

## THE A122 (LOWER THAMES CROSSING) DEVELOPMENT CONSENT ORDER

---

### Responses to ExQ1

---

Interested Party	Northumbrian Water Limited (operating as Essex & Suffolk Water)
PINS Ref.	TR010032
Document Ref.	ESW 9
Author	Winckworth Sherwood LLP
Date	19 September 2023

---

Arbor  
255 Blackfriars Road  
London  
SE1 9AX  
DX: 156810 London Bridge 6

T 020 7593 5000  
F 020 7593 5099  
[REDACTED]

**Winckworth**  
Sherwood

**Solicitors and  
Parliamentary Agents**

**Questions addressed to Northumbrian Water Limited (operating as Essex & Suffolk Water) (“ESW”)**

Question number:	Question to:	Question:
Q10.3.1	Applicant Water Companies (Anglian Water Services, Northumbrian Water Limited (operating as Essex & Suffolk Water))	<p><b>Foul Water Systems</b></p> <p>It is noted that connections to existing foul sewer systems will be required for some works such as the Tunnel Services Buildings, furthermore, being a rural area there may also be septic tanks or other small package sewage treatment plants and discharge systems etc that may be disturbed by the proposed works.</p> <ul style="list-style-type: none"> <li>• Has the appropriate Water Company accepted that the buildings can be accommodated into the existing foul water sewer system, or is it envisaged that other methods of servicing these buildings and other works will be required? If other methods are envisaged, what are they?</li> <li>• What is the proposed method of dealing with any septic tanks and/or package treatment works that may be encountered as part of the proposed works?</li> </ul>
ESW response:		
ESW is not a sewerage undertaker.		
Question number:	Question to:	Question:
Q10.4.1	Essex & Suffolk Water Applicant	<p><b>Water Supply</b></p> <p>It is noted that there is a draft agreement between the Water Company and the Applicant in relation to the supply of water for five years from commencement or 31 December 2031 whichever is the earlier. What are the possible consequences if water is required after the deadline noted and construction works are not completed?</p> <p>Is the quality of the water from the Linford Well adequate for use in the tunnel boring machines without treatment? If not, what treatment facilities will be required, what waste will be produced and how will that waste be managed? The Applicant should also set out how this has been assessed.</p>

ESW response:
<p>The draft agreement referred to in ESW's Written Representations [REP1-265], including the date until which water is able to be supplied, is still being negotiated between the Parties. As explained in the Written Representations, the draft Water Resource Management Plan 24 ("WRMP24") would require Linford Well to be brought back into public water supply. The date upon which it will be required is dependent on a number of factors, including on when and whether certain requirements of the WRMP24 come to fruition, and is for further discussion between the parties.</p> <p>The water to be supplied to the tunnel boring machines under this agreement is, save for exceptions, the raw (untreated) water directly from Linford Well. ESW understands that there is no need for this to be treated before use for the TBMs but it will be for the Applicant to confirm this in their response to these questions. ESW will not be providing any treatment facilities for the LTC project and will not be responsible for the management of any waste produced by it.</p>

**Questions addressed to all Interested Parties**

Question number:	Question to:	Question:
Q2.3.1	All IPs	<p><b>Carbon and Climate Considerations: R (oao) Boswell v Secretary of State for Transport</b></p> <p>What are the implications of the recent Boswell v Secretary of State for Transport High Court Judgement <a href="#">[2023] EWHC 1710 (Admin)</a> in relation to the treatment of carbon and climate in NSIP decision-making for the A47 Blofield to North Burlingham, A47 North Tuddenham to Easton and A47/A11 Thickthorn Junction applications for the consideration of carbon and climate matters in the LTC Examination and decision?</p>
ESW response:		
<p>Although this question is listed as being for all IPs to respond to, there is nothing ESW wishes to put before the Examining Authority on this point.</p>		

Question number:	Question to:	Question:
Q3.1.1	All IPs	<p><b>EIA Regulations 2017: Consideration of Reasonable Alternatives</b></p> <p>Regulation 11(2)(d) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) imposes a duty on the Applicant to include ‘<i>a description of the reasonable alternatives studied by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment</i>’ within the Environment Statement (ES). This obligation needs to be met through consideration of alternatives in terms of ‘<i>design, technology, location, size and scale</i>’ (EIA Regulations Schedule 4). The Applicant has sought to meet this obligation in ES Chapter 3 [<a href="#">APP-141</a>].</p> <p>The ExA is aware of issues raised in relation to this duty in Deadline 1 and 2 responses. However, it is important that if any remaining IP considers that this duty has not been addressed, that they identify their position and the reasons for it in writing in response to this question. Any response must identify the specific element(s) of the duty that in the IP’s view has not been addressed.</p>
ESW response:		
Although this question is listed as being for all IPs to respond to, there is nothing ESW wishes to put before the Examining Authority on this point.		
Question number:	Question to:	Question:
Q4.1.14	All	<p><b>Modelled Traffic Effects: Lower Thames Area Model: TAG Compliance</b></p> <p>Does <b>any party</b> disagree with the Applicant’s conclusion that the LTAM is TAG complaint? If so, please explain why.</p>
ESW response:		
Although this question is listed as being for all IPs to respond to, there is nothing ESW wishes to put before the Examining Authority on this point.		

Question number:	Question to:	Question:
Q9.4.5	All IPs	<p><b>Mitigation</b></p> <p>ES Chapter 12 – Noise and Vibration [<a href="#">APP-150</a>] contains tables with a column titled “Justification of significance conclusions”. This includes mitigation secured through the robust implementation off Best Practicable Means (BPM) to reduce noise levels below the Significant Observed Adverse Effect Level (SOAEL) with reference to a XXdB(A) figure. With regard to the mitigation methods proposed, do IPs agree that the figure indicated is achievable, if not please provide reasoning?</p>
ESW response:		
Although this question is listed as being for all IPs to respond to, there is nothing ESW wishes to put before the Examining Authority on this point.		

**Winckworth Sherwood LLP**