

THE PROPOSED A122 (LOWER THAMES CROSSING) DEVELOPMENT CONSENT ORDER

**Responses to comments on submissions
submitted on behalf of
the Port of London Authority**

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1. Introduction

1.1. This is a written submission made on behalf of the Port of London Authority (**PLA**) in respect of comments on submissions made by the Applicant at Deadline 3.

1.2. Documents referred to in this submission are:

1.2.1. Statement of Common Ground between (1) National Highways and (2) Thurrock Council v2.0 (REP3-093);

1.2.2. Environmental Statement Appendix 2.2 – Code of Construction Practice – First iteration of Environmental Management Plan v3.0 (REP3-105); and

1.2.3. Book of Reference (REP3-133);

2. Statement of Common Ground between (1) National Highways and (2) Thurrock Council (Thurrock SoCG) v2.0 - (REP3-093)

2.1. Additional text within the Applicant's response at item 2.1.110 of the Thurrock SoCG (page no 217) states:

Paragraph 3.1.1 of the outline Materials Handling Plan (oMHP), states that 'no part of the authorised development is to start until an Environmental Management Plan (Second Iteration) ...has been submitted to and approved in writing by the Secretary of State, following consultation with the stakeholders identified in Table 2.1 of the CoCP'. Both Thurrock Council [TC] and Port of London Authority (PLA) are named bodies within Table 2.1 of the Code of Construction Practice (CoCP)[...]

If the exemptions under paragraphs 6.2.15, and or 6.2.17 of the oMHP apply, then arrangements would have to be made for discussions with relevant stakeholders at the Traffic Management Forum (TMF), again this includes TC and PLA. Further details of the TMF can be found in the Outline Traffic Management Plan for Construction (oTMPfC)

2.2. Paragraph 3.3.15 of the oTMPfC (REP3-121) states: *The TMF would consist of the main works Contractors, utility companies, local authorities and those named in Table 2.1, local highway authorities, public transport operators, emergency services, National Highways maintenance providers and any other affected stakeholders depending on the planned construction phases (see Plate 3.2 for the proposed structure).*

2.3. The PLA is not explicitly listed in Table 2.1 of the oTMPfC. Plate 3.2 refers to general categorisations of bodies such as 'statutory bodies.' it is therefore not clear that the PLA would be a member of the Traffic Management Forum – it needs to be explicit in the oTMPfC that the PLA would need to attend any traffic management forum that relates to the use of exemptions relating to river transport.

2.4. In addition, text at item 2.1.115 of the Thurrock SoCG (page no 228) provides:

The Applicant clarified that it is anticipated some parts, if not all, of the tunnel boring machinery will be imported or exported via the river with local connection to the compound via the road network. Due to the size and weight of some tunnel boring machine components, the contractor will prepare plans for delivery and removal of the machinery following the completion of the procurement. As the tunnel boring machinery has not yet been procured, the exact parts that could be delivered or exported via the river are not yet known and therefore cannot be committed to.

2.5. This broadly illustrates a wider issue identified within the dDCO, and which the PLA has noted in previous submissions, in that the Applicant tells stakeholders that it will pursue a certain course of action, and yet makes no commitment to secure such an action, thereby raising the possibility that it will not happen at all.

3. Environmental Statement Appendix 2.2 – Code of Construction Practice – First iteration of Environmental Management Plan (EMP1) v3.0 (REP3-105)

3.1. Section 6.9, Emergency preparedness, of the revised EMP1 includes changes in relation to helicopter landing areas, but still includes no reference overall to engaging with the PLA. This omission remains a concern for the PLA particularly in the context of the points raised in ISH5 in relation to tunnelling risks (see PLA's written submissions of oral comments made at ISH5) and, as set out in paragraph 6.9.4 of revised EMP1, emergency preparedness procedures will be developed in relation to unexploded ordnance and emergency spill response both of which could have implications for the river and river users.

3.2. Further, no changes have been made to section 6.10, Environment incident control, to include reference to the PLA despite the risk of pollution incidents including risks to the river and river users.

4. Book of Reference (REP3-133)

4.1. The PLA welcomes the updates to the Book of Reference, particularly in relation to the outfall plots. The PLA is currently discussing with the Applicant whether further changes will be required to the Book of Reference. Currently the plot boundaries in relation to the river follow the published Ordnance Survey (**OS**) mean high water (**MHW**) which corresponds with the boundary the PLA riverbed is registered to with Land Registry. However, the OS line is dated, being at least 20 years old, and recent survey data would suggest the MHW has receded by about 15m.

4.2. The PLA is currently working with OS to update the MHW mapping of the river (currently expected to be submitted Q1 2024). The PLA and the Applicant will be discussing whether this has any implications which need to be captured and dealt with in the application.