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National Highways
For information – to all Interested Parties

Your Ref:

Our Ref: TR010032

Date: 27 October 2023

Dear Sir/Madam,

Application by National Highways for an Order Granting Development Consent for the Lower Thames Crossing

The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rules 8(3) and 9

Procedural Decision¹ 41 Amending the Examination Timetable to Introduce an Additional Deadline 6A for Responses to the Applicant's Traffic Modelling Updates

We are writing to inform you of a procedural decision made by the Examining Authority (ExA) to amend the Examination Timetable to introduce an additional Deadline 6A for the receipt of responses to the Applicant's traffic modelling updates arising from and inputting into Issue Specific Hearings about traffic and transport matters.

This decision was taken following discussions with the Applicant and Interested Parties (IPs) present at Issue Specific Hearing 10 (ISH10) held on 24 October 2023, in relation to amended local traffic modelling that had been prepared by the Applicant pursuant to [Actions](#) arising from [Agenda Item 3 at ISH4](#) held on 6 September 2023.

Introducing its response to [Agenda Item 3 at ISH10](#), the Applicant made clear that some modelling that it had prepared and submitted at Deadlines 4 and 5 had contained errors. Whilst these errors had been notified to IPs and a replacement document had been provided, that process had not been completed until a short period before the opening of ISH10. It was not appropriate to seek final oral submissions on this work at ISH10 as had originally been intended by the ExA.

The ExA sought views from the Applicant and IPs about an alternative approach in which responses would be provided by IPs in writing at Deadline 6. An issue arising from that was that the Applicant's responses would not be available until Deadline 7 on 17 November 2023 and, given that this is only a matter of days before the November hearings window

¹ All Procedural Decisions made by the ExA for the Lower Thames Crossing examination can be found in the Procedural Decisions Log [[PD-007](#)].

commencing on 21 November 2023, it would not provide adequate time for the ExA to absorb the Applicant's position before delivering the intended [ISH13](#) on traffic and transportation matters to be held on 27 November 2023. The ExA then sought views from hearing participants about the merits of a timetable change to enable all remaining final positions on traffic modelling updates to be submitted on a new deadline to be set between Deadline 6 and Deadline 7, allowing an adequate period for response to the Applicant's amended modelling, whilst also providing the ExA with an adequate period for preparation for the November hearings window.

41. Timetable Change to Introduce Deadline 6A on 14 November 2023

Further to the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) (the EPR) Rule 8(3), the ExA has decided to amend the Examination Timetable to introduce a new **Deadline 6A** on 14 November 2023. The new deadline is only for the purpose of receiving written representations arising from actions set in the traffic and transportation hearings (ISH4 and 10) and responses to the Orsett Cock and Ports access modelling material to be submitted at Deadline 6. It applies to the Applicant, all Local Highway Authorities, DP World London Gateway Port and the Port of Tilbury London Ltd., though any other IP making submissions on the Applicant's D6 traffic modelling may use the new deadline if necessary to submit documents that need to be raised at ISH13. It is not intended to be used for the receipt of any documents other than those that are associated with the Deadline 6 traffic modelling.

A summary of the change to the Timetable and a revised Timetable can be found in **Annex A** to this letter.

If you have any questions on the matters addressed in this letter, please do not hesitate to contact the case team using the contact details at the head of this letter.

Yours faithfully,

Rynd Smith

Rynd Smith
Lead Panel Member for the Examining Authority

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Amendments to the Lower Thames Crossing Examination Timetable to Introduce an Additional Deadline 6A for Responses to the Applicant's Traffic Modelling Updates

An amendment has been made to the Examination Timetable pursuant to the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) (the EPR) – Rule 8(3), to introduce a new Deadline 6A on 14 November 2023.

The following table summarises the amendment. This annex also contains a consolidated amended timetable in which the existing arrangements for the Lower Thames Crossing Examination and the amended arrangements for the examination of the proposed provisions can be seen.

Summary of Amendment

Item	Description of Amendment	Date
25A (A new item)	<p>New deadline</p> <p>New Deadline 6A (D6A)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Applicant's submission of responses to traffic modelling materials submitted at D6 arising from ISH4 or ISH10 and intended to be heard at ISH13 on 27 November 2023 • Submission of comments by Local Highway Authorities, Ports and other IPs engaged in traffic and transportation topics relating to traffic modelling and intended to be heard at ISH13 on 27 November 2023 	14 November 2023

**Lower Thames Crossing
Amended Examination Timetable
New Deadline 6A**

The Examining Authority (ExA) is under a duty to **complete** the Examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

The Examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at hearings.

Items from 1 to 23 shown covered in a grey highlight have already been completed. The item shown covered in a gold highlight has been inserted to add new Deadline 6A.

Item	Matters	Date
1.	<p><i>Procedural Deadline A (PDA)</i></p> <p><i>For receipt by the ExA of:</i></p> <ul style="list-style-type: none"> • <i>Requests to be heard orally at the Programming Meeting</i> • <i>Written submissions in advance of the Programming Meeting</i> 	<p><i>Friday</i> <i>5 May 2023</i></p>
2.	<p><i>Programming Meeting</i></p>	<p><i>Tuesday</i> <i>16 May 2023</i> <i>10am</i></p>
3.	<p><i>Procedural Deadline B (PDB)</i></p> <p><i>For receipt by the ExA of:</i></p> <ul style="list-style-type: none"> • <i>Post-event submissions, including written submissions of oral comments made at the Programming Meeting</i> • <i>Written submissions on matters raised in the Programming Meeting</i> • <i>Written submissions on the Examination procedure and draft timetable</i> • <i>Requests to be heard orally at Preliminary Meeting Part 1</i> • <i>Applicant's proposed Accompanied Site Inspection (ASI) itinerary</i> • <i>Junction layout plans from Applicant (see Annex F)</i> 	<p><i>Friday</i> <i>26 May 2023</i></p>
4.	<p><i>Preliminary Meeting Part 1 (PM pt1)</i></p>	<p><i>Tuesday</i> <i>6 June 2023</i> <i>10am</i></p>
5.	<p><i>Procedural Deadline C (PDC)</i></p>	<p><i>Tuesday</i></p>

Item	Matters	Date
	<p><i>For receipt by the ExA of:</i></p> <ul style="list-style-type: none"> • <i>Post-event submissions, including written submissions of oral comments made at PM pt1</i> • <i>Further written submissions on Examination procedure, including responses to matters raised orally at PM pt1</i> • <i>Requests to be heard orally at the Preliminary Meeting Part 2</i> • <i>Requests to be heard orally at any of the examination hearings notified at Annex E of this letter</i> • <i>Comments by Interested Parties (IPs) on the Applicant's proposed ASI itinerary.</i> 	13 June 2023
6.	Preliminary Meeting Part 2 (PM pt2) or issue by the ExA of a decision to close the Preliminary Meeting in writing	Tuesday 20 June 2023 10am
7.	Open Floor Hearing 1 (OFH1)	Tuesday 20 June 2023 6pm
8.	Issue Specific Hearing 1 (ISH1) on Project Definition	Wednesday 21 June 2023 10am
9.	Issue Specific Hearing 2 (ISH2) on the draft Development Consent Order (dDCO)	Thursday 22 June 2023 10am
10.	<p><i>Continuation of:</i></p> <ul style="list-style-type: none"> • Open Floor Hearing 1 (if required); and/or • Issue Specific Hearing 1 and/or 2 (if required) 	Friday 23 June 2023
11.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> • Examination Timetable 	As soon as practicable following PM pt2
12.	Open Floor Hearing 2 (OFH2)²	Wednesday 28 June 2023 10am and

² Open Flooring Hearings are open to any Interested Party to attend and speak directly to the Examining Authority. An Interested Party should only attend one Open Flooring Hearing.

Item	Matters	Date
		Thursday 29 June 2023 (if required) 10am
13.	Open Floor Hearing 3 (OFH3)¹	Wednesday 5 July 2023 10am and Thursday 6 July 2023 (if required) 10am
14.	Deadline 1 (D1) For receipt by the ExA of: <ul style="list-style-type: none"> • Post-event submissions, including written submission of oral comments made at the hearings held between 20 June and 6 July 2023 • Comments on Additional Submissions submitted since the Application was accepted. (See Annex B of this letter) • Comments on Relevant Representations • Local Impact Reports (LIR) from Local Authorities • Written Representations (WR) • Summaries of any WRs over 1500 words • Applicant's amended proposed ASI itinerary • New Statements of Common Ground (SoCG) (and of updated SoCGs if required). (See Annex B) • New and updated Principal Areas of Disagreement Summaries (PADS) (if updated). (See Annex B) • Applicant's submission of documents (see Annex B) • Applicant's amended dDCO • Applicants proposed Addendum to the Environmental Statement (ES) • Any further information requested by the ExA under Rule 17 of the Examination Procedure Rules (EPR)³ 	Tuesday 18 July 2023
15.	Procedural Deadline D (PDD) For receipt by the ExA of: <ul style="list-style-type: none"> • Requests by Statutory Parties to be considered as an Interested Parties (IPs) by the ExA 	Tuesday 18 July 2023

³ The Infrastructure Planning (Examination Procedure) Rules 2010: SI 2010/103

Item	Matters	Date
	<ul style="list-style-type: none"> • Requests by IPs to be heard at any subsequent OFH • Requests by Affected Persons⁴ to be heard at a Compulsory Acquisition Hearing (CAH) • Requests to attend the ASI 	
16.	<p>Deadline 2 (D2)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on WRs • Comments on LIRs • Comments by IPs on the Applicant’s amended proposed ASI itinerary. • Comments on Applicant’s amended dDCO • Updated SoCGs (if updated. See Annex B) • Updated PADSs (if updated. See Annex B) • Applicant’s submission of documents (see Annex B) • Comments on Applicant’s submissions (see Annex B) at D1 • Comments on any information requested by the ExA and received by D1 • Any further information requested by the ExA under Rule 17 of the EPR 	Thursday 3 August 2023
17.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • Examining Authority’s First Written Questions (ExQ1) 	Tuesday 15 August 2023
18.	<p>Deadline 3 (D3)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to comments on WRs • Updated SoCGs (if updated. See Annex B) • Updated PADSs (if updated. See Annex B) • Applicant’s submission of documents requested (see Annex B) • Comments on Applicant’s submissions (see Annex B) at D2 • Comments on any information requested by the ExA and received by D2 • Any further information requested by the ExA under Rule 17 of the EPR 	Thursday 24 August 2023

⁴ Affected Persons are those defined in section 59(4) of the Planning Act 2008 (as amended)

Item	Matters	Date
19.	<p>Dates reserved for:</p> <ul style="list-style-type: none"> • Open Floor Hearings (OFH) (if required) • Issue Specific Hearings (ISH), including but not limited to: <ul style="list-style-type: none"> ○ traffic and transportation ○ tunnelling ○ the draft Development Consent Order • Compulsory Acquisition Hearings (CAH) <ul style="list-style-type: none"> ○ strategic review of Applicant's case for Compulsory Acquisition ○ individual Compulsory Acquisition objections • ASIs 	w/c 4 and 11 September 2023
20.	<p>Deadline 4 (D4)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Post-event submissions, including written submission of oral comments made at the hearings held w/c 4 and 11 September 2023 (if held) • Responses to ExQ1 • Updated SoCGs (if updated. See Annex B) • Updated PADSs (if updated. See Annex B) • Applicant's submission of documents requested (see Annex B) • Comments on Applicant's submissions (see Annex B) at D3 • Comments on any information requested by the ExA and received by D3 • Any further information requested by the ExA under Rule 17 of the EPR 	Tuesday 19 September 2023
21.	<p>Deadline 5 (D5)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Updated SoCGs (if updated. See Annex B) • Updated PADSs (if updated. See Annex B) • Applicant's submission of documents requested (see Annex B) • Comments on Applicant's submissions (see Annex B) at D4 • Comments on any information requested by the ExA and received by D4 	Tuesday 3 October 2023

Item	Matters	Date
	<ul style="list-style-type: none"> Any further information requested by the ExA under Rule 17 of the EPR 	
22.	<p>Opening of Relevant Representations in relation to change requests EC01, EC02 and MRC03 pursuant to Regulation 10 of the CA Regulations (CA Regs RRs)⁵</p> <p>Publication by the ExA of:</p> <ul style="list-style-type: none"> Examining Authority's further Written Questions (ExQ) (if required) 	Tuesday 10 October 2023
23.	<p>Dates reserved for:</p> <ul style="list-style-type: none"> Open Floor Hearings (OFH) (if required) Issue Specific Hearings (ISH) (if required) Compulsory Acquisition Hearings (CAH) (if required) Further ASIs (if required) 	Monday 16 to Tuesday 24 October 2023
24.	<p>Deadline 6 (D6)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> Post-event submissions, including written submission of oral comments made at the hearings held 16 to 24 October 2023 (if held) Responses to further ExQ (if issued) Updated SoCGs (if updated. See Annex B) Updated PADSs (if updated. See Annex B) Applicant's submission of documents requested (see Annex B) Comments on Applicant's submissions (see Annex B) at D5 Comments on any information requested by the ExA and received by D5 Any further information requested by the ExA under Rule 17 of the EPR 	Tuesday 31 October 2023
24A	<p>Closing of CA Regs RRs⁵</p> <p>CA Regulations Deadline 1 (CA Regs D1)</p> <p>For receipt by the ExA of:</p>	Friday 10 November 2023

⁵ References to CA Regs Relevant Representations (CA Regs RRs), to CA Regs Written Representations (CA Regs WRs) and to CA Regs Interested Parties (CA Regs IPs) in items 22, 24A, 26, 27A and 28A of this timetable relate to persons making written and oral representations about the effects of the CA Regs proposed provisions for change requests EC01, EC02 and MRC03. They are confined in effect to those matters and do not invite the submission of any written or oral representations of a general nature.

Item	Matters	Date
	<ul style="list-style-type: none"> • CA Regs Written Representations (CA Regs WRs)⁵ relating to the effect of the change requests • Summaries of any CA Regs WRs over 1500 words • Any further information requested by the ExA under Rule 17 of the EPR 	
25.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • Report on the Implications for European Sites (RIES) and any associated questions (if required) • ExA's commentary on, or schedule of changes to, the dDCO (if required) • Examining Authority's further Written Questions (ExQ) (if required) 	Tuesday 14 November 2023
25A	<p>Deadline 6A (D6A)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Applicant's submission of responses to traffic modelling materials submitted at D6 arising from ISH4 or ISH10 and intended to be heard at ISH13 on 27 November 2023 • Submission of comments by Local Highway Authorities, Ports and other IPs engaged in traffic and transportation topics relating to traffic modelling and intended to be heard at ISH13 on 27 November 2023 	Tuesday 14 November 2023
26.	<p>Deadline 7 (D7)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Applicant's submission of draft s106 agreement(s) and any other draft legal agreements • Comments on responses to further ExQ (if applicable) • Updated SoCGs (if updated. See Annex B⁶) • Updated PADSs (if updated. See Annex B⁴) • Applicant's submission of documents requested (see Annex B) • Comments on Applicant's submissions (see Annex B) at D6 • Comments on any information requested by the ExA and received by D6 • Requests from a CA Regulations Interested Party to be heard at: 	Friday 17 November 2023

⁶ See clarifying amendments to Procedural Decisions 27, 28 & 29.

Item	Matters	Date
	<ul style="list-style-type: none"> ○ An Open Floor Hearing held under Regulation 16 of the CA Regs (OFH/CA Regs) ○ An Issue Specific Hearing held under Regulation 14 of the CA Regs (ISH/CA Regs) ○ A Compulsory Acquisition Hearing held under Regulation 15 of the CA Regs (CAH/CA Regs) (if required) ● Any further information requested by the ExA under Rule 17 of the EPR 	
27.	<p>Dates reserved for:</p> <ul style="list-style-type: none"> ● Open Floor Hearings (OFH) (if required) ● Issue Specific Hearings (ISH) (if required) ● Compulsory Acquisition Hearings (CAH) (if required) ● Further ASIs (if required) 	Monday 20 to Tuesday 28 November 2023
27A	<p>CA Regulations Deadline 2 (CA Regs D2)</p> <ul style="list-style-type: none"> ● Comments on CA Regs WRs ● Any further information requested by the ExA under Rule 17 of the EPR 	Monday 27 November 2023
28.	<p>Deadline 8 (D8)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> ● Post-event submissions, including written submission of oral comments made at the hearings held 20 to 28 November 2023 (if held) ● Comments on RIES (if issued) ● Comments on ExA's DCO/Commentary (if issued) ● Responses to further ExQ (if issued) ● Applicant's submission of updated s106 agreement(s) and any other updated legal agreements ● Updated SoCGs (if updated. See Annex B⁴) ● Updated PADSs (if updated. See Annex B⁴) ● Applicant's submission of documents requested (see Annex B) ● Comments on Applicant's submissions (see Annex B) at D7 ● Comments on any information requested by the ExA and received by D7 or CA Regs D2 ● Any further information requested by the ExA under Rule 17 of the EPR 	Tuesday 5 December 2023

Item	Matters	Date
28A	<p>Dates reserved for:</p> <ul style="list-style-type: none"> • An Open Floor Hearing held under Regulation 16 of the CA Regs (OFH/CA Regs) (if required) • An Issue Specific Hearing held under Regulation 14 of the CA Regs (ISH/CA Regs) (if required) • A Compulsory Acquisition Hearing held under Regulation 15 of the CA Regs (CAH/CA Regs) (if required) <p>A hearing held pursuant to Regulations 14, 15 or 16 of the CA Regulations may be notified and held (if required) concurrently with another hearing notified and held under the CA Regulations.</p>	<p>Tuesday 12 and Wednesday 13 December 2023</p>
29.	<p>Deadline 9 (D9)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on responses to further ExQ (if applicable) • Final SoCGs⁴ • Final PADSs⁴ • Applicant's final documents: <ul style="list-style-type: none"> ○ dDCO, with Statutory Instrument validation report ○ Book of Reference (BoR) and schedule of changes ○ Statement of Commonality ○ Status of Negotiations / Compulsory Acquisition schedule ○ Status of Negotiations with Statutory Undertakers ○ National Policy Statement (NPS) tracker ○ Final signed and dated s106 agreement(s) or any other final legal agreements ○ Stakeholder Actions and Commitments Register (SAC-R) ○ Consents Position Statement ○ Errata, if applicable • Comments on Applicant's submissions (see Annex B) at D8 • Comments on any information requested by the ExA and received by D8 • Any further information requested by the ExA under Rule 17 of the EPR 	<p>Friday 15 December 2023</p>
30.	<p>Deadline 10 (D10)</p>	<p>Wednesday 20 December 2023</p>

Item	Matters	Date
	For receipt by the ExA of: <ul style="list-style-type: none"> • Comments on any information requested by the ExA and received by D9 • Any further information requested by the ExA under Rule 17 of the Examination Rules 	
31.	The ExA is under a duty to complete the examination of the application by the end of the period of six months	Wednesday 20 December 2023

Submission times for Deadlines

The time for submission of documents at any Deadline in the timetable is 23:59 on the relevant Deadline date, unless instructed otherwise by the ExA.

Publication dates

All information received will be published on the [project webpage](#) as soon as practicable after the Deadlines for submissions.

Report on the Implications for European Sites (RIES)

Where an applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the application, the ExA may decide to issue a RIES during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the Secretary of State. The ExA may also raise questions in the RIES to confirm or clarify matters that remain outstanding.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of The Habitats Regulations 2017 and/or Regulation 28 of The Offshore Marine Regulations