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BY ONLINE SUBMISSION ONLY

Your Reference:
TR010032

Date: 17th November
2023

Dear Rynd,

RE: Application by National Highways for an Order Granting Development Consent for the Lower Thames Crossing (LTC) – Kent County Council’s Updated Principal Areas of Disagreement Summary (PADS) Tracker – Third Iteration

Following the Examining Authority’s request for a Principal Areas of Disagreement Summary (PADS) Tracker, as outlined within the Examination Timetable (Annex A of the Rule 8 letter (PD-020), please find enclosed the third iteration of Kent County Council’s (KCC) PADS Tracker. This document has been updated to reflect the latest *draft Statement of Common Ground between National Highways and Kent County Council* [REP6-026] submitted by the Applicant to the Examining Authority at Deadline 6 (D6).

It is imperative that the detailed comments that follow in this PADS Tracker are read in the context of our overall support for this strategically significant project. KCC has supported proposals for a new estuarial crossing for many years and we have expressed our strong support through many consultations led by the Applicant, National Highways, and the Department for Transport (DfT). KCC’s support for the project is stated in its statutory Local Transport Plan 4 (LTP4), where the LTC is identified as a key strategic priority, and also part of the long-term transport policy aim of bifurcation.

It is clear that the LTC is of strategic importance to the long-term economic prosperity of this country going forwards, but it will (together with the Dartford Crossing) serve an equally important local function. With increased crossing capacity and greater journey time reliability, residents in Kent will have a much greater range of opportunities for work, education and leisure. Currently this market is suppressed by the unreliability of the Dartford Crossing, which constrains productivity in the Lower Thames area. To not proceed with the project would lead to a worsening of the existing unacceptable conditions at Dartford as well as restrict economic growth and miss out on productivity benefits nationally, regionally and locally.

Throughout the Examination, KCC has continued to negotiate with the Applicant on a Statement of Common Ground (SoCG). The SoCG submitted at Deadline 6 is a National



Highways document that reflects the Applicant's position at the time of submission, setting out matters agreed, not agreed and under discussion. This PADS Tracker provides a summary of KCC's view of the remaining principal areas of disagreement currently within the Statement of Common Ground. We strongly feel these are issues that can be resolved throughout the remainder of the Examination through timely cooperation of relevant parties and the intervention of the Examining Authority. Whilst KCC is keen for these issues to be resolved, it is vital any Requirements placed upon the Applicant do not result in significant delay to the delivery of the LTC.

The matters outlined below have been expanded upon within our previous submissions, including our Local Impact Report [REP1-241] and Written Representation [REP1-243], but in summary our remaining principal areas of disagreement relate to:

- Wider Network Impacts
- Public Transport and Active Travel
- Sustainable Transport and HGV Parking
- Inappropriate HGV Parking
- Traffic Modelling
- Construction Impacts
- Road Asset Maintenance
- Public Rights of Way (PRoW)
- Tilbury Link Road/Junction
- Skills and Employment
- Open Space and Ancient Woodland
- Socio-Economic Evidence – Impact on Community Assets
- Climate and Carbon
- Air Quality – A229 Blue Bell Hill
- Heritage and Archaeology
- Biodiversity
- Environmental Mitigation
- Health Equalities Impact Assessment (HEqIA)
- Additional Issues Associated with the draft DCO and highways related documents
- Transport Impacts – Road Safety

Should you require any further information or clarification, please do not hesitate to contact me.

Yours sincerely,

Simon Jones

Corporate Director – Growth, Environment and Transport

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Number	Principal Issue in Question	Statement of Common Ground Ref:	The brief concern held by Kent County Council which has been reported on in full in the Written Representation/Local Impact Report	What needs to; change, or be included, or amended as to overcome the disagreement	Likelihood of the concern being addressed during Examination
1	Wider Network Impacts - Strategic Road Network Improvements	SoCG Item Number: 2.1.25 2.1.26	<p>LTC is only the first section of a new strategic route from Dover to the Midlands and the North which is desperately needed, given the anticipated growth in cross-channel traffic forecast at the Channel ports and the significant level of planned housing and economic growth in Kent over the coming years.</p> <p>KCC calls for further improvements to the Strategic Road Network (SRN) providing a list of upgrades to the wider road network we consider are required to successfully realise the scheme's benefits, including improvements to the A229 and A249 and associated motorway junctions.</p> <p>Improvements should be made to:</p> <ul style="list-style-type: none"> -Links between the M2/A2 and M20/A20 via A229, A249 and along the M2/A2 corridor - Dualling of the A2 from Lyddon to Dover - Improvements to M2 J7 (Brenley Corner) - M2 Junctions 1, 2 and 3. 	<p>Consideration within DCO submission: The Applicant, National Highways (NH), must urgently consider, as part of its DCO submission, the need for necessary wider network improvements to be incorporated within the next Road Investment Strategy (RIS) and assist in making the case to Government for funding for local road improvements through the Major Road Network.</p> <p>KCC welcomes the inclusion of improvements to the M2/A2 corridor – namely A2 Brenley Corner and A2 Access to Dover – within National Highways' RIS3 Pipeline of possible future schemes. However, this has not been adequately considered by NH within its DCO documents for the LTC. The corridor as a whole must be considered in response to the changing traffic flows resulting from the LTC. The omission of any improvements in RIS2 or RIS3 pipeline to M2 junctions 1, 2 and 3, which have been identified by the traffic model as being significantly affected by the LTC, is wholly unacceptable and must be revisited.</p> <p>A Requirement should be secured that National Highways must undertake mitigation works for any LTC impacts on the Strategic Road Network (SRN).</p> <p>Commitment to support: KCC requires commitment from the Applicant to actively support the inclusion of the A2 Brenley Corner and A2 Access to Dover schemes in the next Road Investment Strategy. KCC notes that the A2 Brenley Corner scheme was included in the recent "Network North" announcement of road improvement proposals in October 2023 but not the A2 Dover Access scheme.</p>	<p>These matters remain not agreed as National Highways argues that the existing RIS process is in place and is tried-and-tested so there is no need to consider SRN mitigations of LTC impacts.</p> <p>Likelihood: A229 has been a key issue discussed throughout the Examination. This issue still needs to be resolved during the Examination to give KCC the assurance that impacts will be mitigated.</p> <p>M2 J1, 2, 3 – SRN junctions directly impacted by LTC and should be mitigated through a robust monitoring and management strategy secured through the DCO.</p> <p>A2 Dover Access and M2 J7 (Brenley Corner) are both RIS3 pipeline projects and therefore within the remit of the DfT to assess and ultimately approve.</p>
2	Wider Network Impacts - Impacts on the Local and Strategic Road Network as a result of LTC that require mitigation	SoCG Item Number: 2.1.25 2.1.26 2.1.136 (DL-1) 2.1.137 (DL-1) 2.1.126 (DL-1) 2.1.138 (DL-1) 2.1.185 (DL-6)	<p>Wider Network Impacts (other than A229 Blue Bell Hill Scheme) The outputs of the traffic modelling for the LTC DCO, and the additional modelling and assessment undertaken by KCC, shows that mitigation is required on the Local Road Network and also the Strategic Road Network. Without action by the Applicant to address the impacts on the wider road network, KCC is concerned that the scheme will not meet the relevant policy requirements.</p> <p>The WNI study has demonstrated that "rat running" on unsuitable rural routes is forecast to occur, and it is also a key concern of local stakeholders.</p> <p>The land around the A206 is safeguarded for widening and the issues on this route have led to the establishment of a joint working group with Bexley and Dartford. The Applicant should join this group and assist in seeking future funding.</p> <p>Tables 7.17 and 7.18 of the Combined Modelling and Appraisal Report (APP-518) shows Valley Drive, Wrotham Road and Forstal Road are predicted to receive 'slightly adverse – large adverse' impacts, yet no mitigation is proposed in these locations. The S106 agreement states that the Applicant will undertake a feasibility assessment to identify opportunities to reduce pedestrian severance and will pay a sum to highway authorities to implement these. Valley Drive is one location identified for the feasibility assessment. Wrotham Road should be added to the scope and the feasibility assessment undertaken in collaboration with KCC as highway authority to ensure measures including formalised pedestrian crossing points are determined by KCC.</p>	<p>Initially, the DCO should include a Requirement that NH should undertake mitigation works for any LTC impacts on the SRN. This Requirement should also state that NH should fund delivery of mitigation on the Local Road Network as identified through the WNI study (full report submitted to the ExA at D7)). Funding for known LRN impacts should be secured through the S106 Agreement.</p> <p>A commitment from the Applicant to regularly attend the A206 working group and assist in seeking future funding once a scheme has been identified.</p> <p>Clarification and assurance is requested that the methodology for monitoring traffic data on key impacted roads of the LRN will have a comparative degree of confidence as that for the SRN. This is particularly important for monitoring the A227, A228 and A229 link roads between the M2 and M20; as well as the A226, which may carry rat-running traffic avoiding delays on junctions of the A2 caused by the project. Ideally, WebTRIS / INRIX monitoring would be deployed on these roads.</p>	<p>These issues remain not agreed as the Applicant argues they are not required to mitigate traffic impacts outside their development line boundary.</p> <p>Likelihood: Mitigation for LTC impacts on the wider Local Road Network and Strategic Road Network should be secured through a Requirement to implement a robust monitoring and mitigation strategy. For known impacts, such as those identified through the WNI Study, funding for delivery should be secured through the s106 Agreement.</p>

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3	Wider Network Impacts Management and Monitoring Plan (WNIMMP)	SoCG Item Number: 2.1.25 2.1.26 2.1.136 (DL-1) 2.1.168 (DL-6)	<p>The Wider Network Impacts Management and Monitoring Plan (WNIMMP) (APP-545) only includes the scope of 'monitoring' and not the 'management' function, stating that its outputs should be used by the Local Highway Authority to seek funding from other sources to resolve any new problems identified through NH Monitoring. This is not acceptable. KCC requests that a funding package is secured for use on the Local Road Network (LRN), to be held by National Highways with the facility for KCC to draw down funding based on the findings of the monitoring and supporting information.</p> <p>The following locations should be added to the WNIMMP scope, which should be expanded prior to adopting the DCO:</p> <ul style="list-style-type: none"> - M2 Junction 1 to Junction 4 journey time monitoring ▪ M25 Junction 2 (M25/A2/A282) ▪ A2 Pepper Hill Junction ▪ A227/Green Lane Junction ▪ A228 Junctions between the M2 and M20. <p>The mechanism for review of the proposed monitoring locations (Requirement 14 of Schedule 2) is not accepted by KCC as a means to overcome this issue, but should be retained for any further future amendments to monitoring locations.</p> <p>WNIMMP (APP-545) baseline monitoring should be undertaken in line with National Highways post-opening project evaluation (POPE) methodology, at least one year before commencement of construction and supplemented with additional surveys annually until five years post-opening, to avoid a distorted picture of traffic patterns from the construction activities which could occur from the currently proposal to undertake this 1 year before scheme opening.</p> <p>Monitoring of the use of rural roads in the vicinity of the A2/LTC junction before and after LTC construction should be included in the WNIMMP (APP-545) to help monitor potential rat-running on unsuitable rural roads.</p> <p>Active travel monitoring should be added, in particular the two cycleway corridors identified under Wider Network Impacts in our Local Impact Report, but also key routes for walkers, cyclists and horse riders (WCH) affected by the Project.</p>	<p>Requirements should be imposed to secure:</p> <ul style="list-style-type: none"> - Baseline surveys are undertaken at least one year before commencement of construction and supplemented with additional surveys annually until five years post-opening. - Certain key roads on KCC's local and major road network (such as the A229, A249, A227, A228 and A226) that will be impacted by the LTC, are incorporated into National Highways' permanent monitoring programme. - At least four (4) cameras are used to monitor each road; with a total of 20 cameras needed for the whole programme of additional permanent monitoring on the KCC local and major road network. - A funding package for KCC to implement mitigation measures on the LRN, which are required to address a direct impact of the LTC. - The Applicant's monitoring strategy should be amended to include an assessment of increased use of unsuitable rural routes to avoid congestion on the SRN in the vicinity of the LTC. <p>DCO Schedule 2 Requirement 14 should be amended to include:</p> <ul style="list-style-type: none"> - the sites suggested by KCC within the WNIMMP scope; and - active travel monitoring within the WNIMMP, including key routes for walkers, cyclists and horse riders affected by the LTC. 	<p>This issue remains not agreed. It is KCC's view that the Applicant's proposed WNIMMP is not robust enough to identify and adequately address impacts on the wider highway network.</p> <p>Likelihood: These issues continue to be discussed during the Examination and KCC's position is moving towards a formal monitor and manage approach, as per National Highways Proposed Requirement based on the Silvertown Tunnel Agreement, which includes monitoring of Walking, Cycling and Horse Riding (WCH) movements.</p>
4	Wider Network Impacts - A229 Blue Bell Hill, M2 J3 and M20 J6	SoCG Item Number: 2.1.25 2.1.26 2.1.170 (DL-6)	<p>Wider Network Impacts (A229 Blue Bell Hill)</p> <p>The traffic modelling undertaken for the LTC by the Applicant, and additionally by KCC, shows that the LTC has an adverse impact on M2 J3, M20 J6 and A229 (Blue Bell Hill) so this route requires upgrading. An upgrade must be made within the timescales of the delivery of the LTC to maximise the benefits of the LTC but also to prevent use of less suitable routes for traffic transferring between the M2/A2 and M20/A20 corridors. This is further emphasised by the allocation of compensatory land due to nitrogen deposition on the A229 and the impact of increasing traffic on the Maidstone Air Quality Management Area.</p> <p>This essential wider network improvement was originally identified as the "Option C Variant" in earlier iterations of the LTC plans. The DCO documents state that an improvement scheme on the A229 would "ready the network" for the LTC. Currently there is no commitment or funding confirmation for a scheme on this corridor. The increase in traffic on the A229 Blue Bell Hill as a result of LTC is unacceptable without mitigation from the Applicant.</p>	<p>KCC has developed an improvement scheme for the A229 Blue Bell Hill to mitigate the existing situation as exacerbated by the effects of the LTC. KCC is in the process of drafting appropriate wording for a Requirement to be added to the DCO which would provide reassurance that the impact of the LTC on the A229 Blue Bell Hill will be addressed by the Applicant. This is necessary because of the uncertainties around approval for the delivery of the Blue Bell Hill scheme through Large Local Majors (LLM) funding, as it is only at Outline Business Case stage. The Applicant should not rely on a scheme being delivered by a third party (the Local Highway Authority) with uncommitted funds from a separate government funding source (LLM) to mitigate the impacts of the Applicant's LTC scheme.</p>	<p>These issues continue to be discussed during the Examination and the position remains a Matter Not Agreed.</p> <p>Likelihood: The impact of the scheme on the A229, M2 J3 and M20 J6 has been a key issue discussed throughout the Examination, This issue still needs to be resolved during the Examination to give KCC the assurance that impacts will be mitigated.</p>

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5	Public Transport and Active Travel	SoCG Item Number: 2.1.57 2.1.58	<p>There is no infrastructure proposed on the LTC to support and encourage increased sustainable travel mode share such as public transport, walking and cycling.</p> <p>Cross-river cyclist and bus demand does not appear to have been assessed. This is very disappointing given one of the reasons for the crossing is to open up new business opportunities, labour supply and market competition. This demand should have been considered in the business case and design.</p> <p>Journey time reliability is considered to be one of the most important factors that attracts or discourages people from using bus services. Whilst it is welcomed that buses would be able to use the crossing, if they get caught up in congestion it would affect reliability and discourage passengers.</p> <p>It is unlikely that any local bus operator will be able to deliver commercially viable services linking local employment, leisure, and residential zones across the Thames, including Demand Responsive Travel and Bus Rapid Transit because “the most suitable collection and drop-off points would be at the proposed M2/A2 junction and as far north as the proposed A13/A1089 junction” (stated by the Applicant). This will result in prohibitive public transport journey time for targeted local trips across the Thames. Nevertheless, this will not stop the currently suppressed demand for local crossings, which will engender private vehicles trip across LTC.</p> <p>KCC questions the compliance of the scheme with Circular 01-2022, ‘Strategic road network and the delivery of sustainable development’ which addresses sustainable development on the SRN and the requirement for schemes to take all reasonable opportunities to deliver modal shift, promote walking, wheeling and cycling, public transport and shared travel to assist in reducing car dependency. Likewise, the NPSNN requires consideration of alternative modes and KCC policy requires consideration of public transport.</p>	<p>The Applicant must reconsider providing priority infrastructure for public transport that would allow reliable operation, improve bus service attractiveness for user and operator, significantly increase sustainable local and regional accessibility between both sides of the crossing and ultimately lead to a reduction in traffic using the crossing. A Requirement that NH should make provision for cross-Thames active travel needs to be incorporated to the draft DCO, which could consider combining elements of the following:</p> <ol style="list-style-type: none"> 1. Provision of priority access to and from LTC for buses, mini-bus and coach of any form (bus lanes, signal, Intelligent Transport Systems, bus gate to/from the tunnel) 2. Dedicated Lane for buses, mini-bus and coach across the crossing (or high occupancy vehicle at the minimum) 3. Incident management: Technological solutions should be considered where bus/mini bus/coaches are given priority over general traffic in the event of an incident 4. Implement public transport priority as a 'Requirement', upon opening of the scheme. 5. Consider alternative priority accesses across the Thames for public transport as part of developing a future ready new highway infrastructure. 6. A Requirement to invite KCC's Public Transport Department to the Sustainable Transport Working Group. 7. Commit to reviewing options for priority public transport and cycling measures at the Dartford Crossing. 8. Provide KCC with a financial contribution to provide additional buses during construction, to counter the delays that are predicted to occur, to help reduce delays and retain passengers during this time. 9. Provide cycle counters, and a cycle route in Gravesend. <p>KCC consider that clarity should be provided by the Applicant as to why technical feasibility has not been undertaken on the options for cross-river cycling and walking provision.</p> <p>As the use of Emergency access has been ruled out by the Applicant for a number of reasons, KCC would request for National Highways to consider alternative priority accesses across the Thames for public transport as part of developing a future ready new highway infrastructure.</p>	<p>The scheme's support for sustainable transport options has not been discussed at length during the Examination and the position remains a Matter Not Agreed.</p>
6	Sustainable Transport and HGV Parking	SoCG Item Number: 2.1.17 2.1.57 2.1.58	<p>KCC fully encourages National Highways to maximise the opportunities from this scheme, not only to reduce congestion but to also encourage the transition to ultra-low emission vehicles. Essential to this is to have infrastructure that is fit for the future in terms of electric vehicle charging and suitable walking, cycling and public transport provision as part of the scheme.</p> <p>The lack of service area does not comply with Circular 01/2022 ‘Strategic road network and the delivery of sustainable development’ with regards to maximum distances between facilities. This may also deter drivers of electric vehicles who may need to use rapid chargers en-route. Further, enhanced lorry parking in an area that suffers with a lack of facilities for hauliers would have been an ideal legacy benefit of the project.</p> <p>KCC consider that National Highways should:</p> <ul style="list-style-type: none"> • Implement public transport priority as a 'Requirement', upon opening of the scheme • Consider alternative priority accesses across the Thames for public transport as part of developing a future ready new highway infrastructure • Invite KCC's Public Transport Department to the Sustainable Transport Working Group • Commit to reviewing options for priority public transport and cycling measures at the Dartford Crossing • Provide KCC with a financial contribution to provide additional buses during construction, to counter the delays that are predicted to occur. This will help to reduce delays and retain passengers during this time • Provide cycle counters, and a cycle route in Gravesend. 	<p>KCC requests a copy of the assessment that considered walking and cycling provision across the LTC, that ultimately rejected this option.</p> <p>Provision for Non-Motorised Users (NMUs) crossing the Thames should be reconsidered as the detour to either the Dartford Crossing or the ferry would be significantly longer.</p> <p>Bus provision should be reconsidered as per PADSS ref. 5.</p> <p>Design of the emergency access at the northern tunnel portal must not preclude the potential for the future provision of a junction to provide which would allow motorists the opportunity to turn around and/or a motorway service area with lorry parking facilities.</p>	<p>These issues remain a Matter Not Agreed. Compliance with relevant policies on sustainable mode choice and provision for Zero Emission Vehicles has not been discussed during the Examination.</p>

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7	Inappropriate HGV Parking	SoCG Item Number: 2.1.15 2.1.16 2.1.17	<p>KCC has concerns over inappropriate HGV parking on the widened Thong Lane and Henhurst Road areas as well as others in the vicinity. There needs to be a clear strategy for dealing with unwanted HGV parking including both legislation and physical restrictions or there will be a legacy of anti-social behaviour and parking.</p> <p>A Roadside Service Area could potentially solve the issue of inappropriate HGV parking whilst also providing electric vehicle charging stations, and help contribute to achieving net-zero carbon and reducing negative impacts of the Project on climate change.</p>	<p>KCC insists that government provides National Highways and KCC with the necessary enforcement powers to tackle cases of inappropriate lorry parking that will increase as a result of the new crossing.</p> <p>A Requirement that National Highways should make provision within the Project for Electric Vehicle (EV) charging points and HGV parking along the LTC route.</p>	<p>Enforcement powers for inappropriate lorry parking are within the remit of the DfT so potentially outside the scope of the Project. However, provision of RSAs is likely within the remit of the Applicant as a wider organisation and the private sector providers.</p>
8	Traffic Modelling	SoCG Item Number: 2.1.23 2.1.157 (DL-1) 2.1.185 (DL-6)	<p>The Base Year modelled traffic on the A226 appears low to the east of Gravesend, compared with DfT counts, so LTAM may not highlight some impacts of the LTC in this area. The A226 is of particular concern to KCC officers, in terms of road maintenance and construction traffic.</p> <p>Tables 5.9 – 5.15 of the Combined Modelling and Appraisal Report (APP-518) show the match at individual count sites in the model calibration for vehicles in each of the peaks. Only three of the 24 comparisons achieved the “required” 95% match. It is understood that not reaching 95% overall pass does not necessarily mean the model is unsuitable, but no explanation has been provided as to why it is acceptable. It is encouraging that the inner modelled area has a pass rate of between 91% - 96%. With regard to traffic flows at validation sites, paragraph 5.10.7 of the Combined Modelling and Appraisal Report states “Over 84% of the validation sites met the TAG criteria in the Inner Modelled Area in the morning peak hour, 86% in the inter-peak hour and 72% in the evening peak hour for all vehicles. This is considered a good match for a model that covers such a large area as the LTAM”. The 72% achieved in the inner modelled area is 23% lower than the ideal 95%. Some of the sites are shown as achieving a significantly low match with at least 2 in the low 40%’s. This is concerning and further explanation is required.</p> <p>The Applicant’s revised Transport Assessment [REP3-112] (Plate 7.3) for the PM peak 2045 now shows a significant increase in volume/capacity ratios along the A2 eastbound frontage road between the intersections of Gravesend East (A2 / Valley Drive) and the Three Crutches (A2 / M2 / A289). Information is required regarding vehicle speeds and flows on this corridor.</p>	<p>The Applicant to expand the scope of WNIMMP to include the A226 (as per request in PADSS ref. 2).</p> <p>Further information has been provided by the Applicant in regards to Plate 7.3 of the revised Transport Assessment [REP3-112]. However, KCC remain concerned about the significant increase in volume/capacity ratios along the A2 eastbound frontage road between the intersections of Gravesend East (A2/Valley Drive) and the Three Crutches (A2/M2/A289) and would emphasises the need for a robust monitoring and mitigation strategy to be secured through the DCO which would be the mechanism for implementing sufficient mitigation should this issue materialise.</p>	<p>These issues have been addressed through discussion between KCC and National Highways. KCC has no further comment to make in regards to the modelling but would stress the need for a formal monitor and manage approach, as per National Highway Proposed Requirement based on the Silvertown Tunnel Agreement, which includes monitoring of Walking, Cycling and Horse Riding (WCH) movements.</p>
9	Construction Impacts - Measures to be conditioned on the Applicant	SoCG Item Number: 2.1.13 2.1.98 (DL-1) 2.1.99 (DL-1) 2.1.101 (DL-1) 2.1.102 (DL-1) 2.1.104 (DL-1) 2.1.103 (DL-1) 2.1.105 (DL-1) 2.1.106 (DL-1) 2.1.107 (DL-1) 2.1.166 (DL-6) 2.1.167 (DL-6)	<p>The DCO documents propose a number of measures during the construction phase. KCC has reviewed these and also requests that a number of additional measures are also secured as Requirements to the DCO, including:</p> <ul style="list-style-type: none"> - electric vehicle charging at compounds should have a minimum of 7kw output, - shuttle buses for workers, - minimum requirements for on-site accommodation provision for construction workers - restriction of HGV movements / construction deliveries / construction vehicles and construction worker shift changes occurring during the LRN peak hours (08:00 - 09:00 and 17:00 - 18:00) when there is existing congestion. - addition of the full scope of prohibited routes identified by KCC to the oTMPfC, where currently only 5 out of 10 are included, - provision of cycle parking for 10% of employees with a proportion with electric bike charging facilities/adapted bikes capabilities. - Permitting all construction-related traffic, including workers to use Haul Road H18, to access the southern portal compound from Phase 2 until it is no longer operational - Permitting construction workers in cars to use both the A226 and Lower Higham Road access points to access the A226 Gravesend Road compound. <p>NH proposes KCC attends the Travel Plan Liaison Group to support sustainable travel during the project. This is a significant amount of work and KCC requires funding (of £2880 per year) to adequately resource KCC to attend the Travel Plan Liaison Group.</p>	<p>The measures KCC has proposed should be secured as a Requirement within the DCO.</p> <p>Requirement that National Highways should fund proposed remedial measures, along with providing a six-monthly monitoring report to KCC to determine whether Travel Plan targets are being met and whether the construction traffic generation is at or lower than predicted. In the alternative, KCC would accept a Section 106 Agreement for these mitigation measures to be secured.</p>	<p>These issues remain under discussion and should be addressed and resolved during the Examination stage with the timely cooperation of relevant parties and the intervention of the Examining Authority to impose planning obligations on the Applicant, to secure additional funding, to expand the scope of their scheme, or other action as appropriate to the concern under discussion.</p> <p>Likelihood: This matter could be resolved at Examination.</p>

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10	Construction Impacts - Funding and monitoring	SoCG Item Number: 2.1.10 2.1.100 (DL-1) 2.1.165 (DL-6) 2.1.186 (DL-6) 2.1.187 (DL-6)	<p>KCC is concerned about the impacts of construction on the wider highway network. For example, increased demand on the A20/M20 and the Local Road Network (including rat running on the LRN and unsuitable rural routes) by drivers diverting to avoid roadworks. These diversions may not necessarily be official diversion routes, but still have the potential to cause gridlock on the wider Kent network.</p> <p>Use of GPS in vehicle tracking or ANPR to monitor construction traffic should be committed to by the Applicant, as it is not considered acceptable to state that actual monitoring will only be used on a case by case basis, with no real commitment made on methods or routes to monitor. KCC does not consider the use of a delivery booking system, as identified by the Applicant, goes far enough to mitigate impacts</p> <p>The use of inappropriate routes by HGV traffic is also a concern during the construction period, particularly on the A226 and A227 – a left turn ban should be imposed for construction related HGV traffic when joining the A226, and HGVs should be required to travel to/from the SRN using only the A226 and A289, to prevent rat running through Shorne and along Pear Tree Lane.</p> <p>KCC consider that a six-monthly monitoring report should be provided by the Applicant to allow KCC to review whether Travel Plan targets are being met and whether the construction traffic generation is at or lower than predicted.</p>	<p>A requirement should be made to ensure the Applicant has a funding package for remedial actions should issues be identified, e.g. Travel Plan targets being breached, the potential need for highway schemes to deter general traffic from rat running through unsuitable rural areas. In the alternative, KCC would accept a Section 106 obligation to secure these mitigation measures.</p> <p>A Requirement for a scheme for the monitoring of construction vehicle movements to ensure compliance with agreed haulage routes, and associated rat running on the local road network. This should also assess the extent to which traffic diverts to "rat runs" on the local road network as a result of delays caused by construction traffic management measures. This should cover both making sure contractor HGVs serving the construction compounds adhere to approved routes, as well as monitoring of other (regular) traffic movements, avoiding construction areas by using unsuitable rural road routes. Automatic Number Plate Recognition (ANPR) is likely to be the most appropriate tool as it would enable rat runs to be identified and also enable the contractor to identify whether LTC vehicles are causing any issues that are being raised by KCC or the public. The results should be presented to the Travel Plan Liaison group as well as the Traffic Management Forum, along with any remedial measures proposed.</p> <p>A Requirement that construction vehicle routing plans should be agreed with KCC, along with a left turn ban for construction related HGVs when joining the A226. Further route restriction to construction vehicles as KCC will set out in more detail, to be conditioned (as per PADSS ref. 9).</p>	<p>These issues remain under discussion and have the potential to be resolved during the remainder of the Examination. It is clear that when construction results in impacts on the wider highway network, there should be ring fenced funding available to deliver immediate mitigation.</p>
11	Road Asset Maintenance - Proactive strengthening of the existing network	SoCG Item Number: 2.1.8	<p>The Applicant's proposal to undertake a condition survey before and after LTC construction is insufficient to address concerns about the impact of the increased loading due to construction traffic on the Local Road Network, even with funding to return the network to its previous condition following the construction period. This should be the fall-back option only.</p> <p>The assets should be pre-emptively strengthened by the Applicant prior to the start of the construction period to prevent asset failure.</p>	<p>A Requirement should be secured for the Applicant to carry out a programme of pre-emptive works to prevent or minimise damage to the Local Road Network during the LTC construction phase. In the alternative, funding for KCC to undertake such works at National Highway's expense.</p> <p>Funding of £2.55m is needed to proactively strengthen the highway network (supported by £1.15m from KCC) as per the programme provided to the Applicant.</p>	<p>This issue remains a Matter Not Agreed. It is imperative for both KCC as the Local Highway Authority south of the River and the Applicant, that measures to avoid unacceptable construction impacts are pre-emptively avoided where possible.</p>
12	Construction Impacts - Public transport	SoCG Item Number: 2.1.18 2.1.108 (DL-1)	<p>All delays to buses should be minimised and avoided where at all possible. Achieving modal switch from private car to public transport is key to reducing congestion on a network, especially where physical mitigation opportunities are limited. Times of congestion on the network (caused by such things as long-term development construction) is a good opportunity to achieve this shift. Research shows the attractiveness of public transport services is mainly based on reliability and journey times and even the slightest increase in journey time can dissuade users. Under the construction phases presented, both the road network and the public transport network are disadvantaged (although it is noted that this mainly affects services on the A226). Incentives should therefore be provided to users to increase the attractiveness of public transport for both employees and existing local residents to reduce the overall number of vehicles on the network during construction.</p> <p>Every opportunity should be explored in prioritising public transport during this time through such things as dedicated bus routes on key networks affected by construction.</p>	<p>KCC require the following to be secured through Requirements:</p> <ul style="list-style-type: none"> - National Highways must submit a scheme to the Secretary of State for approval, following consultation with KCC, to identify and fully fund mitigation to local bus services which are disrupted as a result of temporary works during construction. - a financial contribution 'pot' of £80,000 to be secured to cover the temporary works that may impact bus services. This 'pot' could be held by the applicant and only drawn down upon in the event that this is required due to the temporary works. - that temporary works are raised at least 4 weeks in advance of them happening with the KCC Public Transport team and required compensation discussed at the same time based on the of £200 per additional operational hour. <p>Temporary bus priorities should still be considered to counter the impact of delay on buses where possible.</p>	<p>The scheme's impact on public transport has not been discussed at length during the Examination and the position remains a Matter Not Agreed.</p>

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13	Public Rights of Way (PROW)	<p>SoCG Item Number: 2.1.12 2.1.121 (DL-1) 2.1.122 (DL-1) 2.1.123 (DL-1) 2.1.125 (DL-1) 2.1.114 (DL-1) 2.1.115 (DL-1) 2.1.116 (DL-1) 2.1.117 (DL-1) 2.1.120 2.1.160 (DL-6) 2.1.162 (DL-6) 2.1.163 (DL-6)</p>	<p>KCC has a number of requirements around the amendments and upgrades to the Public Rights of Way (PROW) network, as set out in our Relevant Representation and Local Impact Report and Written Representation. These include matters such as agreeing transfer of assets, commuted sums for maintenance, clarity on plans and legal status of routes being provided, and ongoing consultation with the KCC PROW and Access Service through the detailed design and creation of Traffic Management Plans.</p> <p>For example, KCC remains concerned that what is to be a key link in the Non-Motorised User (NMU) network and integral to long term East West connectivity south of the M2 corridor, is to be delivered by means of a permissive agreement. The route is also to accommodate NCR177 on a temporary basis through the construction phase. There is no clarification as to the nature of the permissive agreement, the terms of the agreement or the parties to the agreement. There can therefore be no certainty moving forward that permission will not be rescinded -removing the link for NMUs and specifically equestrians and cyclists. Currently the provision south of the M2 corridor through Jeskyns Community Woodland cannot be considered adequate. Should the permission be revoked at some future point the only viable alternative for recreational users would be the replacement NCR177 route; this route is conceived as meeting the needs of commuting cyclists. It will inevitably, given its location, be of considerably lower amenity and unlikely to be used by equestrians given the proximity to traffic. Permissive access cannot and should not be viewed as a suitable alternative/ compensatory provision for NMUs. This permissive route needs to have Public Bridleway designation and PROW routes need to have highways status.</p> <p>High quality segregated routes should be provided on WCH bridges for pedestrians and cyclists in accordance with LTN 1/20 National Cycle Infrastructure Guidance.</p> <p>In addition, KCC is seeking to secure the provision for future improvements to ensure impacted PROWs are restored to pre-construction standard or better, and to bring structures up to walking, cycling and horse riding (WCH) standards, including but not limited to Hares Bridge. Cycle dismount signs are not permitted in current standards as they are not inclusive.</p> <p>Construction detail: The absence of construction detail for the Public Rights of Way / WCH routes to be provided is a negative impact. In the absence of such detail, it is not possible to assess the suitability of the construction or to calculate commuted sum requirements.</p>	<p>Requirements to be imposed on the Applicant to secure:</p> <ul style="list-style-type: none"> • Provision of an adequate commuted sum or ongoing maintenance arrangements for the upkeep of new routes. KCC will seek to quantify the proposed sum during the Examination to enable the ExA to secure this through the relevant article of the draft DCO (Article 10), or DCO obligation. KCC requires for this to be secured within the DCO as currently there is no assurance that an agreed Side Agreement will be reached. • Permissive access, particularly for equestrian and cycle use, is not to be viewed as a suitable alternative/compensatory provision for Non-Motorised Users (NMUs). PROW routes need to have highways status and Public Bridleway designation where relevant. • Installation of active travel counters 12 months prior to the start of construction; with the counters maintained for a period of three years post road opening. • Provision of a minimum width for each user route to provide high quality segregated routes. KCC requires this to be secured within the DCO. 	<p>These issues continue to be discussed during the Examination and KCC's position is moving towards a formal monitor and manage approach, as per National Highway Proposed Requirement based on the Silvertown Tunnel Agreement, which includes monitoring of Walking, Cycling and Horse Riding (WCH) movements.</p>
14	Tilbury Link Road/Junction	<p>SoCG Item Number: 2.1.29</p>	<p>The removal of the Tilbury junction means that there are no turnaround facilities for drivers who have crossed the river by mistake from Kent into Thurrock. Leaving the LTC at the A13 junction requires a long diversion to get back onto the LTC southbound and return to Kent if the LTC was taken by mistake from the A2.</p> <p>Design of the emergency access at the northern tunnel portal must not preclude the potential for the future provision of a junction to provide a link road to the port of Tilbury and/or a service area with lorry parking facilities.</p>	<p>Design of the emergency access at the northern tunnel portal must not preclude the potential for the future provision of a junction to provide either/or a link road to the port of Tilbury which would allow motorists the opportunity to turn around and/or a motorway service area with lorry parking facilities.</p>	<p>This issue remains a Matter Not Agreed but could still be resolved at Examination if the design of the emergency access at the northern tunnel portal allows the potential to deliver a service area and/or Tilbury link road in the future. KCC recognises these may be delivered through RIS3 but is it important the design of the LTC allows for these future provisions.</p>

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15	Skills and Employment	SoCG Item Number: 2.1.30 2.1.31	<p>Local employment and procurement is a priority and KCC is keen for the scheme to use the local workforce, with apprenticeships and training provided.</p> <p>Whilst KCC welcomes the 'overarching objectives' listed in the Skills, Education and Employment (SEE) Strategy (APP-505) and broadly agrees with the associated 12 'key targets', for such a large project the numbers could be more ambitious. For example, 437 Apprentices in an expected total workforce of more than 20,000 is less than KCC's ambition for 2.5% of the workforce. Similarly KCC consider the targeted 350 training spaces for local communities over the life of the construction of the scheme unambitious and unlikely to deliver a significant impact within Kent. There is also concern that the large demand for people with construction (and engineering) skills from the Lower Thames Crossing will draw on a labour supply which is already facing shortages in many skills areas.</p>	<p>The SEES should be revised to increase the volume of apprentices to match either the previous statutory (although no longer) of 2.3% of the workforce as an example of best practice, or aim for funding of at least one apprentice per £1m of spend on labour on the scheme.</p> <p>The training target within the SEES should be revised from 350 to a more appropriate 500 spaces given the size of the scheme.</p> <p>Requirements should be made that:</p> <ul style="list-style-type: none"> - any training offered should directly link to available jobs and in respect of those jobs and associated apprenticeships, there should also be a clear progression route for new apprentices and existing staff to progress and further their careers within the scheme. - To support a centralised apprenticeship scheme, such as a flexi-jobs apprenticeship scheme or the lead contractor employing all apprentices to ensure that the volume of apprenticeships required can be offered. - To provide staff as tutors in shortage areas or provide funding to enable the education providers to offer financial incentives to support recruitment. <p>Capital funding, secured through the S106 Agreement, towards the construction of a skills hub to provide training, re-training and up-skilling for roles in the Lower Thames Crossing, its supply chain and other local building projects.</p>	<p>These issues remain Matters Not Agreed. It is understood the SEE Strategy is to be secured through the Stakeholder Actions and Commitments Register (SAC-R) but no changes have been made by the Applicant to address the concerns raised by KCC. These can still easily be resolved by revising the SEE Strategy.</p>
16	Open Space and Ancient Woodland – Shorne Woods Country Park	SoCG Item Number: 2.1.46 2.1.181 (DL-6)	<p>Widening of the A2 must not impact on Shorne Woods Country Park or result in the loss of woodland in the SSSI. Expansion must remain within the existing boundary. Further revisions to the requirements of construction and utility diversions have reduced the requirements for loss of ancient woodland, but new road crossings over the modified A2 will impact on the woodland within the SSSI. It is noted that the SSSI boundary extends to include Park Pale and an existing access road. There would also be impacts on woodland adjacent to Thong Lane.</p>	<p>Both KCC and Natural England have indicated that the loss of SSSI woodland along Thong Lane could be avoided if the footpath was to be relocated to the opposite side of the road. This amendment to the design should be considered to protect the SSSI woodland.</p> <p>A Requirement should be made that the Applicant must provide mitigation planting and maintenance of the new woodland that needs to be led by members of the Council's Country Parks team, as experts in their field. KCC estimates that two members of staff will need to be dedicated full time to deliver this mitigation and requires a commitment that associated costs would be covered by the Applicant.</p>	<p>These issues have been discussed throughout the Examination and are likely to be resolved by the time the Examination concludes.</p>
17	Socio-Economic Evidence - Impact on Community Assets	SoCG Item Number: 2.1.32 2.1.33 2.1.34 2.1.182 (DL-6)	<p>The use of land around Thong, and Riverview Park, for environmental mitigation is welcomed provided that it is appropriate to the character of the landscape. With this permanent acquisition of land for environmental mitigation, also comes with loss of the Southern Valley Golf club, and while this is unavoidable for the route and environmental mitigation around the new road is welcomed, the loss of leisure amenities should also be compensated with new facilities provided nearby.</p> <p>Where community assets/facilities are affected then suitable compensation should be arranged to offset the impact. For example, Shorne Woods Country Park is the county's most popular country park and a large proportion of its financial sustainability comes from car park income, particularly in school holidays and weekends, and other revenue streams such as education visits, shop, café, events, venue hire, log sales. The impact of lengthy diversions and congestion will impact on whether people visit or book Shorne Woods. In addition, the closure of Brewers Road bridge for any period would be significant for the park and have a large impact on visitor numbers as well as increasing traffic along local country lanes and through Shorne village.</p> <p>Where community assets/facilities are affected throughout the six year construction period then suitable compensation should be arranged to offset the impact. KCC wishes to see the Applicant work with local asset managers and owners, including Shorne Woods Country Park, to agree a sufficient monitoring strategy and mechanism to reimburse KCC for its demonstratable loss of income before, during and after construction of the LTC. KCC does not accept the Applicant deferring this matter to a future planning application for the new car park.</p>	<p>A commitment from the Applicant to reimburse KCC for its loss of income in relation to Shorne Woods Country Park, this should be assessed and paid on an annual basis.</p> <p>A commitment from the Applicant to fund a community engagement programme and to collaborate with KCC to produce a campaign to highlight what SWCP has to offer. The aim of this will be to inform and promote the SWCP from an educational and environmental standpoint. This will mitigate some of the negative impacts on the SWCP that will be caused by the Project.</p> <p>KCC will seek to secure these matters through Requirements if they cannot otherwise be agreed and secured by agreement with NH.</p>	<p>These issues have been discussed at length throughout the Examination. Discussions remain ongoing between KCC and the Applicant regarding the mechanism to secure necessary compensation (either s106 or side agreement) and the methodology to do so. It is hoped an agreement can be reached by the time the Examination concludes.</p>
18	Climate and Carbon	SoCG Item Number:	<p>The LTC should not disbenefit the efforts of local authorities and central government to improve air quality and achieve net-zero carbon. KCC have a</p>	<p>The Applicant should consider further their opportunities to mitigate this significant carbon impact, and a Requirement secured through the DCO that NH</p>	<p>These issue remains a matter under discussion. It is still KCC's</p>

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		2.1.37	<p>target for the entire county of Kent to be Net Zero by 2050. Whilst the position taken within the Environmental Statement is that the project is 'not significant' at a national level, the scale of emissions anticipated from LTC (both construction and operational) are highly significant at a Kent level and will inevitably disbenefit our net zero goals and any intention to play our part locally in meeting the legally binding goals of the Paris Agreement. The proposals do not set out how NH will mitigate the impacts of the LTC on KCC's climate ambitions, and obvious opportunities to do so have been missed.</p> <p>As it stands the proposals are inconsistent with DfT's Transport Decarbonisation Plan (2021) which expressly includes both modal shift and the infrastructure to support a transition to zero emission vehicles. LTC seeks to rely on the ambitions of the Transport Decarbonisation Plan for reducing exhaust emissions, but does not support the plan through the design principles. Electric vehicle charging infrastructure and prioritisation for buses would go some way to addressing this.</p> <p>Whilst KCC notes the inclusion of figures relating to the policy ambitions of the DfT's Transport Decarbonisation Plan, these figures remain ambitious and cannot form the basis of robust planning given the scale of policy implementation required to achieve them. The figures based on the TAG GHG emissions workbook and Emission Factor Toolkit version 11 (EFT v.11) should be the basis of expected carbon emissions from the project. Chapter 15 of the Environmental Statement (APP-153) is largely silent on compensation/mitigation relating to emissions, other than limited references to floodplain storage losses and nitrogen deposition compensation.</p>	should make provision for EV charging along the route, prioritising public transport and fully investigating cross river proposals for walking and cycling.	view that more could be done by the LTC to secure provision for EV charging along the route, prioritising public transport and fully investigating cross river proposals for walking and cycling.
19	Air Quality - A229 Blue Bell Hill	SoCG Item Number: 2.1.88 2.1.90	<p>Further detail is required on the level increase in traffic around the A229 Blue Bell Hill and other local roads in order to understand what the impacts are for other pollutants/particulates. Furthermore, there is a lack of clarity regarding the impact of the increasing traffic on the M20/Maidstone Air Quality Management Area (AQMA) or how the declared pollutant (which is Nitrogen Dioxide https://uk-air.defra.gov.uk/aqma/details?aqma_ref=1744#1373) levels will be impacted despite the affected network falling within the AQMA. Impact on the AQMA is not acceptable to KCC and further indicates a need to mitigate the traffic impact of LTC.</p> <p>KCC has submitted a bid for improvements to the A229 to be delivered through the Large Local Major (LLM) scheme programme with an objective to improve air quality, particularly in the Air Quality Management Area. However, the funding available will not be sufficient to mitigate the impact of increased strategic road network transferring between the M2 and M20 as a result of the LTC, therefore these impacts must be mitigated by National Highways.</p>	<p>KCC has developed an improvement scheme for the A229 Blue Bell Hill to mitigate the existing situation as exacerbated by the effects of the LTC.</p> <p>KCC is in the process of drafting appropriate wording for a Requirement to be added to the DCO which would provide reassurance that the impact of the LTC on the A229 Blue Bell Hill will be addressed by the Applicant. This is necessary because of the uncertainties around approval for the delivery of the Blue Bell Hill scheme through Large Local Majors (LLM) funding, as it is only at Outline Business Case stage. The Applicant should not rely on a scheme being delivered by a third party (the Local Highway Authority) with uncommitted funds from a separate government funding source (LLM) to mitigate the impacts of the Applicant's LTC scheme.</p>	Issues relating to Blue Bell Hill have been heavily discussed throughout the Examination. However, these issues still need to be resolved during the Examination to give KCC the assurance that impacts will be mitigated.
20	Heritage and Archaeology - Assessment	SoCG Item Number: 2.1.40 2.1.41	KCC is concerned that certain areas of the scheme have not been subject to archaeological field evaluation (APP-194) and there is a risk of unexpected archaeological discoveries, which may be of national importance. This is a particular concern in respect of the tunnel boring and development in the wetland	KCC has been having positive discussions with the Applicant regarding these issues and welcomed the changes made so far to the <i>Draft Archaeological Mitigation Strategy and Outline Written Scheme of Investigation v3.0</i> [REP6-045]. However, there are still further changes that will be needed before all the	These issues remain under discussion but positive progress has been made and it is hoped KCC's concerns can be fully

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		2.1.43 2.1.51 2.1.87 2.1.113 (DL-1) 2.1.173 (DL-6)	<p>areas of the scheme. Clarification is needed on how this issue is to be satisfactorily addressed. Some of this risk could be removed by undertaking the agreed evaluation during the EIP stage or before construction starts. KCC strongly recommends that this occurs and unnecessary delays to construction can then be avoided.</p> <p>The assessment of undesignated heritage assets and particularly those with archaeological interest has been reported within the ES Chapter 6. KCC understands that work is being completed to synthesise the large amounts of data. As noted in KCC's Written Representation that this new information should be added to the DCO documentation during the Examination process to help inform agreement of mitigation methods.</p> <p>KCC does not agree with the sensitivity rating in the assessment of historic landscapes. Reclaimed land, woodland, parkland and settlement are assessed as of being of Medium Value. Farmland, industry/infrastructure and military/defence are assessed as being of Low value. However, Kent County Council would recommend that when archaeological evidence is considered, these three categories should also be assessed as being of Medium rather than Low value.</p> <p>Final, detailed design for mitigation areas of landscape creation and planting, including Chalk Park, should take account of the results of archaeological investigations and a detailed understanding of setting of heritage assets. This work may reveal unknown heritage assets with archaeological interest and therefore flexibility may be required in the final design / location of landscape features such as ponds, planting etc. to allow for the preservation in situ of significant sensitive heritage assets.</p>	concerns we have raised with NH have been met. We will await a further revised version of this document at Deadline 7.	resolved by the final version of the <i>Archaeological Mitigation Strategy and Outline Written Scheme of Investigation</i> .
21	Heritage and Archaeology - Mitigation	SoCG Item Number: 2.1.41 2.1.139 2.1.171 (DL-6) 2.1.174 (DL-6)	<p>KCC considers that design refinement means that a limited number of heritage assets with archaeological interest could be preserved in situ. Where it is possible it is unclear whether there will be sufficient flexibility in the process of design and build, as well as the resources, to provide for combinations of meaningful preservation in situ (as required by the REAC CH006, 007 and 008 and in the Design Principles) and/or recording in advance of loss to mitigate impacts on archaeology.</p> <p>Non-designated organic deposits and remains of possible national importance that owe their significance to waterlogging are not adequately considered in the Environmental Statement nor in the draft Archaeological Mitigation Strategy and Outline Written Scheme of Investigation (AMS-OWSI) [Application Document APP-367]. Baseline monitoring for the hydrological environment of areas of impact is required to allow a model to be developed which can then be considered in relation to development proposals and so that appropriate mitigation by design and/or remedial works can be agreed upon.</p> <p>The historic landscape of Shorne Woods Country Park will be impacted by utilities works along the southern border. At present the Assessment Table (AS-052) (Asset 1311) Table 1.13 Non-designated built heritage assessment table: South of the River Thames, notes that Construction Mitigation will be 'best practice'. More detail on the exact approach to mitigation is required in the dAMS-OWSI. Likewise, in the north of the Project area more detail is required on the impact and mitigation that will be required for the Thames and Medway Canal (AS052) (Asset 1449) which it is proposed would have a ground protection shaft tunnel excavated in its base. At present it is stated in the ES (AS-044) that mitigation of negative impacts will include restoration of the canal and an archaeological watching brief because of the nature of the alluvial deposits in this area. KCC recommends the need for field evaluation in such cases to understand the impacts and to agree the appropriate mitigation.</p>	<p>The Applicant to provide specific additional detail in the Archaeological Mitigation Strategy and Outline Written Scheme of Investigation (AMS-OWSI) (APP-367) and Code of Construction Practice (APP-336) and any other relevant documents (such as site-specific Written Schemes of Investigation) where the construction process and associated mitigation works are defined. Types of detail will include:</p> <ul style="list-style-type: none"> - detailed plans of investigation areas and methodologies for investigative methods such as geophysical survey and trial trenching to define approaches to mitigation of impacts. - Detail recording where waterlogged deposits are likely to be encountered, what methods of investigation and mitigation will be employed, how hydrology will be monitored and the process for halting nearby works to agree stand-off distances. - Detail on the exact approach to mitigation in relation to the historic landscape of Shorne Woods Country Park along the southern border. - Confirmation and commitment to field evaluation to understand the impacts on and to agree appropriate mitigation in relation to the Thames Medway Canal (AS052). <p>The Applicant should be required to commit to the staged investigations and mitigation as set out in the ES (AS-044), dAMS-OWSI (APP-367), PDQM (APP-358), SPAA-&-RF, Annex F (APP-359) and relevant supporting project delivery documents and that updated versions of these documents are submitted for consideration during the examination process.</p> <p>Mitigation should take the form of a combination of preservation in situ (where possible) and where not, then detailed archaeological excavation, recording, analysis and reporting, as secured by the DCO Requirements (AS-038 Section 9). The Applicant should commit to finding options for preservation in situ where other high value heritage assets are identified.</p> <p>A monitoring regime should be agreed between the Applicant, KCC and Historic England for non-designated archaeological remains associated with organic deposits in the wetland areas.</p>	These issues remain under discussion but positive progress has been made and it is hoped KCC's concerns can be fully resolved by the final version of the <i>Archaeological Mitigation Strategy and Outline Written Scheme of Investigation</i> .

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22	Biodiversity Surveys	SoCG Item Number: 2.1.36 2.1.92 2.1.93 2.1.132 (DL-1) 2.1.133 (DL-1) 2.1.134 (DL-1) 2.1.178 (DL-6)	<p>The species surveys have not covered all habitats or species to fully assess the impact of the proposed development (for example moth surveys have not been conducted, all required bat emergence surveys not completed, bat activity surveys did not follow best practice guidelines and reptiles surveys do not appear to have been carried in all potentially suitable habitat areas), but does consider that survey data was sufficient.</p> <p>Additional information such as details around the survey approach and timetabling should be included within the DCO documents.</p> <p>The increase in emissions will potentially have an impact on vulnerable species of fungi, lichens and bryophytes as areas of the park that were buffered from the road will now potentially be exposed to higher levels of air pollution. More detailed surveys on lichens and bryophytes and invertebrates associated with the veteran trees should be carried out to better understand what the impact of the new development will be.</p>	<p>KCC understands the Applicant has committed to undertake updated surveys for all protected species as the current surveys are now three years old, and update the associated assessment from the results of the updated surveys – taking into account KCC’s comments on the assessment methodologies</p> <p>Mitigation strategies must be continuously updated following new survey results. In addition, a long term monitoring programme is needed to understand the impact of increased emissions on Shorne Wood Country Park and vulnerable species. This is to be secured through a Requirement of the DCO or the S106 Agreement.</p> <p>The Southern Valley Golf Course site must be managed and maintained by the Applicant during the timeframe of the DCO to ensure habitats do not improve as a result of fairways not being regularly cut.</p>	These issues remain under discussion but it is hoped they can be resolved during the remainder of the Examination.
23	Biodiversity – Impacts on Species	SoCG Item Number: 2.1.176 (DL-6) 2.1.183 (DL-6)	<p>KCC consider that insufficient information has been provided on impacts to species and requires further information from the Applicant in order to be able to review the full impact of the Project, including:</p> <ul style="list-style-type: none"> - The impacts on foraging/commuting bats could have been under-estimated due to habitats overall being assessed as moderate while some habitats (such as Ancient Woodland) provide high suitability for foraging/commuting habitat. The Applicant’s surveys have not fully assessed the significance of how bats commute across the A2/HS1 line. - Limited information has been provided on how badgers commute / forage through the site. KCC is unable to review the impact on commuting / foraging badgers and setts which are being retained outside of the Order Limits. 	Further clarification is required from the Applicant to resolved these issues within the remainder of the Examination.	These issues remain under discussion but it is hoped they can be resolved during the remainder of the Examination.
24	Biodiversity Net Gain (BNG)	2.1.127 (DL-1)	<p>KCC is concerned that the BNG calculations for the Project is anticipated to be lower than 3% for Kent. Trading rules have not been satisfied and thus the positive net gain scores south of the Thames will be invalid.</p> <p>Furthermore, there are concerns that condition assessment information may be inaccurate – a limitation the ecologists acknowledge. BNG has been discussed since the original DCO submission in 2020 so the applicant has had sufficient time to collect this information to support the BNG assessment.</p> <p>There is also no mention in document 6.3 appendix 8.21 – Biodiversity Metric Calculations (APP-417) about how additionality has been dealt with, with regards to protected species. For example, receptor sites for Great Crested Newts/reptiles should only be allowed within the calculations up to no net loss and it is not clear within the submission if this point has been addressed.</p> <p>KCCs concerns have remained unchanged following review of additional information provided to KCC’s Ecological Advice Service since submission of the Relevant Representation.</p>	The Applicant has been engaging with KCC Biodiversity Officers in relation to this issue. However, it is important that the BNG calculations are regularly reviewed and updated following new surveys results. The DCO should include a Requirement for the Applicant to undertake further work to ensure a minimum of 3% BNG can be achieved, but ultimately the Applicant should be aiming for 10%.	This issue remains under discussion but it is hoped they can be resolved during the remainder of the Examination.

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25	Environmental Mitigation - Maintenance	2.1.130 (DL-1) 2.1.131 (DL-1) 2.1.132 (DL-1) 2.1.133 (DL-1) 2.1.134 (DL-1) 2.1.175 (DL-6) 2.1.177 (DL-6) 2.1.179 (DL-6) 2.1.180 (DL-6)	<p>There is a need to ensure that proposed mitigation areas and habitat creation works will be managed in the short and long term. There is also a need to highlight that the habitats have to be retained long term and not lost as part of future developments (e.g. habitat creation as part of the mitigation for the High Speed 1 rail line is being lost as a result of this scheme).</p> <p>No information has been provided on how associated funding will be secured for implementing the management (short or long term) or. The open habitats, such as the meadows and chalk grassland will require minimal but very specific management on an annual basis.</p> <p>Woodlands are proposed to be created to mitigate the impacts of nitrogen deposition and there is a need to ensure they can be established, retained and managed in the long term. A number of the woodlands surveyed as part of this works were flagged up as not having any management and therefore as part of this process there is a need to question if further mitigation can be carried out through enabling management of some/all of those woodlands.</p> <p>Mitigation areas for reptiles need to be in a condition to support the species when required during the construction timetable. It is estimated that the receptor site identified for reptiles will take 10 years to be in a condition to support the species. Insufficient information has been submitted with the DCO demonstrating the proposed receptor sites would be able to support the reptile/GCN populations. Meetings with the Applicant's project team have confirmed that there is sufficient capacity but it is not demonstrated within the submitted documents.</p> <p>The impact on water voles is identified as neutral, pending protection of retained water course/habitat during construction of the Project. Translocation of water voles also must be required, and habitats must be established sufficiently prior to commencing construction works.</p>	<p>The Applicant needs to include clear details on how replacement habitats will be created and managed, including:</p> <ul style="list-style-type: none"> - confirming that translocation of water voles will be conducted - protection of retained water course / habitat during construction - replacement bat roosts will be located in an area where connectivity and foraging will be retained/maintained - proposals to manage land to support wintering birds associated with the SPA during construction - who will be responsible for management and any associated funding within the Landscape Ecology Management Plan (LEMP). Long term management plans should reflect the time it takes for a site to become established. Management plans should also be revised when necessary throughout their timeframe. <p>The Applicant should be required to produce a clear Reptile Mitigation Strategy Plan, showing distribution of different species of reptiles, proposed displacement areas, proposed translocation and receptor areas for each species.</p> <p>Should these matters not be resolved at Examination, KCC will seek to secure them through Requirements or agreements.</p>	This issue remains under discussion between KCC and the Applicant but it is hoped they can be resolved during the remainder of the Examination.
26	Environmental Mitigation – Terrestrial Biodiversity	SoCG Item Number: 2.1.34 (DL-1)	<p>KCC is concerned that the proposals state that “a minimum of 30 individual specimen trees would be planted as replacement for lost veteran trees”. The County Council also has concerns that 30 trees is not sufficient for the loss of veteran trees.</p> <p>A detailed plan should be provided outlining where ancient woodland soil will be moved to.</p>	<p>A thorough management plan is required to manage the loss of veteran trees. Should this matter not be resolved at Examination, KCC will seek to secure it through a Requirement or agreement.</p> <p>This should include a requirement to retain standing deadwood should be agreed by the Applicant. For example, to ensure that all dead wood must not be left in log piles and should instead be strapped to felled mature trees to support invertebrate diversity.</p>	This issue remains under discussion between KCC and the Applicant but it is hoped they can be resolved during the remainder of the Examination.

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26	HEqIA	SoCG Item Number: 2.1.60 2.1.61 2.1.140 2.1.161 (DL-6)	<p>The LTC project could increase health inequalities particularly around physical activity, access to open space and air quality without further mitigations being in place. Reducing health inequalities does not appear to be a consideration for the LTC despite the project objective being to minimise impacts on health and the governments levelling up agenda.</p> <p>Current mitigation appears to focus on Riverview and Shorne areas which have low levels of deprivation and generally perform above Kent and England averages on a number of PHOF indicators, however we would like to see a proportional universalism approach with mitigation being greater in particular in areas of deprivation and with higher levels of health inequality.</p> <p>Whilst it is positive that air quality is likely to improve in Kent as a result of the scheme, particularly in and around Dartford, not mitigating against increases in worsening air quality in certain areas will likely increase health inequalities. To not monitor air quality, particularly in areas which are expected to experience increases in air pollution and have a greater number of vulnerable residents who are more susceptible to health problems caused by air pollution, is disappointing.</p> <p>Areas of concern where there are predicted increases in air pollution due to LTC include:</p> <ul style="list-style-type: none"> •Higham ward •Shorne, Cobham and Luddesdown •Singlewell •Riverview •Westcourt •Chalk •Aylesford North and Walderslade •Snodland East and Ham Hill <p>All these areas have higher than average numbers of people who are more susceptible to health problems caused by air pollution yet despite an increase in air pollution predicted to be caused by the LTC no mitigations or monitoring have been suggested.</p>	<p>Interventions are required to mitigate loss and/or prolonged closure of PRoWs and access to open space during in particular the construction phase for residents of Westcourt and Riverside wards. Effects of the construction on leisure/recreation PRoW use needs to be monitored effectively during the construction period. These interventions are to be secured either through a Requirement of the DCO or the S106 Agreement.</p> <p>Additionally as a minimum provide monitoring equipment for areas in which air pollution is due to increase due to the impact of the LTC.</p> <p>The Applicant must monitor the changes in air quality resulting from construction and operation of the Project and then assess the impact that this has on human health.</p>	<p>This issue remains under discussion between KCC and the Applicant but it is hoped they can be resolved during the remainder of the Examination.</p>
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27	Additional Issues Associated with the draft DCO and Highways Related Documents	2.1.114 (DL-1) 2.1.115 (DL-1) 2.1.116 (DL-1) 2.1.112 (DL-1) 2.1.158 (DL-6) 2.1.159 (DL-6)	<p>The issues raised regarding omissions within the draft DCO and highways related and other documents prevent KCC from being able to agree/disagree certain matters with the Applicant, as KCC requires adequate information in order to form a proper view. This is clearly unfortunate and KCC has tried to engage positively with the Applicant in resolving these issues.</p> <p>In addition to the issues above, greater clarity will be required from the Applicant on a range of important issues, including, for example:</p> <ul style="list-style-type: none"> • KCC needs to understand precisely which parts of the authorised development will be transferred to it as highway authority (e.g. roads, bridges, LEMP works etc). • KCC needs to see a table/matrix of Schedule 3 Part 5 (list of road closures, classification of roads) and Schedule 1 (relevant part of the authorised development) to assist with understanding which parts of authorised development are to be transferred to KCC in order to inform any discussions and agreements. • KCC needs to understand clearly which roads in the Classification of Roads Plan (APP-041) relate to what Authorised Works and what works and new assets KCC will ultimately be responsible for. • KCC considers that the Applicant has not addressed the issue of undertaking the KCC Technical Approval Procedure. • The Applicant states that the Control Plan (referenced in APP-003), which is effectively the mitigation 'route map', is a non-statutory framework of documents, some of which are in the application and others which will be completed as secured by DCO requirements following consent. However, there is a clear gap in the DCO in terms of implementation of mitigation and the relationship of the documents identified within the Control Plan is not clear. • The discharge of requirements under the DCO will also place a very considerable resource burden on KCC as a relevant highway authority. • There is lack of consistency within the DCO documentation. For example, the defined 'project areas' and archaeological mitigation works (field evaluation, archaeological excavation etc) outlined in Chapter 2 (Project Description) of the Environmental Statement (APP-140) does not appear, for example, to be consistent with the areas defined in the draft AMS-OWSI (APP-367) • Article 17 (traffic regulation – local roads) – This Article allows National Highways to make/suspect traffic regulation orders on local roads, with the consent of the local highway authority. By Article.17(11), if the Local Highway Authority does not respond within 28 days of an application, then it is deemed to have agreed. KCC does not accept this timescale. In the normal course of business we would require 12 weeks (this is the application period for a Temporary Traffic Regulation Order (TTRO)) to create an order prior to its start date. KCC requests that this 12 week time period is retained. However, if the 28 day consultation is the start of a 12 week lead in time then it is adequate (8 weeks for National Highways to draw up and advertise its order), although clarification on this point is required. <p>KCC has also noticed DCO drafting issues in the draft DCO. The above examples illustrate where the application documents are currently inadequate, but the issues are not limited to the above examples. Furthermore, once further information / clarification is provided, as requested above, additional issues may arise on the draft DCO and other documents which will require input from KCC so it can be satisfied its concerns have been adequately addressed.</p>	<p>Further information and clarification on a number of the DCO documents need to be provided before it can be satisfied that KCC's concerns have been adequately addressed.</p> <p>National Highways have agreed to provide Officer Contributions through a S106 Agreement with KCC which would seek to cover the cost of KCC having to resource additional work related to the detailed design process, issuing of certificates, road safety audits and site inspections etc.</p> <p>KCC continues to support the London Borough of Havering's draft Highways Protective Provisions and would encourage these to be included within the DCO. Currently the Applicant's Protective provisions at Schedule 14 Part 11 addresses the matters raised by Local Highway Authorities only partially.</p>	<p>These issues have been discussed throughout the Examination and remain under discussion. It is hoped the Applicant and the Local Highways Authorities can agree appropriate Protective Provisions during the remainder of the Examination.</p>
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28	Transport Impacts – Road Safety	SoCG Item Number: 2.1.119	<p>Transport Assessment (APP-529), Plate 9.3, Spatial distribution of accidents by value over 60 years, indicates a negative impact of the Project on road safety on the A226, A227, A228 and A229.</p> <p>KCC note that the Applicant's COBA-LT accident analysis uses default link rates for the local road network, but junctions do not appear to be assessed. KCC note that even with this omission, the analysis identifies (in Plate 9.3) increases in traffic volumes and accident costs forecast with the LTC for the A227, A228 and A229. All these roads have a significant history of severe collisions, as evidenced by the Applicant's historic junction accident analysis in Plate 9.5 (and confirmed by a similar Kent County Council's analysis).</p> <p>KCC consider that if the COBA-LT analysis had been completed for junctions as well as road links, the A227 and A228 in particular, with their many at-grade junctions, would likely incur significantly higher costs / safety impacts.</p> <p>Potential impacts on road safety traffic are currently able to be quantified.</p>	<p>KCC requests that National Highways mitigate these impacts by supporting Kent County Council's Vision Zero initiatives.</p> <p>A Requirement that National Highways must carry out an International Road Assessment Programme (iRAP) scenario assessment of the Project itself, together with local routes demonstrating a casualty cost as a result of the Project (A226, A227, A228 and A229), and undertake works required to mitigate the adverse safety impacts of such assessment.</p>	<p>This issue remains under discussion but it is hoped they can be resolved during the remainder of the Examination.</p>
29	Surface Water Flooding and Drainage Impacts	SoCG Item Number: 2.1.144 2.1.154 (DL-1)	<p>Whilst the majority of watercourses affected by the proposals are under the remit of the Environment Agency or Lower Medway Internal Drainage Board, there are some within the vicinity of Shorne and any works to these which could affect the watercourse or ditch's ability to convey water will require KCC's formal flood defence consent (including culvert removal, access culverts and outfall structures).</p> <p>KCC as the LLFA requires clarification on the methodology used in relation to the Flood Risk Assessment (APP-465) in relation to the departure stated by the Applicant on peak rainfall intensities, and considers that given that the requirement is for a 35% uplift to be applied to the 30 year event and that this is above the 5% accepted departure (being that no uplift has been applied to the 30 year event) there is a possible negative impact to the Local Area whereby the risk of flooding could be increased due to the recommend climate change uplift factor not being applied to the 1 in 30 year critical rainfall event.</p> <p>KCC considers that additional information is required to enable it as the Lead Local Flood Authority to accept the impacts that the Project will generate.</p>	<p>Engagement between the Applicant and KCC's Drainage team has taken place and further information has been provided upon request.</p>	<p>These matters have now been agreed following direct engagement between the Applicant and KCC's Drainage team.</p>