

Lower Thames Crossing

9.156 Draft Statement of Common Ground between (1) National Highways and (2) Morzine Limited

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Status of the Statement of Common Ground

This is a Draft Statement of Common Ground with matters outstanding.

National Highways considers that this draft Statement of Common Ground is an accurate description of the matters raised by Morzine Limited and the status of each matter, based on the engagement that has taken place to date.

A high-level overview of the engagement undertaken since the DCO application was submitted on 31 October 2022 is summarised in Table A.1 in Appendix A.

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1 Introduction

1.1 Purpose of the Statement of Common Ground

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared in respect of the Development Consent Order (DCO) application for the proposed A122 Lower Thames Crossing (the Project) made by National Highways Limited (the Applicant) to the Secretary of State for Transport (Secretary of State) under section 37 of the Planning Act 2008 on 31 October 2022.
- 1.1.2 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the Applicant and Morzine Limited, and where agreement has not been reached. Where matters are yet to be agreed, the parties will continue to work proactively to reach agreement and will update the SoCG to reflect areas of further agreement.
- 1.1.3 This version of the SoCG has been submitted at Examination Deadline 6.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared in respect of the Project by (1) National Highways, and (2) Morzine Limited.
- 1.2.2 National Highways became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain, and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing National Highways made provision for all legal rights and obligations of the Highways Agency, including in respect of the Project, to be conferred upon or assumed by National Highways.
- 1.2.3 Morzine Limited forms part of the Employment Allocation of the former Coryton Oil Refinery, Manorway, covering 96 hectares of land on the north bank of the Thames Estuary, Thurrock.

1.3 Principal Areas of Disagreement

- 1.3.1 On 19 December 2022, the Examining Authority made some early Procedural Decisions to assist the Applicant, potential Interested Parties and themselves to prepare for the Examination of the DCO application.
- 1.3.2 One of these Procedural Decisions was to use a tracker recording Principal Areas of Disagreement in Summary (PADS). This tracker is known as the PADS Tracker.
- 1.3.3 The PADS Tracker provides a record of principal matters of disagreement emerging from the SoCG and will be updated alongside the SoCG as appropriate throughout the Examination with the expectation that a revised PADS Tracker should be submitted at every Examination deadline.
- 1.3.4 This SoCG was requested by Morzine Limited in their Written Representation, which came after the initial request from the ExA for PADS trackers. Morzine Limited are currently reviewing whether they would like to produce a PADS tracker or if given the small number of matters within the SoCG they are content that the SoCG adequately addresses their matters.

1.4 Terminology

- 1.4.1 In the matters table in Section 2 of this SoCG, 'Matter Not Agreed' indicates agreement on the matter could not be reached following significant engagement, and 'Matter Under Discussion' where these points will be the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. 'Matter Agreed' indicates where the issue has now been resolved.

2 Matters

2.1 Outstanding matters

- 2.1.1 Following submission of the DCO application, continued discussions on matters have taken place between the Applicant and Morzine Limited. These discussions are summarised in Appendix A.
- 2.1.2 The outcome of discussions to date are presented in, which details and presents the matters which have been agreed, not agreed, or are under discussion between (1) the Applicant and (2) Morzine Limited.
- 2.1.3 At Examination Deadline 6 there are eleven matters in total, of which two matters are agreed and nine matters remain under discussion.
- 2.1.4 Subsequent versions of this SoCG will outline the changes between versions.

Table 2.1 Matters

Topic	Item No.	Morzine Limited Comment	The Applicant's Response	Application Document Reference	Status
Consultation and engagement					
Request for a SoCG	2.1.1	Morzine Ltd had previously requested to enter into a SoCG with the Applicant, but the Applicant declined at the time. Morzine Ltd have since reiterated their desire to enter into a SoCG in the Written Representation.	The Applicant acknowledges Morzine Limited's request for a SoCG and has worked with Morzine Limited to produce one, which will continue to be updated during Examination in line with the Examination timetable.	N/A	Matter Agreed
Adequacy of engagement	2.1.2	To inform the Morzine Ltd planning application Thames Enterprise Park Ltd developed a fully validated VISSIM model (the TEP VISSIM model) which includes Sorrells Roundabout, The Manorway Interchange and Orsett Cock Roundabout. The VISSIM model developed to support the Thames Enterprise Park development includes the agreed package of highway mitigation works associated with Morzine – including improvements at Sorrells Roundabout and The Manorway Interchange. The TEP VISSIM model is the most up to date model of the local highway network, which meets TAG validation and calibration requirements, and has been signed	The Applicant is aware that Morzine Ltd developed localised traffic models to support their planning application. The Applicant developed the localised models of the Orsett Cock and Manorway junctions collaboratively with Thurrock Council. As part of the initial discussions, the scale and scope of these models was agreed, including that new standalone models would be developed for these junctions. The Applicant released the Orsett Cock VISSIM model (version 3) to Morzine at the same time it is issued to other Interested Parties on 20 October 2023.	N/A	Matter Under Discussion

Topic	Item No.	Morzine Limited Comment	The Applicant's Response	Application Document Reference	Status
		<p>off and approved by National Highways. National Highways is aware of the TEP VISSIM model but has chosen not to use the TEP VISSIM model to understand the localised impacts of LTC at Sorells Roundabout, The Manorway Interchange and Orsett Cock Roundabout. Instead, National Highways has chosen to develop its own stand-alone models for Sorells Roundabout / The Manorway Interchange, and Orsett Cock Roundabout. The National Highways model of Sorells Roundabout / The Manorway Interchange does not include a base model, has not been validated and there is no supporting Local Modelling Validation Report (LMVR). This raises significant concern with the status of the National Highways VISSIM modelling work for Sorells Roundabout / The Manorway Interchange and the associated model outputs (driver delay, queue lengths, network performance). Morzine is awaiting receipt of the National Highways Orsett Cock Roundabout VISSIM model.</p>			

Topic	Item No.	Morzine Limited Comment	The Applicant's Response	Application Document Reference	Status
Design – Road, Tunnels, Utilities					
Construction Phasing	2.1.3	<p>Morzine Ltd have concerns in relation to the impact of LTC during the construction phases, which extends to issues relating to construction timing and phasing.</p> <p>Morzine Ltd is concerned that if the impacts of LTC are not addressed as part of its construction, it has the real potential to create significant adverse impacts at The Manorway Interchange and Orsett Cock Roundabout.</p>	<p>The outline Traffic Management Plan for Construction (oTMPfC) describes the approach to traffic management during construction, including measures that could be taken to reduce impacts on local communities during construction. The Transport Assessment assesses the impacts during construction. In advance of the construction of the Project a Traffic Management Plan (TMP) will be prepared for each part of the works. Table 2.3 of the oTMPfC identifies stakeholder considerations that would be addressed as a minimum by the TMP; this includes impacts on business hubs such as the Thames Enterprise Park, and states that activities such as advance warning/particular sensitivity around significant events, particularly evenings and weekends would be incorporated into the TMP and engagement with relevant stakeholders would take place as appropriate. This is secured under Schedule 2 Requirement 10 'Traffic management' of the draft Development Consent Order.</p> <p>The Transport Assessment presents the impacts during the construction phase of the Project, and the Applicant considers it reflects a</p>	<p>Outline Traffic Management Plan for Construction (oTMPfC) [REP5-056]</p> <p>Draft Development Consent Order [REP5-024]</p> <p>Transport Assessment [REP4-148 to REP4-152]</p>	Matter Under Discussion

Topic	Item No.	Morzine Limited Comment	The Applicant's Response	Application Document Reference	Status
			reasonable worst case and provides a proportionate assessment of the selected construction scenario. As set out at paragraph 8.1.7 of the Transport Assessment, includes a number of assumptions that were made to ensure that the construction programme is not under-represented.		
Traffic and economics					
Need for the Project	2.1.4	Morzine Ltd has highlighted in previous consultation responses an in-principal support for the LTC; however, Morzine Ltd has concerns with the 'severe' impact on the highway network. This will consequentially lead to impacts on the economic activity and future growth in the vicinity of Thames Oilprt (TOP) during construction of the proposed LTC and once it is operational.	Noted.	N/A	Matter Agreed
Information sharing Traffic model	2.1.5	Morzine Ltd's concerns in relation to The Manorway Interchange and Orsett Cock Roundabout have yet to be addressed. It is understood that Thurrock Council and DP World/London Gateway (DPWLG) have also raised similar concerns. In an attempt to address these concerns LTC has undertaken additional modelling	The Department for Transport has issued guidelines on how transport models should be built, and the extent to which the predictions of traffic flows and times produced by the model compare with real life. The Applicant considers that the model is suitable for assessing the Project and its impacts along the A13, and at the Orsett Cock and Manorway junctions.	Localised Traffic Modelling [REP3-126]	Matter Under Discussion

Topic	Item No.	Morzine Limited Comment	The Applicant's Response	Application Document Reference	Status
		<p>work of The Manorway Interchange and Orsett Cock Roundabout in the form of standalone VISSIM models. However, the detailed modelling work has not been shared directly with TOP nor has it been formally submitted to the examination. TOP, therefore, reserves it's right to further comment on this supplementary modelling work once / if it is submitted formally to the examination.</p>	<p>The Applicant has undertaken additional local junction modelling (using microsimulation modelling within VISSIM) for both the Orsett Cock and Manorway junctions that is available in Appendix B and Appendix C of the Localised Traffic Modelling. These models have been developed in partnership with Thurrock Council. Reports relating to both models have been submitted by the Applicant at Deadline 1. This has been provided in Localised Traffic Modelling.</p> <p>The physical extents of the models have been agreed with Thurrock Council as part of their development. The Applicant does not consider that there is interaction between the two junctions and the modelling results for neither junction show interaction between traffic using the junction and traffic on the A13 mainline.</p> <p>The Applicant has shared copies of the model files for the Manorway junction with Morzine on 5 October 2023 to enable them to undertake an assessment. The Applicant has shared further copies of the VISSIM data for Orsett Cock junction with Morzine on 20 October 2023.</p>		
VISSIM traffic flows	2.1.6	<p>There appears to be a discrepancy between the LTAM traffic flows and the VISSIM traffic flows for Orsett Cock Roundabout. The data</p>	<p>The Applicant considers it important to note that the VISSIM model for the</p>	Localised Traffic	Matter Under Discussion

Topic	Item No.	Morzine Limited Comment	The Applicant's Response	Application Document Reference	Status
		<p>contained within the Localised Traffic Modelling Report shows variances of up to 50% in traffic movement on certain arms when comparing the LTAM and VISSIM flows.</p> <p>Further questions are raised when comparing the VISSIM traffic flows set out within the Localised Traffic Modelling Report and those at Appendix B. There are notable variances when comparing the traffic data from the VISSIM traffic flows quoted with the Traffic Modelling Report and the Appendix.</p>	<p>Orsett Cock junction does not directly use forecast flows from the LTAM.</p> <p>The approach used in the development of the VISSIM model is set out at section 3.4 of Localised Traffic Modelling Appendix C – Orsett Cock Forecasting Report.</p> <p>In relation to a comparison of flows between Localised Traffic Modelling and Localised Traffic Modelling Appendix B - Orsett Cock VISSIM Local Model Validation Report, flows for the Orsett Cock junction in the former are shown for 2030 in Tables 4.5 and 4.6. Within Appendix B, the flows presented in Plates 3.2 – 3.4 inclusive are observed traffic flows from May 2018.</p>	<p>Modelling [REP3-126]</p> <p>Localised Traffic Modelling Appendix B – Orsett Cock VISSIM Local Model Validation Report [REP1-188]</p>	
<p>Modelling results</p> <p>Queuing</p>	<p>2.1.7</p>	<p>Morzine Ltd is concerned that the interaction between The Manorway Interchange and Orsett Cock Roundabout is still not fully understood by virtue of the assessment taking the form of two standalone VISSIM models. The output from the models also demonstrates significant queuing and delay at Orsett Cock Roundabout, particularly on the eastbound A13 off-slip, and this has the potential to have a knock-on effect on The Manorway Interchange and in turn the operation of TOP. This is a critical issue given that The</p>	<p>The Applicant recognises that the Project will change the pattern of traffic in the region. In many places on the network, and within Thurrock, this would lead to beneficial impacts, and in some cases, it would lead to adverse impacts. Overall, the benefits on the road network would outweigh the adverse impacts, and this is reflected in the positive economic benefit of the Project within Thurrock as set out in Chapter 5 of Need for the Project; Chapter 4 of the Planning Statement; and the Combined</p>	<p>Need for the Project [APP-494]</p> <p>Planning Statement [APP-495]</p> <p>Combined Modelling and Appraisal Report - Appendix D: Economic Appraisal Package [APP-524],</p>	<p>Matter Under Discussion</p>

Topic	Item No.	Morzine Limited Comment	The Applicant's Response	Application Document Reference	Status
		<p>Manorway Interchange is the sole point of access for all HGV movement to and from TOP (and the majority of all vehicle movements). Document 9.15 Localised Traffic Modelling Reports shows queueing of up to 1.7km on the A13 eastbound off slip which is of a concern, as the busiest period (1400 to 1500) has not been modelled and there is potential for the queue during this period to exceed 1.7km.</p>	<p>Modelling and Appraisal Report - Appendix D.</p> <p>Chapter 7 of the Transport Assessment includes details of the scale of impacts both on roads and junctions, setting out where impacts are forecast to be adverse or beneficial. The forecast impacts of the Project on the highway network are also set out in Chapter 7 of the Transport Assessment, which includes junctions along the A13 such as the Orsett Cock and Manorway junctions.</p> <p>As set out in Table 5.1 of Localised Traffic Modelling Appendix B - Orsett Cock VISSIM Local Model Validation Report shows that flows in the 14:00-15:00 hour are significantly lower than the hours examined in both the LTAM and the Orsett Cock VISSIM model. Therefore the Applicant does not consider that an interpeak assessment at the Orsett Cock junction is warranted.</p>	<p>APP-525, APP-526 and APP-527</p> <p>Transport Assessment [REP4-148 to REP4-152]</p> <p>Localised Traffic Modelling Appendix B - Orsett Cock VISSIM Local Model Validation Report [REP1-188]</p>	
A13/A1089 Orsett Cock junction	2.1.8	<p>Morzine Ltd have concerns in relation route choice, route availability and the number of u-turn movements which would be diverted to The Manorway Interchange due to the proposed layout of Orsett Cock Roundabout – particularly at the</p>	<p>The Applicant's traffic modelling shows that there would be a very low number of vehicles (which originate from the A128 north of the Orsett Cock junction and wish to use the Project) U-turning at the Manorway junction as a result of the layout of the proposed A13/A1089/A122 Lower Thames Crossing junction. The</p>	N/A	Matter Under Discussion

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		A13/LTC junction, and the network operation and traffic flow.	<p>performance of the junction within both the strategic modelling and localised traffic modelling for the Manorway junction, includes this traffic.</p> <p>The Applicant considers that the Orsett Cock junction would operate acceptably in future years with the Project. The modelling does not show that there would any interaction between the two junctions.</p> <p>Modifications to the design of the Project presented at the Local Refinement Consultation led to changes in traffic routing. The revised design does not lead to an increase in the use of the A1013 by Port of Tilbury Heavy Goods Vehicle (HGV) traffic as it would be able to join the A1089 via the Orsett Cock junction from the A13 or the A122 depending on the direction of travel of these vehicles.</p>		
<p>Modelling methodology</p> <p>Peak periods</p>	2.1.9	<p>There is no assessment of the busiest peak period on the local highway network – the shift changeover period at 14:00. Instead, LTC has assessed the ‘average’ hourly flow between 10:00 – 16:00. This methodology makes no allowance for the spike in movement which is forecast to occur to and from TEP, TOP and DPWLG to coincide with shift changeovers.</p>	<p>The Applicant has set out the time periods assessed within its strategic transport model, together with reasoning as to how the periods were selected, within Section 3.3 of the Combined Modelling and Appraisal Report Appendix B: Transport Model Package.</p> <p>The model hours assessed within the localised traffic models were agreed with Thurrock Council as part of the</p>	<p>Combined Modelling and Appraisal Report Appendix B: Transport Model Package [APP-520] Localised Traffic</p>	Matter Under Discussion

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		<p>Therefore, the true impact and operation of the local highway network with LTC during construction and in operation is not properly considered or assessed.</p> <p>To provide further context to this, DPWLG is forecast to generate 4,074 PCUS movement between 1400 and 1500, whilst the modelling work for LTC has assumed 2,541 as an inter peak flow which is 1,533 PCU's lower. The detailed modelling work associated with Thames Enterprise Park shows that the network including Sorells Roundabout and the A13 Manorway Interchanges shows congestion to be greatest between 1400 to 1500 when compared to the AM and PM peak hours.</p>	<p>model's development. Only the AM and PM peaks were considered as these represent the busiest times on the network. The selection of the hours for the Orsett Cock model is detailed within Localised Traffic Modelling Appendix B – Orsett Cock VISSIM Local Model Validation Report. At the Manorway junction, the hours from the LTAM were used because observed data was not available when the model was built.</p>	<p>Modelling Appendix B – Orsett Cock VISSIM Local Model Validation Report [REP1-188]</p>	
<p>Modelling methodology</p> <p>Mitigation</p>	2.1.10	<p>The Applicant's assumptions for TEP are taken from 2021 and do not include or allow for the latest mitigation proposed to be delivered by TEP in accordance with the Resolution to Grant for redevelopment secured on 9 June 2022 (Ref: Application No: 18/01404/OUT).</p>	<p>The Applicant can confirm that both the Project's strategic transport model and the localised traffic model of the Manorway junction include the mitigation schemes at the Sorrells roundabout and the A13 Manorway junction that are proposed to be delivered by TEP in accordance with the Resolution to Grant secured on 9 June 2022.</p>		Matter Under Discussion
Economic impacts	2.1.11	<p>Thamesoil Port, Thameside Enterprise Park, and the London Gateway combined account for 85%</p>	<p>The Project's proposed approach to monitoring impacts on the road network is summarised within</p>	<p>Transport Assessment</p>	Matter Under Discussion

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		<p>of available employment land supply within Thurrock whilst sharing the same access route enhancing the risks arising from delays resulting from LTC.</p> <p>Morzine Ltd is concerned that if the impacts of LTC are not addressed as part of its construction and operation, it has the real potential to create significant adverse impacts at The Manorway Interchange and Orsett Cock Roundabout, which in turn would pose the risk of deterring investors and operators from TOP.</p> <p>Given that the supplementary transport modelling work is not available at the time of writing this representation, therefore we reserve the right to comment on the Economic Impact of LTC at later stage, when sufficient information is provided to TOP.</p>	<p>Chapter 10 of the Transport Assessment, and set out fully in the Wider Network Impacts Management and Monitoring Plan. The Project consulted on the Wider Network Impacts Management and Monitoring Plan as part of the Community Impacts Consultation in July 2021. This document sets out how the Applicant would work with local authorities and the Department for Transport, and the role of the Applicant and other organisations in the future management of the road network.</p> <p>The Applicant has set out how its approach to wider network impacts, including at the Orsett Cock and Manor Way A13 junctions, is compliant with policy within Transport Assessment Appendix F: Wider Network Impacts Management and Monitoring Policy Compliance.</p>	<p>[REP4-148 to REP4-152] Wider Network Impacts Management and Monitoring Plan [APP-545] Transport Assessment Appendix F: Wider Network Impacts Management and Monitoring Policy Compliance [APP-535]</p>	

Appendix A Engagement activity

Table A.1 Engagement activities between the Applicant and Morzine Limited since the DCO application was submitted on 31 October 2022

Date	Overview of engagement activities
18 August 2023	Emailed draft SoCG to Morzine Limited
29 August 2023	Email TEP Ltd concerning progression of their review of SoCG
11 September 2023	Email TEP Ltd concerning progression of their review of SoCG and sharing of traffic count data at Manorway junction
20 September 2023	Email TEP Ltd concerning progression of their review of SoCG
13 October 2023	Updated SoCG received from Morzine Ltd
5 October 2023	Email from the Applicant sharing VISSIM data of Manorway Interchange
16 October 2023	Meeting to review the SoCG and discuss next steps
20 October 2023	Email from the Applicant sharing the VISSIM data of Orsett Cock junction
24 October 2023	Email from the Applicant sharing Deadline 6 final version

Appendix B Glossary

Term	Abbreviation	Explanation
A122 Lower Thames Crossing	Project	A proposed new crossing of the Thames Estuary linking the county of Kent with the county of Essex, at or east of the existing Dartford Crossing.
Department for Transport	DfT	The government department responsible for the English transport network and a limited number of transport matters in Scotland, Wales and Northern Ireland that have not been devolved.
Development Consent Order	DCO	Means of obtaining permission for developments categorised as Nationally Significant Infrastructure Projects (NSIP) under the Planning Act 2008.
Lower Thames Area Model	LTAM	Transport model designed to forecast impacts of providing additional road-based capacity across the River Thames at locations at or east of the existing Dartford Crossing.
Outline Traffic Management Plan for Construction	oTMPfC	Outlines the approach to carrying out temporary traffic management for the safe construction of the Project and the management measures to reduce the impact on local communities.
Traffic Management Plan	TMP	The approach to carrying out temporary traffic management for the safe construction of the Project. It will also explain management measures available to the Contractor to reduce the impact on the local community (including journey time reliability, access, and safety).

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