

16 November 2023

The Planning Inspectorate
 National Infrastructure Planning
 Temple Quay House
 2 The Square
 Bristol
 BS1 6PN

**A122 LOWER THAMES CROSSING (REF: TR010032)
 DEADLINE 7 WRITTEN REPRESENTATIONS**

MELVILLE HAMILTON LOWE MOTT – AFFECTED PARTY REFERENCE: AP1308

C H L MOTT & M MOTT – AFFECTED PARTY REFERENCE: AP1369

THE OWNERS OF NORRSKKEN, STATION ROAD, EAST TILBURY: RR 2003579

On behalf of our above clients, the Mott family, we write in response to the Applicant’s 9.129 post-event submissions for CAH3 and 9.133 post-event submissions for ISH10 as referenced [REP6 - 087](#) and [REP6 - 091](#) in the Examination Library.

REP6 – 087 REF:	RESPONSE TO APPLICANT’S CAH3 SUBMISSIONS
<p>3.5.2-3.5.7 & Annex D – D.2</p>	<p>The summary of the Applicant’s submission in this section seems to suggest that further consultation with Natural England on the alternative land proposals has either not taken place or that there would be some reason for further consultation with NE being problematic.</p> <p>Can the Applicant please confirm if NE have been consulted on this matter specifically?</p> <p>We submit that the Mott family are very willing to discuss this matter with the Applicant and NE to find a solution that satisfies all interests.</p>

	<p>With reference to D2.20, this is factually incorrect. As the Applicant and ExA are aware, the alternative land swap is offered on a 1:1 basis.</p> <p>We do consider that the location of the alternative land areas would provide a better linkage through the FP200 corridor from the northwest (from Low Street Pit LWS to Princess Margaret Road) as shown as a broad 'zone' shaded green on the plan at the foot of this submission. At present, the arable land that has been put forward as an alternative does not form part of the Applicant's mitigation strategy and would remain in arable production as retained land by the Mott Family thereby creating a gap in this corridor of land that might be better utilised for the Applicant's target habitat – on the basis that mitigation land boundaries in Plot 22-40 are amended accordingly.</p> <p>Furthermore, can the Applicant confirm that the habitat creation on Plots 19-01 and 22-40 would not then create a potential conflict with any future development of the Mott Family's land to the north of Plot 22-40 as part of any proposed sustainable urban extension of East Tilbury?</p> <p>We are very concerned that if discussions have not been held with NE in this respect for fear of disrupting long-established discussions with NE as referenced in D.23, that our client's proposals have not been fully considered by all parties and further that that statement in D.23 pays no regard to the disruption caused by the Applicant's proposals to our clients long established land ownership.</p> <p>It is not sufficient to regard discussions that should be held as being too complicated or disruptive where the Applicant's proposals require the compulsory acquisition of land.</p>
<p>3.5.8</p>	<p>We note the Applicant's response which seems to rely on the premise that the Mott Family would be in a position to be suitably compensated should the North Portal access track be used as a future Tilbury Link Road. As the ExA stated at CAH3, the issue here is that with permanent acquisition of the access track by the Applicant, the Mott Family would not be in a position to be compensated or reach a commercial arrangement if the freehold is not owned by them.</p> <p>We do not consider that the Applicant has fully addressed the issue that is being raised in this respect.</p>

3.5.12

As a point of clarification, the Applicant is of the view that our client's original wharf and jetty complex (as opposed to the current jetty complex owned by IVL) has not been used since the 1960s.

For the ExA's record (and that of the Applicant), the original wharf/jetty complex was used for the importation of approx.. 1,050,000 tonnes of inert material from 2013 to 2017 – please refer to the Google Earth imagery below from 2013.

Our client's original wharf still remains subject to an 'live' existing licence between our client and the Port of London Authority for its use.

The purpose of the new (current) jetty complex was to increase the capacity of barges per tide but the wharf and original jetty complex remained functional as a matter of principle in the future.

The Applicant has further referenced an expectation that our client's wharf and jetty complex would be extinguished should the Port of Tilbury London Ltd ('POTLL') exercise their option.

We wish to state for the record for the ExA's benefit and the Applicant that under the terms of our client's option with POTLL, access for continued use of the existing jetty complex must be maintained to enable all land restoration obligations at Goshems Farm to be fulfilled. Furthermore, it is proposed that if POTLL exercise their option, that for the continued beneficial use of the river for importation of material, a new wharf/jetty complex would be proposed by our client further east along the river frontage, subject to obtaining the necessary consents, on river frontage land not being permanently acquired by the Applicant.

Therefore, it is not sufficient for the Applicant to rely on an assumption that use of the river frontage for access to a jetty for these purposes would not be required and therefore the Applicant's Project design must allow for access as we have previously submitted.

We would however note that the Applicant's commitment under SACR-006 does refer to access being provided to our client's retained land by reference to the existing registered title number and therefore it is our working assumption that this would therefore include access to the river frontage through Tilbury Fields.

We request confirmation from the Applicant that this is a confirmed undertaking under SACR-006.

Annex D – D.4.4	We would welcome a better understanding from the Applicant and the ESSPSG as to the current status of their discussions on the location of the proposed RVP.
Annex D – D.7.1	We confirm that we are in active discussions with the Applicant in respect of a proposed tripartite agreement on behalf of the Mott Family. This is without prejudice to our client’s standing objections to the upgrading of footpaths to bridleways and other PROW issues we have raised at CAH3, ISH10 and in our written submissions to date.
REP6 – 091 REF:	RESPONSE TO APPLICANT’S ISH10 SUBMISSIONS
Annex B	<p>The Applicant refers to discussions being held with landowners regarding the proposed WCH routes and that this led to design changes being made.</p> <p>Unfortunately, we remain of the view that the Applicant has not provided a fully reasoned response at any stage of the Project as to how they have reached a balanced conclusion in respect of all proposed new routes and how they have considered the implications for landowners and the use and management of their retained land - as submitted by us (and others) during discussions prior to submission of the Applicants DCO application (albeit as submitted these were extremely limited) or in our written and oral submissions to the Examination to date.</p> <p>We would question the reliance of the Applicant on its statement under B.5.7 that there has been regular engagement with landowners and their agents on this issue outside of any formal consultation periods to which there has been limited or no specific response from the Applicant; where issues have been raised.</p> <p>In our opinion and in the absence of a specific considered reasoning for each proposed PROW, the Applicant is not able to demonstrate that they have properly considered the landowner issues in the proposals they have submitted to Examination.</p>

We look forward to receiving further responses from the Applicant and the ExA in respect of the matters raised above.

Yours faithfully



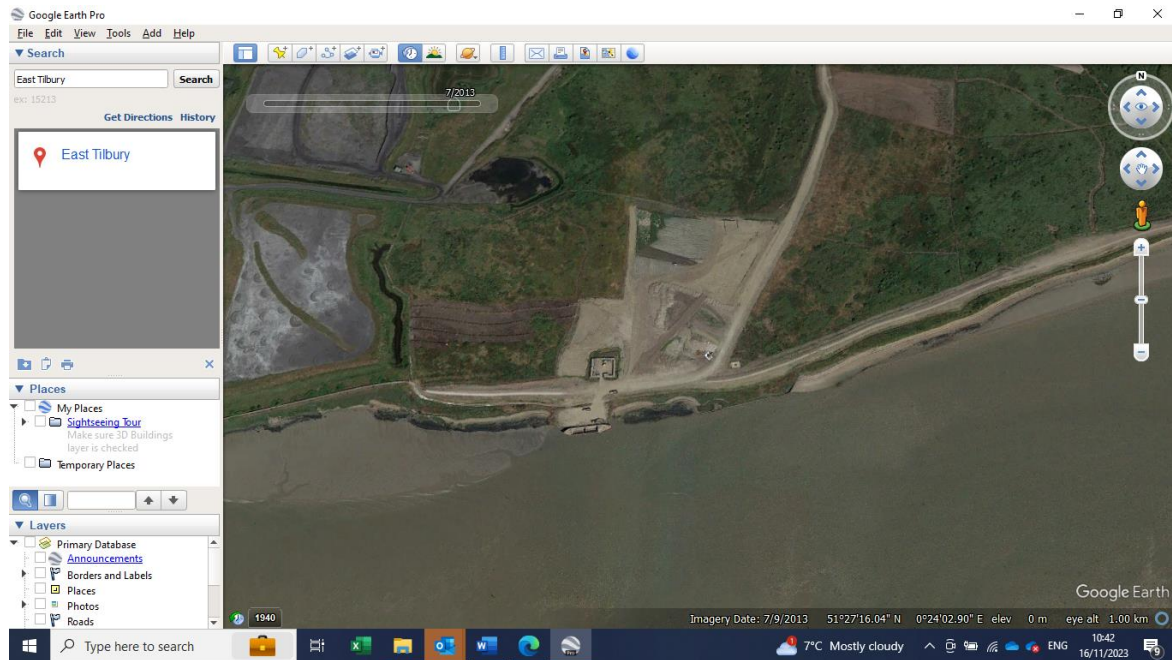
**M R Holland MRICS
Director
HOLLAND LAND & PROPERTY LTD**

See below map extracts:

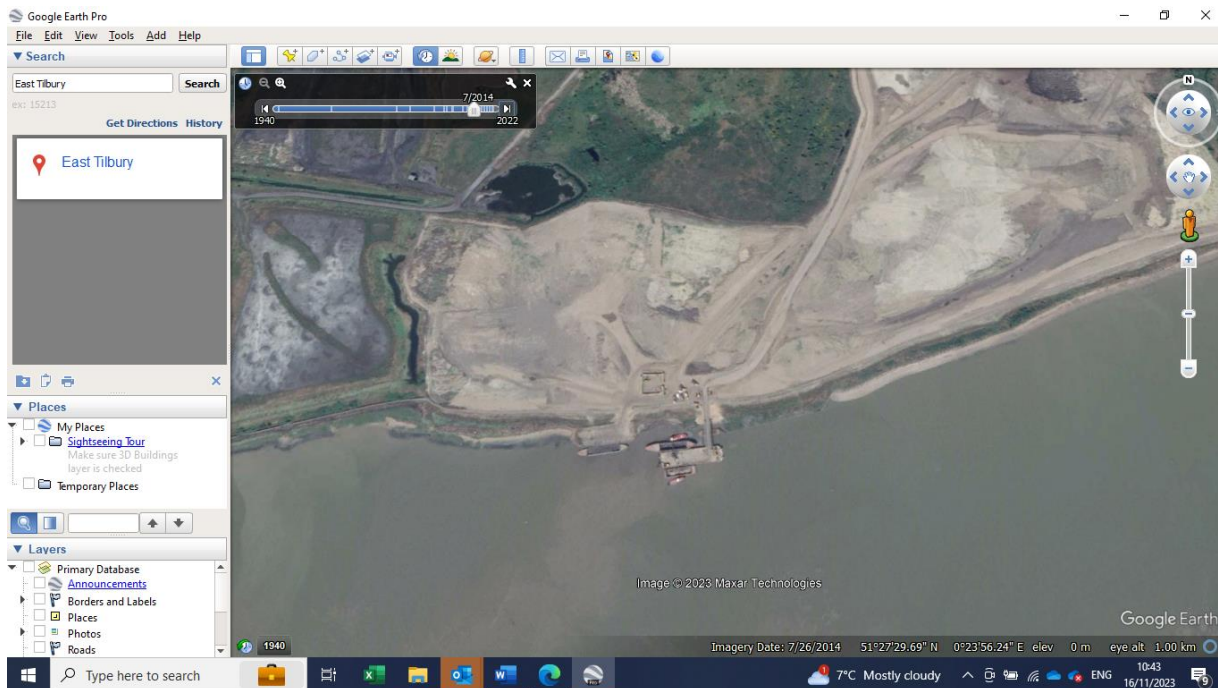
Holland Land & Property Limited, 


Google Earth Imagery (re 3.5.12 above)

2013 – Original Wharf Usage only



2014 – Original Wharf and Jetty Complex Usage only



Holland Land & Property Limited, [REDACTED]

