

## Principal Areas of Disagreement Summary Statement

Deadline 7 on 17 November 2023

### Lower Thames Crossing (LTC) – TR010032

Transport for London (TfL) – Interested Party 20035666

| Number                  | Principal Issue in Question                        | Statement of Common Ground (SoCG) reference | The brief concern held by TfL which was reported on in full in Written Representation   | What needs to change, or be included, or amended so as to overcome the disagreement  | Likelihood of the concern being addressed during Examination   |
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| <b>Most Significant</b> |  |   |   |  |  |
| 1                       | Wider network impacts on local and strategic roads | 2.1.27                                      | <p>Multiple locations of concern in relation to changes in travel patterns and network impacts from opening the LTC, including:</p> <ul style="list-style-type: none"> <li>• A127 west of M25 J29</li> <li>• Various junctions along A127 and A12</li> <li>• A13 west of M25 J30</li> </ul> | <p>Detailed, micro-simulation modelling of the impacts at these locations and an understanding of operational complexities and possible mitigation was requested. The Applicant has undertaken some local junction assessments which TfL considers to lack robustness as they have not been validated against base year traffic flows. The Applicant submitted this modelling to the examination at Deadline 3 (REP3-131). TfL and the London Borough of Havering have therefore undertaken their own assessments which have</p> | <p>Low – TfL has concerns about junction modelling undertaken (e.g., level of detail provided, method used, lack of model validation) and further work is needed to resolve this. The Applicant has stated it does not intend to undertake any further junction assessments.</p> |

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|   |                                     |        |   | been submitted as part of TfL's Written Representation at Deadline 1 (Appendix A of REP1-304).   |  |
| 2 | Mitigation of wider network impacts | 2.1.28 | <p>Monitoring may demonstrate that mitigation measures such as capacity upgrades or junction improvements are needed on the surrounding road network in London to address traffic impacts that were not forecast.</p> <p>Timing and period of monitoring is insufficient – should be longer and prior to commencement of construction on the Project.</p> | <p>Commitment is requested from the Applicant in the DCO to an approach to using the monitoring to identify and work with highway authorities to secure funding for mitigation measures should impacts different to the modelling be identified and should these measures be demonstrated as necessary. TfL put forward a proposed approach as part of its Written Representation at Deadline 1 and through oral submissions at Issue Specific Hearings (ISHs) 4, 7 and 10, reported in TfL's written summaries of oral submissions (REP4-359 and REP6-170).</p> <p>The traffic impact monitoring scheme should begin earlier than proposed and run more frequently than annually, to better inform highway authorities on the impacts of the Project.</p> | <p>Low – matter not agreed. TfL disputes that the Applicant is meeting its obligation to balance national and local needs as it is failing to commit to the necessary level of mitigation for the local road network. The 'without prejudice' approach provided by the Applicant at Deadline 6 does not, in TfL's view, provide sufficient assurances for local highway authorities.</p> |

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| 21 | Traffic modelling methodology / robustness              | 2.1.14, 2.1.32 | Model zoning has been aggregated within London, which results in short distance local trips being omitted and junction impacts being underestimated. Other shortcomings of the modelling mean local impacts of the Project, including those related to construction traffic, are difficult to glean due to a lack of granularity, and the need for and scope of appropriate mitigation is therefore more difficult to identify. | More detailed modelling at the local level, consideration of the implications of the findings and recommendations of local junction modelling undertaken by TfL/LB Havering, and/or commitment by the Applicant to an approach to mitigation that could overcome the uncertainty with the modelling are requested by TfL. | Low – Applicant refutes concerns with model robustness and stands by methodology, notwithstanding its previous acknowledgement of concerns arising from the model zoning issues identified.                                  |
| 3  | Operational air quality (AQ) monitoring                 | 2.1.17         | AQ should be monitored where significant traffic increases are predicted as a result of the operational phase of the Project (e.g., A127 west of M25 Junction 29).  | The DCO should include commitment to air quality monitoring and, if required, mitigation, for sections of road with significant traffic increases forecast. The WNIMMP should also be amended accordingly.  | Low – matter not agreed. Fundamental difference in proposed approach.  |
| 4  | Impact of the Project on existing and future TfL assets | 2.1.8          | Works to the Transport for London Road Network (TLRN) should be constructed to the satisfaction of TfL as the local highway authority.  | The DCO should include protective provisions in this regard, or equivalent alternative assurance provided. TfL needs to understand the extent of new works or assets which it will be required to manage and maintain and will require a commuted sum from the Applicant for this purpose.                                | High for agreeing TfL's involvement in the design and construction of works affecting TfL assets. The Applicant has submitted its preferred form of protective provisions for the protection of local highway authorities at |

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|                    |   |        |   |   | <p>Deadline 4, which cover aspects of the impact on local highway assets. Amendments to the drafting were proposed by the local highway authorities at Deadline 6.</p> <p>Low for a commuted sum where there is a fundamental difference of position between TfL and the Applicant.</p> |
| 5                  | Costs and commuted sum for adoption               | 2.1.11 | TfL is seeking to recover costs associated with delivery of the Project, together with a commuted sum to cover increased management and maintenance costs from new and modified assets. | Requested that the Applicant agrees to a commuted sum to cover costs, in line with best practice and as previously specified by the Secretary of State in the M25 Junction 28 Improvements DCO. | Low – Applicant has strongly opposed the provision of commuted sums.  |
| <b>Significant</b> |   |        |   |   |   |
| 6                  | Consultation in the capacity of highway authority | 2.1.2  | TfL no longer considers this a principal issue.   | N/A   | N/A   |
| 8                  | Public transport                                  | 2.1.22 | TfL requests the Applicant to consider targeted interventions to improve bus performance and reliability as part of the Project.  | Consideration of interventions in collaboration with TfL is requested.  | Low – matter not agreed. The Applicant currently has no plans to provide interventions.   |

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| 9  | Erosion of benefits over time                            | 2.1.25 | TfL no longer considers this a principal issue.  | N/A   | N/A  |
| 10 | New assets outside the highway boundary                  | 2.1.9  | TfL requires a clear understanding of the split of responsibilities with the Applicant for these assets.                     | TfL requires commitment that it will be involved in the design of any new assets which it is expected to take responsibility for, which could be addressed via protective provisions for the protection of local highway authorities or through a side agreement with TfL.      | High – could be resolved subject to arrangements being satisfactory to TfL. The Applicant submitted draft protective provisions at Deadline 4 which cover new assets. Amendments to the drafting were proposed by the local highway authorities at Deadline 6. TfL considers there to be a good likelihood of a form of protective provisions for this matter being agreed with the Applicant. |
| 11 | Permanent vs. temporary acquisition of land owned by TfL | 2.1.7  | Minimise permanent acquisitions where not required by the scheme, especially around J29 of the M25 and relating to the A127. | Discussions on the final ownership and potential return of acquired land have taken place.<br><br>The draft Applicant has put forward draft protective provisions for the protection of local highway authorities which include arrangements for transfer of land. TfL needs to | High – acquisitions within the TLRN boundary have been discussed with the Applicant. The Applicant submitted draft protective provisions at Deadline 4 which cover transfer of land. Amendments to the drafting were proposed  |

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|    |  |        |  | ensure the Applicant has the necessary powers for the transfer of land and rights between the Applicant and TfL to operate and maintain the walking, cycling and horse riding (WCH) bridge over the A127 and to accommodate the proposed changes to the TLRN.   | by the local highway authorities at Deadline 6. TfL considers there to be a good likelihood of a form of protective provisions for this matter being agreed with the Applicant.  |
| 12 | Walking cycling and horse riding (WCH) crossing            | 2.1.23 | TfL needs to ensure that it has sufficient land to maintain the new WCH bridge over the A127. TfL is seeking a 5-metre-wide area for maintenance around the new structure in the absence of a detailed design confirming specific needs. | The Applicant needs to provide further details of the constraints around the bridge to TfL to enable it to assess the design, construction, and maintenance implications of what is proposed, and/or protective provisions for local highway authorities to provide sufficient assurance. Continued dialogue should occur during the detailed design stage to ensure it can be efficiently maintained and safe. | Medium – could be resolved pending further discussion. This could be addressed via the protective provisions for the protection of local highway authorities but the area available for maintenance around the bridge remains a concern for TfL. |
| 13 | Particulate matter (PM <sub>2.5</sub> & PM <sub>10</sub> ) | N/A    | TfL no longer considers this a principal issue.  | N/A   | N/A  |
| 14 | Nitrogen dioxide (NO <sub>2</sub> )                        | N/A    | Modelled NO <sub>2</sub> levels are well above World Health Organisation (WHO) guidelines, which Mayoral policy is seeking to move towards.  | Consider mitigation or how Project can meet WHO guidance to reduce impact on human health.  | Low – while levels are higher than aspirational guidance, they meet UK legal limit and Air Quality Strategy (AQS) objective, so the Applicant does not   |

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|    |                              |        |  |   | propose to take any further action to mitigate this.  |
| 15 | Local Policy considerations  | 2.1.4  | <p>Project should not conflict with the Mayor's Transport Strategy (MTS) and/or adopted 2021 London Plan.</p> <p>The London Plan and the Mayor's Transport Strategy are important and relevant matters for the purposes of section 104 of the Planning Act 2008.</p>                           | A more robust approach to mitigation of traffic and carbon impacts is required. The Applicant's 'without prejudice' approach to mitigation of traffic impacts submitted at Deadline 6 does not achieve this.  | Low – Planning Statement sets out the Applicant's views of compliance with London policy, but TfL considers there to be some issues that remain, specifically with London Plan Policies T4 and SI2, and MTS Policy 7. |
| 16 | Operational carbon emissions | 2.1.30 | TfL aims to achieve net zero carbon by 2030 and the Project should play its part in achieving this goal (alongside the Government's Transport Decarbonisation Plan). To this end, action to address, manage, and mitigate user carbon (road user emissions) should be included in the Project. | The Carbon and Energy Management Plan should be further aligned with net zero by investigating user carbon emissions mitigation and reductions from the opening year, rather than stating that the Applicant cannot control user carbon therefore scoping out any efforts to mitigate the impacts. The Applicant could take steps to influence user carbon. | Low – the Applicant is of the view that they cannot control emissions from road users, and that operational emissions are being addressed by the DfT at the national level rather than at the project level.          |
| 22 | Air quality (AQ) assessment  | 2.1.18 | The Project analysis shows that despite a worsening for some receptors in London, AQ will remain within legal limits. However, the draft National Policy Statement for National  | As emerging Government policy, and likely to be designated before the DCO is determined, the Applicant should give sufficient additional  | Low – the Applicant's primary consideration is the current, designated NPSNN and believes the draft NPSNN does  |

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|                         |   |        | Networks (NPSNN) notes that AQ considerations are also important where substantial changes in AQ levels are expected, even if this does not lead to breaches of national air limits or statutory objectives, so the Applicant should consider this further.  | weight to the draft NPSNN with regard to AQ assessment.  | not fundamentally alter the policy position.   |
| <b>Less Significant</b> |   |        |  |  |  |
| 7                       | Future Ultra Low Emission Zone (ULEZ) expansion and road charging | 2.1.19 | The Applicant's Transport Assessment and Environmental Statement should have regard to the London-wide ULEZ expansion, implemented in August 2023. An assessment should also be made on how the environmental impacts of the Project may differ if road user charging is introduced in London. This could take the form of commentary within the Transport Assessment and Environmental Statement of potential changes to the environmental effects. | Include sensitivity testing and/or commentary on the assessment of impacts for the London-wide ULEZ expansion and road user charging.  | Low – matter not agreed. Disagreement on whether charging proposals need to be assessed and whether they will change the impacts of the Project. |
| 17                      | Utility works rights and management                               | 2.1.10 | TfL needs to review and approve utility diversions or works affecting the TLRN, including any future arrangements for management and maintenance.  | TfL is to be consulted prior to commencement of utility works and on the design of utility diversions interfacing with the TLRN. This could be addressed via protective provisions for the | High – TfL is satisfied that works affecting the TLRN are adequately set out and TfL's role in traffic management is clear. The Applicant        |



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|    |                             |        |   | protection of local highway authorities or through a side agreement with TfL.  | submitted draft protective provisions at Deadline 4 which cover the role TfL would have in the design and management of works delivered as part of the Project, including utility works. Amendments to the drafting were proposed by the local highway authorities at Deadline 6. TfL considers there to be a good likelihood of a form of protective provisions for this matter being agreed with the Applicant. |
| 18 | Construction vehicle safety | 2.1.12 | Construction vehicle safety standards need to support TfL's Vision Zero goal. | A description of how the Applicant will comply with the Mayor's Vision Zero action plan is needed. The Code of Construction Practice should be amended to include further information on this, with the main request being to extend Direct Vision Standard (DVS) requirements beyond Greater London for the entire Project. | Low – the Applicant is unwilling to expand the Vision Zero requirements (i.e. DVS) to the Project outside London.   |

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| 19 | Operational traffic management | 2.1.15 | Measures to ensure the resilience of the highway network in the event of an accident, to ensure traffic on the network is satisfactorily managed in the event of planned or unplanned disruption. | <p>Clarification required on whether there is sufficient capacity at the A2/M2/LTC junction for it to be signed and used as a diversion route during closures or significant congestion on the Dartford Crossing.</p> <p>Implementation of established processes between the Applicant and affected highway authorities to provide network resilience.</p> | Low – while additional information was provided by the Applicant on the low likelihood of full closures of the Dartford Crossing and the range of operational modes available, the explanation from the Applicant does not satisfy TfL that the LTC can be used as an appropriate diversion route for the Dartford Crossing due to the capacity constraint at the A2/M2/LTC junction. |
| 20 | Replacement planting           | 2.1.20 | TfL no longer considers this a principal issue.   | N/A  | N/A   |