.40 v1	Yes	No								Meopham Parish Council and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Metropolitan Police	Interested party has confirmed to the Applicant that they do not see a need for a SoCG										



Interested Party	Our Doc ref/latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
NHS Kent and Medway Integrated Care Board	n/a	No	No								The Applicant has engaged with the NHS Kent and Medway Integrated Care Board on development of a SoCG, however the Care Board have yet to confirm if they wish to enter into one.
NHS Mid & South Essex Integrated Care Board	n/a	No	No								The Applicant has reached out to the Care Board several times to engage on a SoCG but to date, no response has been received. The Applicant will work collaboratively with the Care Board on a SoCG during the Examination if they wish to enter into one at a later date.
NHS North East London Integrated Care Board	9.44 v1	<b>Yes</b>	No								The NHS North East London Integrated Care Board and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
North Kent Marshes Internal Drainage Board	9.43 v1	<b>Yes</b>	No								The North Kent Marshes Internal Drainage Board and the Applicant are meaningfully engaged in

Interested Party	Our Doc ref/latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
											negotiations to update and submit the SoCG at a later Deadline
Peel Ports	Interested party has confirmed to the Examining Authority that they do not see a need for a SoCG										
Sevenoaks Council	9.37 v1	Yes	No								Sevenoaks Council and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Swale Council	9.38v1	Yes	No								Swale Council and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Trinity House	Interested party has confirmed to the Examining Authority that they do not see a need for a SoCG										

**Table B.5 Status of the additional SoCGs submitted by the Applicant at Deadline 1**

Interested Party	Our Doc ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
Anglian Water Services Limited	9.27 v1	Yes	No	-	-	-	-	-	-		All matters were agreed in v1 submitted at Deadline 2. If no new matters emerge during the Examination phase, then this SoCG will be converted to the 'Final SoCG' at Deadline 9
National Grid Electricity Transmission PLC	9.30 v1	Yes	No								National Grid Electricity Transmission PLC and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
National Gas Transmission PLC	9.31 v1	Yes	No								National Gas Transmission PLC and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Southern Water Services Ltd	9.32 v1	Yes	No								Southern Water Services Ltd and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline
Thames Water Utilities Ltd	9.33 v1	Yes	No	-	-	-	-	-	-		All matters were agreed in v2 submitted at Deadline 2. If no new matters emerge during the Examination phase, then this SoCG

Interested Party	Our Doc ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
											will be converted to the 'Final SoCG' at Deadline 9.
Cole Family (Land & Property)	9.46 v1	Yes	No								The Cole family and the Applicant are meaningfully engaged in negotiations to update and submit the SoCG at a later Deadline

**Table B.6 Status of further additional SoCGs submitted by the Applicant at Deadline 2**

Interested Party	Our Doc ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 2 summary
Global Mutual (C.o Lakeside Centre Limited)	9.51 v1	*	Yes								New SoCG at Deadline 2 * <i>Global Mutual submitted a unilateral SoCG direct to the ExA at Deadline 1, the Applicant has since engaged with Global Mutual and collaborated on a SoCG for Deadline 2 which is the first version submitted by the Applicant</i>

*\*Further additional SoCGs may be submitted at later deadlines, as applicable*

## Annex C Applicant's response to Hearing Action List for Deadline 2

Table C.1 Applicant's response to Hearing Action List for Deadline 2

Action Number	Action	Applicant's Response
ISH1 Action 1 <a href="#">[EV-023a]</a>	<p>Following the announcement of a two-year rephasing of the proposed LTC development by the SoST on 9 March 2023, please provide a tabulated addendum to the ES, setting out an appraisal of the effect of the revised construction timing and works duration changes flowing from that announcement, undertaken for each component of the Environmental Statement (ES) analysis.</p> <p>This should include consideration of the time sequence for and outcome of committed elements of Freeport development which it has been suggested will now be delivered concurrently with aspects of the rephased LTC project</p>	<p>The Applicant refers the Examining Authority to ES Addendum Appendix D (Document reference: 9.8 version 2) submitted at this deadline.</p>
ISH1 Action 2 <a href="#">[EV-023a]</a>	<p>The Applicant is requested to provide a tabulated addendum to the ES, reviewing the construction effects changes consequent on the possible effect of changing from the use of 2 tunnel boring machines (TBMs) to 1 TBM. The duration of works and the effects experienced by receptors should be expressly considered. Effects and conclusion changes (if any) should be tabulated for each component of the Environmental Statement (ES) analysis. This request imports no judgement by the ExA on the question of whether this amounts to a change to the project as applied for. It is made in the interests of ensuring that any possible implications for the ES and the project Rochdale Envelope are identified.</p>	<p>The Applicant refers the Examining Authority to ES Addendum Appendix C (Document reference: 9.8 version 2) submitted at this deadline.</p>

Action Number	Action	Applicant's Response
<p>OFH2 Action 2  <a href="#">[EV-036]</a></p>	<p>Please provide vertical cross sections within the A13/ A1089/ LTC Baker Street intersection at the locations shown on the annotated version of the Junction Layout Plans [PDB003] provided by the ExA (linked as <a href="#">[EV-035]</a>).</p> <p>In addition, please provide vertical cross sections within the A2 / M2/ LTC intersection and the M25 / LTC intersection as identified by the ExA in <a href="#">[EV-035]</a>. While the latter were not specifically identified by participants at OFH2, D2 the issue of vertical cross section plans generally was raised in earlier hearings and the ExA has decided to make a combined request addressing each of the main intersections in preference, providing a consistent set of sections drawings.</p> <p>The applicant should advise on progress by Deadline 1 and is encouraged to seek further guidance from the ExA on the production of these sections if necessary at that time.</p>	<p>The Applicant refers the Examining Authority to Engineering Cross sections (Document Reference 9.58) which show a new set of plans showing the vertical cross sections as requested by the Examining Authority in <a href="#">[EV-036]</a>. These plans show the vertical profile for 9 sections across the main junctions providing cross references to the proposed highways works as presented at DCO Application submission.</p> <p>As identified OFH2 Action Point 2 – Additional cross-sections <a href="#">[REP1-195]</a> the Applicant proposed additional enhanced cross-sections to be provided as they provide a little more context. This document has been prepared in response to that.</p> <p>The Applicant refers the Examining Authority to Enhanced Cross sections (Document Reference 9.59) - A new set of plans showing 12 sections across the main junctions showing the proposed works and the associated landscape.</p> <p>These plans are designed to be viewed on a screen and therefore not formatted to print to a given paper size.</p>
<p>OFH2 Action 3  <a href="#">[EV-036]</a></p>	<p>Please work with representatives for Whitecroft Care Home and Thurrock Council to organise an ASI including and internal inspection of the care home.</p> <p>It is expected that due to the sensitivity of the home's residents, any internal ASI should be carried out only by the</p>	<p>The Applicant has been in communication with representatives of Whitecroft Care Home and it is agreed in principle that access can be obtained for a visit to the interior of the property on or about 14 September 2023; to include the ExA, a</p>

Action Number	Action	Applicant's Response
	<p>ExA, a representative of the home operator, a representative of the Applicant and a representative of Thurrock Council (as local planning authority) to ensure that the inspection is undertaken appropriately.</p> <p>Other attendees in any broader ASI itinerary would be asked to remain outside.</p> <p>Confirmation is to be provided at Deadline 2 that access can be obtained for an appropriately conducted ASI.</p>	<p>representative of the home operator, a representative of the Applicant and a representative of Thurrock Council (as local planning authority).</p> <p>The exact timing is still to be confirmed and it has been indicated that the home operator may prefer the visit to take place later in the day, rather than during the morning as indicated with the Applicant's Amended ASI Itinerary [<a href="#">REP1-178</a>] submitted at Deadline 1. The Applicant proposes to confirm the agreed date and time of the visit following receipt of feedback on the Applicant's Amended ASI Itinerary.</p>