

**From:** [REDACTED]  
**To:** [Lower Thames Crossing](#)  
**Cc:** [REDACTED]  
**Subject:** Stuart Mee - Information requested by the Examiners at the ASI  
**Date:** 03 October 2023 09:49:46

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Dear LTC team

**We would be grateful if you could pass the joint statement below to the Examiners today please.**

**Joint Statement between the Applicant and Mr Mee**

Dear Examiners,

This is a joint statement following the Examining Authority's request for our "Water Options Report" to be provided/completed by Deadline 5.

Feedback has been received by the Applicant on 21<sup>st</sup> September that it is in broad agreement with the content of the draft "Water Options Report" commissioned by Mr Mee but has confirmed that it requires more time to discuss the detail with Mr Mee. It has been agreed that both the Applicant and Mr Mee's advisors will set up a meeting during the w/c 9<sup>th</sup> October for the report to be discussed further. As part of this, both parties are committed to the agreement of a succinct presentation of the report to the Examiners by Deadline 8 (5th December).

Whilst noting the Applicant's commitments within the Register of Environmental Actions and Commitments, both parties are working together to see if a side legal agreement to protect Mr Mee's operations can be agreed prior to the conclusion of the examination. Until this legal agreement is agreed and completed, Mr Mee will be maintaining his position in requiring protective provisions within the DCO.

Although the Statement of Common Ground is not yet agreed/ concluded, both the Applicant and Mr Mee acknowledge that it is useful to maintain dialogue on this point and this being the case, we refer to the extract below from the unendorsed/unsigned version of the Statement of Common Ground:

<b>Farm Irrigation System &amp; Reservoir</b>	2.1.7	It is agreed that the new LTC project alignment in a 'cutting' would impact the flow of water along the field ditches and culvert under the M25 from east to west which feeds into the farm storage reservoir	Under the Register of Environmental Actions and Commitments (REAC), Chapter 7 of ES Appendix 2.2: Code of Construction Practice, commitment <b>RDWE016</b>	ES Code of Construction Practice <a href="#">[REP3-104]</a>	Matter Under Discussion  <i>Options being assessed by both parties and the Applicant is considering whether a</i>
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	<p>(being the lake surrounded by Plot 42-01) SE of Stubbers Outdoor Pursuit Centre and identified in Plan 1 and Plan 15 in 2.2 Notes. This is the main winter abstraction point on the farm and without this, it would not be possible for the farm to keep/maintain its vital irrigation system.</p> <p>The project will also impact the irrigation system distributing water from the reservoir out around the fields both east and west of M25 / LTC alignment. The irrigation line where it crosses the M25 is illustrated on Plan 1.</p> <p>The Landowner has commissioned a specialist water consultant to appraise the predicted impact and possible solutions to provide a viable and suitable alternative system.</p> <p>Understanding the detail of what the Applicant is</p>	<p>commits the Applicant to the protection of the irrigation supply infrastructure at Manor Farm (see page 95) and commitment <b>RDWE038</b> to avoiding groundwater impacts at Hall Farm, etc. (page 100).</p> <p>The Applicant is compensating the landowner for the professional fees of a specialist water consultant to advise him; and water flow monitoring equipment was installed in December 2022 along with an associated rain gauge.</p> <p>The landowner's consultant has provided an <i>Options Report</i> to the Applicant on 20 July 2023 which is being reviewed. This will then help to inform a <i>Preferred Option Development Report</i> due autumn 2023.</p> <p>In principle, the Applicant is</p>	<p><i>design or approach can be secured in a legal side agreement</i></p>
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	<p>proposing is a specialist piece of work and therefore the Applicant also needs their own Expert to consider/review matters. An options report has been sent to the Applicant for review and the landowner would like feedback before Deadline 5.</p> <p>The Landowner is encouraged that both parties are working to try and find a solution however, there is an overriding concern that at this point there remain unknown details on the water flow and levels which are likely to result as a consequence of the construction of LTC project and the Landowner therefore reserves the right for further comment at this stage.</p> <p>The Landowner needs this matter to form part of a protective provision and/or side legal agreement.</p>	<p>happy to enter into a legal side agreement regarding this matter. Such agreement will either be to an agreed design if available or to an approach to progress negotiations to agree a design.</p>		
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Kind regards

**Karen Howard**  
**Partner**  
for Gateley Legal

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