



Lower Thames Crossing

9.51 Final Statement of Common Ground between (1) National Highways and (2) Global Mutual (c.o Lakeside Centre Limited) (Tracked changes version)

Infrastructure Planning (Examination
Procedure) Rules 2010

Volume 9

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Revision history

Version	Date	Submitted at
1.0	3 August 2023	Deadline 2
2.0	24 August 2023	Deadline 3

Status of the Statement of Common Ground

This is the Final Statement of Common Ground with no matters outstanding.

Deleted: an Agreed Draft

On behalf of the Applicant

Name	Eve Herrington
Position	Senior Project Manager, Lower Thames Crossing
Organisation	National Highways
Signature	[Redacted]

On behalf of Global Mutual (c/o Lakeside Centre Limited)

Name	Sean McGrath
Position	Director
Organisation	WSP UK
Signature	[Redacted]

Deleted: National Highways and

Deleted: agree that this draft Statement of Common Ground is an accurate description of the matters raised and the current status of each matter.

A high-level overview of the engagement undertaken is summarised in Table A.1 in Appendix A.

Hi [Redacted]

Please see attached updated SoCG with tra outstanding for deadline 2.

We have also re-included text for consisten 1.4 (Terminology) as we note the other SoC important to provide this background for G

We have changed the status of five of the n you come back to us with further comment yourselves.

Please let me know if you require anything

Many thanks,

[Redacted]



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Lower Thames Crossing

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1 Introduction

1.1 Purpose of the Statement of Common Ground

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared in respect of the Development Consent Order (DCO) application for the proposed A122 Lower Thames Crossing (the Project) made by National Highways Limited (the Applicant) to the Secretary of State for Transport (Secretary of State) under section 37 of the Planning Act 2008 on 31 October 2022.
- 1.1.2 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the Applicant and Global Mutual (c/o Lakeside Centre Limited).
- 1.1.3 This version of the SoCG has been submitted at Examination Deadline 3.

Deleted:), and where agreement has not been reached. Where matters are yet to be agreed, the parties will continue to work proactively to reach agreement and will update the SoCG to reflect areas of further agreement.

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1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared in respect of the Project by (1) National Highways, and (2) Global Mutual (c/o Lakeside Centre Limited).
- 1.2.2 National Highways became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain, and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing National Highways made provision for all legal rights and obligations of the Highways Agency, including in respect of the Project, to be conferred upon or assumed by National Highways.
- 1.2.3 Global Mutual (c/o Lakeside Centre Limited) have been the asset managers of Lakeside Shopping Centre since 2020 following the administration of intu Properties plc. Lakeside Shopping Centre contains 250 stores and over 40 food and beverage outlets and leisure facilities. The Centre has an annual footfall of over 20 million customers and is a major contributor to Thurrock's economy. Over 8,500 staff are directly employed at the Centre, with a further 2,500 jobs supported indirectly within the supply chain such as delivery and maintenance. Combined, this generates over £450 million GVA to the local economy. Lakeside and its tenants also generate nearly £30 million in business rates receipts.

1.3 Principal Areas of Disagreement

- 1.3.1 On 19 December 2022, the Examining Authority made some early Procedural Decisions to assist the Applicant, potential Interested Parties and themselves to prepare for the Examination of the DCO application.
- 1.3.2 One of these Procedural Decisions was to use a tracker recording Principal Areas of Disagreement in Summary (PADS). This tracker is known as the PADS Tracker.
- 1.3.3 The PADS Tracker would provide a record of principal matters of disagreement emerging from the SoCG and will be updated alongside the SoCG as

appropriate throughout the Examination with the expectation that a revised PADS Tracker should be submitted at every Examination deadline.

- 1.3.4 Given the small number of matters within this SoCG, Global Mutual (c/o Lakeside Centre Limited) elected to not produce a PADS tracker, indicating to the Applicant that they were content that the SoCG adequately addressed their matters.

Deleted: The Global Mutual (c/o Lakeside Centre Limited) SoCG was a request set out in the notification of Preliminary Meeting (Rule 6 Letter) [\[PD-013\]](#) which came after the initial request from the ExA for PADS trackers

1.4 Terminology

- 1.4.1 In the matters table in Section 2 of this SoCG, 'Matter Not Agreed' indicates agreement on the matter could not be reached following significant engagement, and 'Matter Under Discussion' where these points will be the subject of ongoing discussion wherever possible to resolve, or refine the extent of disagreement between the parties. 'Matter Agreed' indicates where the issue has now been resolved.
- 1.4.2 It is agreed that any matters not specifically referred to in Section 2 of this SoCG are not of material interest or relevance to Global Mutual. As such, those matters can be read as agreed, only to the extent that they are not of material interest or relevance to Global Mutual. However, if new matters arise Global Mutual reserves the right to comment on those matters as it considers appropriate.

2 Matters

2.1 Movement of Outstanding matters

2.1.1 The outcome of discussions to date are presented in Table 2.1, which details and presents the matters which have been agreed between (1) the Applicant and (2) Global Mutual (c/o Lakeside Centre Limited).

2.1.2 Since Deadline 2 the four following matters have moved from 'Matter Under Discussion' to 'Matter Agreed':

a. [2.1.1 Traffic and Economics, Excluded works](#)

b. [2.1.5 Traffic and Economics, Road diversions](#)

c. [2.1.6 Traffic and Economics, Seasonal works](#)

d. [2.1.7 Consultation and Engagement, Stakeholder considerations](#)

2.1.3 At Examination Deadline 3 all eight matters are now agreed.

Table 2.1 Matters

Topic	Item No.	Global Mutual (c/o Lakeside Centre Limited) Comment	The Applicant's Response	Application Document Reference	Status
Traffic and economics					
Excluded works	2.1.1	Details required of any excluded works within the vicinity of Lakeside Basin, noting that short-term works can have significant impacts on Lakeside visitor access. Could the Applicant please confirm if the Order Limits include all short-term works? If so, we are happy to agree this matter.	The Location Plan shows the extent of the Order Limits and the preliminary design. No works are planned near Lakeside. However, traffic management may impact routes used by Lakeside users and deliveries. All permanent and temporary works required to build the project are included in the Order Limits. The draft Development Consent Order [AS-038] defines the Order Limits as	Location Plan [APP-005] Transport Assessment [APP-529] draft Development Consent Order [REP1-042]	Matter Agreed

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.....Section Break (Next Page).....

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Topic	Item No.	Global Mutual (c/o Lakeside Centre Limited) Comment	The Applicant's Response	Application Document Reference	Status
			<u>'the limits of lands to be acquired or used permanently or temporarily shown on the land plans and works plans within which the authorised development may be carried out'. As mentioned, the only exception to this is the limits of deviations shown on the work plans, however these are minimal and primarily apply to the tunnels contract area.</u>		
Road closures	2.1.2	Details required of potential closures of A13 and any local roads in the vicinity of the Lakeside Basin, including number, extent, and duration.	Appendix A of the oTMPfC details illustrative traffic management measures likely to be required including the approximate extent, duration and traffic phase it would sit in, including the A13 and local roads.	Outline Traffic Management Plan for Construction [REP1-175] Transport Assessment [APP-529]	Matter Agreed
Construction phasing	2.1.3	Request for advance notice of any exceptional works that may occur during any phase that have not been accounted for and could affect Lakeside Basin.	Table 2.3 in the oTMPfC details stakeholder considerations the Contractor would need to follow. This includes advanced communication of information to the relevant stakeholders prior to the works taking place.	Outline Traffic Management Plan for Construction [REP1-175]	Matter Agreed
Weekend traffic	2.1.4	Details of anticipated weekend construction vehicle traffic in the vicinity of Lakeside Basin are requested.	Section 6.4 in the Code of Construction Practice (CoCP) discusses working hours. Generally, core working hours are weekdays and Saturdays. While there is provision for extended working for specific reasons as outlined in Table 6.1 in the CoCP, it is envisaged weekend working would be limited and therefore construction traffic levels would be lower then, as compared with weekdays. The Transport Assessment assesses the impacts during construction.	Environmental Statement Appendix 2.2: Code of Construction Practice, First Iteration of Environmental Management Plan [REP1-157] Transport Assessment [APP-529]	Matter Agreed

Topic	Item No.	Global Mutual (c/o Lakeside Centre Limited) Comment	The Applicant's Response	Application Document Reference	Status
Road diversions	2.1.5	<p>Details requested of potential road diversion routes for works affecting access to Lakeside, including timing, extent, and duration, most notably any A13 road closures.</p> <p><u>Global Mutual would like assurance that the planned weekend closure date will not fall within the peak trading periods (i.e. lead up to Christmas and easter) for Lakeside and therefore we request inclusion during the development of the Traffic Management Plan.</u></p>	<p>Section 4.7 in the oTMPfC details proposed diversion routes for envisaged long-term closures. The A13 is not anticipated to be closed for longer than a night/weekend. The exact diversion route would be subject to engagement with the relevant authorities during the development of the Traffic Management Plan, working to mitigate the potential for the vehicles to use unofficial diversion routes. The exact diversion route would be subject to engagement with the relevant authorities during the development of the Traffic Management Plan, working to mitigate the potential for vehicles to use unofficial diversion routes.</p> <p><u>Planned weekend closure dates will be provided as part of the development of the TMP ahead of any closures and cannot be committed to at this stage of the DCO. Global Mutual would be included in the Traffic Management Forum (TMF) which would be a platform to voice any concerns during the development of the Traffic Management Plan. Paragraph 2.4.4 of the oTMPfC states that 'engagement with other key stakeholders including local businesses...would continue to take place.' Table 2.2 which provides the key outcomes from engagement states that National Highways will establish a Traffic Management Forum (TMF) chaired by the Traffic Manager. Members of the forum will</u></p>	<p>Outline Traffic Management Plan for Construction [REP1-175]</p>	<p>Matter <u>Agreed</u></p>

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Topic	Item No.	Global Mutual (c/o Lakeside Centre Limited) Comment	The Applicant's Response	Application Document Reference	Status
			<u>be from the main Contractors... as well as representatives of local businesses...'</u>		
Seasonal works traffic	2.1.6	Safeguards requested regarding the programming of disruptive road network changes/closures outside of key retail peak periods including Christmas and Easter. <u>Happy to agree this matter, subject to deletion of the wording 'as far as reasonably possible'</u>	As part of engagement, relevant authorities may highlight seasonal peaks and events that they consider require the removal of the traffic management, traffic model phases are illustrated in Appendix A of the oTMPfC. This would be considered during the development of the Traffic Management Plan. Where this is not possible, these points would be raised and discussed at the Traffic Management Forum.	Outline Traffic Management Plan for Construction [REP1-175]	Matter Agreed
Consultation and engagement					
Stakeholder considerations	2.1.7	Request for wording of table 2.3 to state 'Major Shopping Centres (e.g. Lakeside Shopping Centre) and/or Superstores' and for the stakeholder considerations process to include a review of Lakeside requirements and clarification of how these will be addressed within the TMP. <u>Lakeside Shopping Centre should be listed as its own entity, because the Centre needs to be represented as a whole rather than individual stores. 'Major superstore' also largely underplays the regional importance of Lakeside, which contains 250+ stores as oppose to being a singular store as the category insinuates.</u>	Table 2.3 in the OTMPfC has a line item 'Major Superstores' which Lakeside and other shopping centres/superstores would fall within. The constructor would need to cover these issues as a minimum when developing their Traffic Management Plan, with details discussed in the Traffic Management Forum (TMF). <u>The table provides stakeholder considerations for different category of stakeholders and not for individual stakeholders. It would not be appropriate to begin naming all affected businesses or parties in this table.</u>	Outline Traffic Management Plan for Construction [REP1-175]	Matter Agreed

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Topic	Item No.	Global Mutual (c/o Lakeside Centre Limited) Comment	The Applicant's Response	Application Document Reference	Status
Participatory role	2.1.8	Clarification of Lakeside future role within the engagement process with regard to identified forums and liaison groups.	The CoCP gives details of a Community Liaison Group (CLG) that would be formed. Attendees of the CLG would include the local community. Through the CLG, members will have access to other forums (if not already directly listed). Plate 5.1 in the CoCP shows the connectivity between the different forums with the intention that relevant matters are dealt with in the relevant forum and ensuring relevant stakeholder issues, including Lakeside, can be discussed and addressed at the appropriate time.	Environmental Statement Appendix 2.2: Code of Construction Practice, First Iteration of Environmental Management Plan [REP1-157]	Matter Agreed

Appendix A Engagement activity

**Table A.1 Engagement activities between the Applicant and Global Mutual
(c/o Lakeside Centre Limited)**

Date	Overview of engagement activities
17 March 2023	Initial meeting between the two parties to discuss the proposal and its programme, and the nature of Global Mutual's concerns.
27 March 2023	Via email correspondence, the Applicant provided links to relevant DCO documentation.
30 June 2023	Email correspondence where Caneparo Associates provided an overview of Global Mutual's thoughts on the Project including queries and clarifications to be discussed at the forthcoming engagement meeting with the Applicant.
4 July 2023	Technical meeting to discuss Global Mutual's ongoing concern with construction impacts upon Lakeside Shopping Centre. The Applicant provided an overview of the mitigation measures the Project will put in place during construction. Global Mutual asked if these could be formalised in any way, the Applicant confirmed an SoCG or other measure could be arranged. The Applicant took an action away to come back with options for a formal agreement.
15 July 2023	Email from Global Mutual providing a draft SoCG to the Applicant for comment and input.
26 July 2023	Email from the Applicant sharing Deadline 2 draft SoCG
4 August 2023	Email from the Applicant sharing Deadline 3 draft of SoCG
15 August 2023	Email from the Applicant to confirm the process for finalising the SoCG

Appendix B Glossary

Term	Abbreviation	Explanation
Development Consent Order	DCO	Means of obtaining permission for developments categorised as Nationally Significant Infrastructure Projects (NSIP) under the Planning Act 2008.
Community Liaison Group	CLG	-
Code of Construction Practice	CoCP	Control measures and standards to be implemented by the Project, including those to avoid or reduce environmental effects.
Outline Traffic Management Plan for Construction	oTMPfC	Outlines the approach to carrying out temporary traffic management for the safe construction of the Project and the management measures to reduce the impact on local communities.
Transport Assessment	TA	A document that sets out assessments of the transport implications of development. Transport Assessments are a 'lighter-touch' evaluation to be used where this would be more proportionate to the potential impact of the development (i.e. in the case of developments with anticipated limited transport impacts).
Traffic Management Forum	TMF	The TMF would review planned traffic management arrangements and receive comments as to their appropriateness. The TMF would also monitor, review, and provide updates to the Traffic Management Plan when required.
Traffic Management Plan	TMP	The approach to carrying out temporary traffic management for the safe construction of the Project. It will also explain management measures available to the Contractor to reduce the impact on the local community (including journey time reliability, access, and safety).
Order Limits	-	The Order Limits are the outermost extent of the Lower Thames Crossing indicated on the Plans by a red line. This is the Limit of Land to be Acquired or Used (LLAU) by the Lower Thames Crossing. This is the area in which the DCO would apply.

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