

THE A122 (LOWER THAMES CROSSING) DEVELOPMENT CONSENT ORDER

Summary of Oral Submissions at Issue Specific Hearings 5 and 7

Interested Party	Northumbrian Water Limited (operating as Essex & Suffolk Water)
PINS Reference Number	TR010032
IP Reference Number	20035532
Document Ref.	ESW 8
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Date	19 September 2023

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1. Post Issue Specific Hearing 5 (Tunnelling) submission:

- 1.1 Northumbrian Water Limited (operating as Essex & Suffolk Water) (“ESW”) attended the ISH 5 hearing on Thursday 7 September virtually. ESW’s oral comments to an invitation to speak from the Examining Authority (ExA) arising under agenda item 4(b)(i) *Approach to water resources management*, are attached at Annex 1.
- 1.2 As a post ISH 5 comment, although it raised concerns in its Written Representations (“WRs”) (REP1-265), ESW chose not to speak at the hearing in response to agenda item 5(a)(ii) *Monitoring: the approach to risk management with particular regard to dealing with unexpected incidents*, for the same reasons cited in response to agenda item 4(b)(i). In other words, ESW, at that time, awaited a revised agreement that it hoped would allay its concerns as set out in its WRs.
- 1.3 To update the ExA, ESW is still considering the draft agreement that was received from the Applicant shortly after ISH 5 finished on the afternoon of 7 September. ESW is still considering its formal response to the Applicant in relation to the draft received, but records here its initial disappointment at the lack of substantive drafting in that latest version, without which it is difficult to make meaningful progress.
- 1.4 ESW has a further meeting with the Applicant scheduled on 21 September after which, if the Applicant is unable to provide sufficient detail on matters of concern, ESW reserves its right to take a more active role in and to expand on points made in its WRs at the October hearings.

2. Post Issue Specific Hearing 7 (Draft DCO) submission:

- 2.1 ESW attended ISH 7 hearing on Monday 11 September virtually but did not make oral submissions at the hearing. However, ESW reserves the right to appear at future hearings on the draft DCO if considered necessary.

Winckworth Sherwood LLP

Annex 1 - Northumbrian Water Limited (operating as Essex & Suffolk Water) Oral submissions from ISH 5 (Tunnelling) – Thursday 7 September 2023

1. Hazel Anderson of Winckworth Sherwood attended the hearing virtually on behalf of ESW.

2. Agenda item 4(b)(i): Approach to water resource management

In response to Agenda item 4(b)(i) ESW was called on to speak by the ExA (ExA) in response to the Applicant's general position and safeguarding impacts on community water resources and water supply for the tunnel boring machines. Our response (as recorded in the transcript (EV-0044g)) was as follows:

Thank you, sir. Hazel Anderson from Winckworth Sherwood, representing Northumbrian Water who in this area trade as Essex and Suffolk Water. So there's a number of points I would like to make. I think, going all the way back to the beginning, the point to stress from Essex and Suffolk – so if I can call them that – point of view is that it can only supply the amount of water that it is entitled to abstract under its abstraction licence, and it is heartened to see that the applicant has recognised that in the REAC, in Appendix 2 of 15 document APP-336, and that is in, as they mentioned earlier, their commitment RDWE003, so from that point of view, Essex and Suffolk doesn't have a concern as to the quantity of water seeking to be taken from the Linford well.

We have raised in written representations, our representation REP-1265, that Essex and Suffolk have concerns about the ongoing use of Linford well for supply because the water resources management plan, which Essex and Suffolk Water is currently finalising, does have a requirement for Linford to be brought back into public water supply in the future. I think at this stage, so it would be fair to say that there have been productive discussions with the applicant as recently as late August in which concerns about the arrangements that are being negotiated in a separate agreement about water supply and water arrangements and timings and so on were helpfully discussed, and indeed we are waiting on sight of reassurances in writing in a draft agreement from the applicant.

And so I think at this stage it would be perhaps unfair to delve too deeply into the detail of that but simply to say that we were reassured from what was said in the meetings that we are heading to a successful conclusion on matters that we're concerned about. We would just say that we would hope that if our expectations are not properly addressed in what we receive in future, we would clearly reserve our right to come back and raise those points in future hearings, but at the moment, we think that these are matters that are currently being suitably addressed in a separate agreement. I'm not sure if that's sufficient for your needs now, sir, but hopefully that can allay at least some initial concerns.

3. Agenda item 4(c)(i): Approach to dewatering

ESW was later invited by the ExA to speak to this agenda item but did not wish to make any comments on the matter.