

Lower Thames Crossing

5.4 Statements of Common Ground

APFP Regulation 5(2)(q)

Infrastructure Planning (Applications:
Prescribed Forms and Procedure)
Regulations 2009

Volume 5

DATE: October 2022

Planning Inspectorate Scheme Ref: TR010032
Application Document Ref: TR010032/APP/5.4

VERSION: 1.0

Lower Thames Crossing

Application Document 5.4 Statements of Common Ground

Errata

The note under Table 3.1 states that a number of document ref numbers have not been used in the application and thus not referenced in the table. This is incorrect for document ref 5.4.3.4 which has now been included in the submission. This is the Statement of Common Ground between (1) National Highways and (2) Cellnex.

Table 3.1 should also include the following:

Cohort	Document Reference	Stakeholder	SoCG Status
Statutory Undertakers, Utility Owners, and Regulator	5.4.3.4	Cellnex UK Limited	Draft Agreed

It should be noted the Statement of Engagement (Application Document 5.2) and Statement of Commonality (Application Document 5.3) have not been updated to include this inclusion.

Lower Thames Crossing

5.4 Statements of Common Ground

List of contents

		Page number
1	Introduction	1
1.1	Purpose of this document	1
1.2	The Project	1
1.3	Statements of Common Ground Strategy	4
2	Purpose and Structure	5
3	List and Status at Application	6
3.2	Status Of Matters	8
3.3	Common Issues	11

List of plates

	Page number
Plate 1.1 Lower Thames Crossing route	3
Plate 3.1 Overview of the Position of Matters across each cohort	9

List of tables

	Page number
Table 3.1 List of SoCGs at Application	6
Table 3.2 Summary of the status of matters in each SoCG	9

1 Introduction

1.1 Purpose of this document

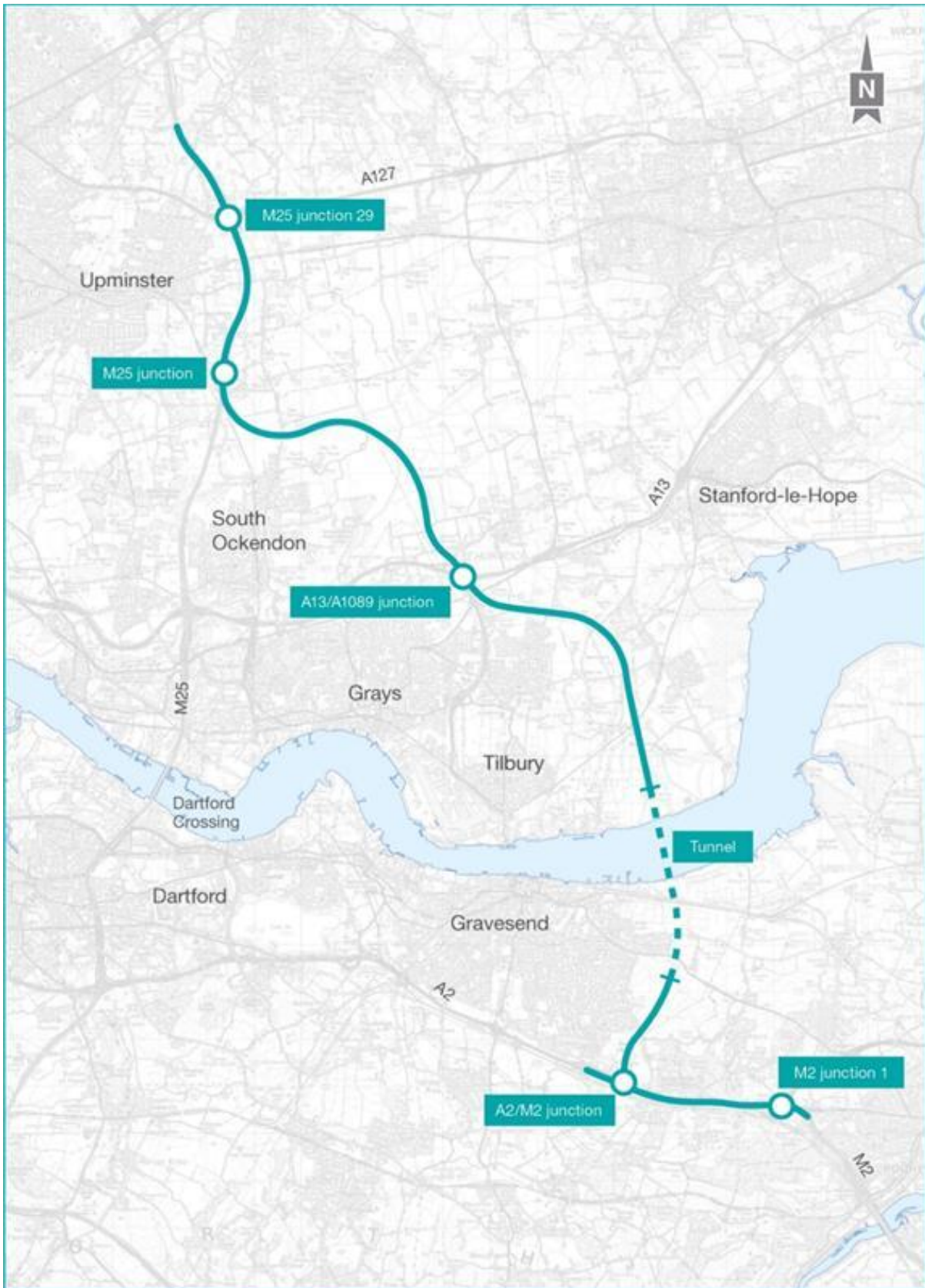
- 1.1.1 National Highways (the Applicant) has submitted an application under section 37 of the Planning Act 2008 for an order to grant development consent for the A122 Lower Thames Crossing (the Project).
- 1.1.2 A number of Statements of Common Ground (SoCG) are submitted as part of the application to assist the Examining Authority (ExA) in providing a snapshot in time of engagement with a number of stakeholders.
- 1.1.3 This document describes the overall approach to developing the SoCGs and provides a list of those submitted as part of the application.
- 1.1.4 The Project has been developed and designed following extensive engagement and consultation with stakeholders over several years. For more information on the approach to engagement with our stakeholders, refer to the Statement of Engagement (Application Document 5.2).

1.2 The Project

- 1.2.1 The Project would provide a connection between the A2 and M2 in Kent and the M25 south of junction 29, crossing under the River Thames through a tunnel. The Project route is presented in Plate 1.1.
- 1.2.2 The A122 would be approximately 23km long, 4.25km of which would be in tunnel. On the south side of the River Thames, the Project route would link the tunnel to the A2 and M2. On the north side, it would link to the A13, M25 junction 29 and the M25 south of junction 29. The tunnel portals would be located to the east of the village of Chalk on the south of the River Thames and to the west of East Tilbury on the north side.
- 1.2.3 Junctions are proposed at the following locations:
 - a. New junction with the A2 to the south-east of Gravesend
 - b. Modified junction with the A13/A1089 in Thurrock
 - c. New junction with the M25 between junctions 29 and 30
- 1.2.4 To align with National Policy Statement for National Networks (Department for Transport, 2014) policy and to help the Project meet the Scheme Objectives, it is proposed that road user charges would be levied in line with the Dartford Crossing. Vehicles would be charged for using the new tunnel.
- 1.2.5 The Project route would be three lanes in both directions, except for:
 - a. link roads
 - b. stretches of the carriageway through junctions
 - c. the southbound carriageway from the M25 to the junction with the A13/A1089, which would be two lanes

- 1.2.6 In common with most A-roads, the A122 would operate with no hard shoulder but would feature a 1m hard strip on either side of the carriageway. It would also feature technology including stopped vehicle and incident detection, lane control, variable speed limits and electronic signage and signalling. The A122 design outside the tunnel would include emergency areas. The tunnel would include a range of enhanced systems and response measures instead of emergency areas.
- 1.2.7 The A122 would be classified as an ‘all-purpose trunk road’ with green signs. For safety reasons, walkers, cyclists, horse riders and slow-moving vehicles would be prohibited from using it.
- 1.2.8 The Project would include adjustment to a number of local roads. There would also be changes to a number of Public Rights of Way, used by walkers, cyclists and horse riders. Construction of the Project would also require the installation and diversion of a number of utilities, including gas pipelines, overhead electricity powerlines and underground electricity cables, as well as water supplies and telecommunications assets and associated infrastructure.
- 1.2.9 The Project has been developed to avoid or minimise significant effects on the environment. The measures adopted include landscaping, noise mitigation, green bridges, floodplain compensation, new areas of ecological habitat and two new parks.

Plate 1.1 Lower Thames Crossing route



1.3 Statements of Common Ground Strategy

- 1.3.1 In March 2015, guidance was issued by the then Department for Communities and Local Government (DCLG) on the examination of applications for development consent and paragraphs 58-65 deal with SoCGs. The guidance indicates that “A statement of common ground is a written statement prepared jointly by the applicant and another party or stakeholders, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached”.
- 1.3.2 The guidance also indicates that the government believe SoCGs help the examining authority focus on any material differences between the stakeholders. It is advised that applicants should start to work with relevant statutory consultees to agree SoCGs during the pre-application period and should aim to have reached an initial agreement in the pre-examination period.
- 1.3.3 Planning Inspectorate Advice Note 2 contains advice in section 22 on the importance of SoCGs and states that it is beneficial to work proactively on SoCGs in the pre-application and pre-examination period. The relevant local authorities are particularly mentioned as organisations that applicants should look to agree SoCGs with.
- 1.3.4 Following this guidance and advice the Project has proactively started the process of drafting and agreeing SoCGs with a number of stakeholders.
- 1.3.5 The preparation and agreement of SoCGs is an iterative process and it is usual for the SoCGs to be developed with and issued in draft to stakeholders, and updated several times, before a final statement is agreed by the end of the examination period.
- 1.3.6 The matters table contained with the SoCGs have been populated using relevant consultation responses, Excel based trackers and outcomes of applicable meetings and conversations and have, in most cases, been the subject of back-and-forth engagement for many months. In the weeks ahead of application these matters were transferred from individual bespoke trackers into a templated SoCG to provide consistency to help the ExA.
- 1.3.7 It is acknowledged that because the SoCGs have been produced prior to application, there are large number of matters that will remain under discussion until post application when the stakeholders will have had the opportunity to conduct a review of the application documents, notably the Draft DCO and the Environmental Statement. Following this it is expected that many matters can move to an agreed position.
- 1.3.8 Matters that remain under discussion following that review will be the subject of pre-examination engagement where the Applicant will continue to engage with the stakeholders to close out as many matters as possible in advance of the examination.
- 1.3.9 Updated SoCGs will be submitted in accordance with requests from the ExA and the examination timetable.

2 Purpose and Structure

- 2.1.1 The purpose of an SoCG is to capture the respective stakeholders' positions on material matters relating to the application. The SoCGs include material matters raised through the course of a consultation and engagement programme in the lead up to the submission of the DCO application.
- 2.1.2 A full list of the SoCGs submitted and their status at application is provided in Chapter 3.
- 2.1.3 To ensure consistency across the SoCGs, a uniform approach has been taken to drafting the SoCGs. Each is generally structured as follows:
- a. An introduction, setting out the purpose of the document, the parties to which the SoCG is prepared in respect of, the key terminology, and confirmation of the status of the SoCG;
 - b. A table setting out the characterisation of the positions of the Applicant and of the stakeholder on each Matter, and the status of agreement of the Matter. Across the SoCGs this table is structured by a common list of topics;
 - c. A summary of engagement undertaken and information shared in order to draft the position and reach an agreed status of Matters within the SoCG; and
 - d. Where available, appendices providing additional information relating to the documents considered within the SoCG, and information on the engagement undertaken.
- 2.1.4 A uniform approach has been taken across the suite of SoCGs to document the position on each matter. The position on each matter can be one of the following:
- a. Matter Agreed
 - b. Matter Not Agreed
 - c. Matter Under Discussion
- 2.1.5 All SoCGs follow this format.

3 List and Status at Application

- 3.1.1 The Applicant has prepared SoCGs with a number of statutory consultees, including statutory undertakers, and others who are expected to become interested stakeholders in the lead up to the DCO application submission.
- 3.1.2 This Chapter of the document provides a list of those SoCGs and a summary of the current status of each.
- 3.1.3 Table 3.1 provides the status of each SoCG which is summarised by one of the following:
- a. **Agreed** – the final version of the SoCG has been signed by both parties and there are no matters outstanding;
 - b. **Draft Agreed** - a draft SoCG with matters outstanding which has been signed by the stakeholder to confirm it is an accurate description of the matters raised and the current status of each matter but there remain matters outstanding which are yet to be agreed, and engagement continues on these. In most cases, the matters outstanding have clear, defined actions to resolve; or
 - c. **Draft** – a draft SoCG with matters outstanding and is unsigned. The draft SoCG has been drafted by the Applicant but the stakeholder has not yet been able to complete their review in line with their governance process. The Applicant considers that these SoCGs present an accurate description of the matters raised and the status of each matter, based on the engagement that has taken place to date.

Table 3.1 List of SoCGs at Application

Cohort	Document Reference	Stakeholder	SoCG Status
Statutory Environmental Bodies	5.4.1.1	Environment Agency	Draft Agreed
	5.4.1.2	Forestry Commission	Draft Agreed
	5.4.1.3	Historic England	Draft
	5.4.1.4	Kent Downs AONB Unit	Draft Agreed
	5.4.1.5	Marine Management Organisation	Draft Agreed
	5.4.1.6	Natural England	Draft Agreed
	5.4.1.7	Port of London Authority	Draft
Business and Industry	5.4.2.1	DP World London Gateway	Draft Agreed

Cohort	Document Reference	Stakeholder	SoCG Status
	5.4.2.2	Port of Tilbury London Limited	Draft
	5.4.2.3	Thurrock Power Limited	Draft
Statutory Undertakers, Utility Owners, and Regulator	5.4.3.2	Barking Power Limited	Draft
	5.4.3.3	Cadent Gas Limited	Draft
	5.4.3.6	Essex and Suffolk Water	Draft Agreed
	5.4.3.8	EXA Infrastructure (previously known as GTT)	Draft Agreed
	5.4.3.9	Health and Safety Executive	Draft
	5.4.3.10	HS1 Limited	Draft
	5.4.3.14	Network Rail Infrastructure Limited	Draft
	5.4.3.15	NextGen Access	Draft
	5.4.3.16	Openreach Limited (including providers such as British Telecommunications)	Draft
	5.4.3.17	Royal Mail	Agreed
	5.4.3.18	Southern Gas Networks plc	Draft Agreed
	5.4.3.21	UK Power Networks	Draft Agreed
	5.4.3.22	Verizon UK Limited (also known as Edgecast Networks)	Draft Agreed
	5.4.3.23	Virgin Media Limited	Draft Agreed
	5.4.3.24	Vodafone Limited	Draft
5.4.3.25	Zayo Group UK Limited	Draft Agreed	
Local Authority and Transport Bodies	5.4.4.1	Basildon Council	Draft Agreed
	5.4.4.2	Brentwood Borough Council	Draft Agreed
	5.4.4.3	Dartford Borough Council	Draft Agreed
	5.4.4.5	Essex County Council	Draft Agreed
	5.4.4.6	Gravesham Borough Council	Draft
	5.4.4.7	Kent County Council	Draft
	5.4.4.8	London Borough of Havering	Draft
	5.4.4.10	Medway Borough Council	Draft Agreed

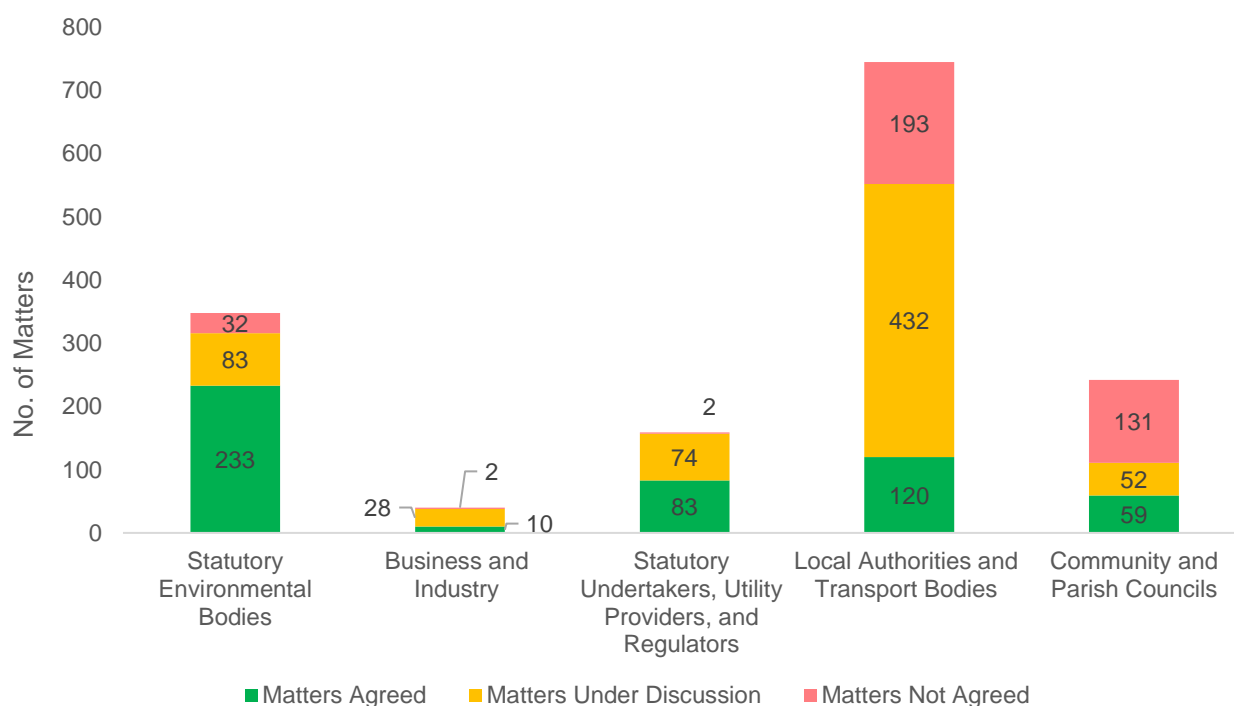
Cohort	Document Reference	Stakeholder	SoCG Status
	5.4.4.11	Transport for London	Draft Agreed
	5.4.4.12	Thurrock Borough Council	Draft
	5.4.4.13	Tonbridge & Malling Borough Council	Draft Agreed
Community and Parish Councils	5.4.5.1	Cobham Parish Council	Draft Agreed
	5.4.5.2	Forestry England	Draft Agreed
	5.4.5.3	Higham Parish Council	Draft Agreed
	5.4.5.4	Shorne Parish Council	Draft Agreed
	5.4.5.5	Thames Chase Trust	Draft Agreed

Table 3.1 note: the following document ref numbers have not been used in the application and thus not referenced in this table – 5.4.3.1, 5.4.3.4, 5.4.3.5, 5.4.3.7, 5.4.3.11, 5.4.3.12, 5.4.3.13, 5.4.3.19, 5.4.3.20 5.4.4.9 and 5.4.4.9

3.1.4 The Applicant may develop further SoCGs with additional stakeholders to those listed above as appropriate and will keep the ExA updated on proposed changes.

3.2 Status Of Matters

3.2.1 To assist the ExA, Plate 3.1 presents the distribution of matters under each of the three positions for each cohort.

Plate 3.1 Overview of the Position of Matters across each cohort

3.2.2 To further assist the ExA, Table 3.2 has been produced to set out the distribution of matters under each of the three positions for each individual SoCG submitted with the application.

Table 3.2 Summary of the status of matters in each SoCG

Cohort	Stakeholders	Number of Matters	% Matters Agreed	% Matters Under Discussion	% Matters Not Agreed
Statutory Environmental Bodies	Environment Agency	73	92%	5%	3%
	Forestry Commission	15	73%	13%	13%
	Historic England	41	93%	7%	0%
	Kent Downs AONB Unit	35	60%	14%	26%
	Marine Management Organisation	25	84%	8%	8%
	Natural England	100	63%	32%	5%
	Port of London Authority	59	20%	59%	20%
	Totals	348	67%	24%	9%
Business and Industry	DP World London Gateway	4	0%	100%	0%
	Port of Tilbury London Limited	31	19%	74%	6%

Cohort	Stakeholders	Number of Matters	% Matters Agreed	% Matters Under Discussion	% Matters Not Agreed
	Thurrock Power Limited	5	80%	20%	0%
	Totals	40	25%	70%	5%
Statutory Undertakers, Utility Owners, and Regulator	Barking Power Limited	9	44%	56%	0%
	Cadent Gas Limited	10	70%	30%	0%
	Essex and Suffolk Water	13	46%	54%	0%
	EXA Infrastructure (previously known as GTT)	9	56%	44%	0%
	Health and Safety Executive	3	67%	33%	0%
	HS1 Limited	18	44%	50%	6%
	Network Rail Infrastructure Limited	10	60%	30%	10%
	NextGen Access	2	100%	0%	0%
	Openreach Limited (including providers such as British Telecommunications)	11	73%	27%	0%
	Royal Mail	3	100%	0%	0%
	Southern Gas Networks plc	19	16%	84%	0%
	UK Power Networks	21	25%	75%	0%
	Verizon UK Limited (also known as Edgecast Networks)	10	70%	30%	0%
	Virgin Media Limited	6	67%	33%	0%
	Vodafone Limited	6	83%	17%	0%
	Zayo Group UK Limited	9	89%	11%	0%
	Totals	159	53%	45%	1%
Local Authority and Transport Bodies	Basildon Council	9	67%	33%	0%
	Brentwood Borough Council	20	20%	65%	15%
	Dartford Borough Council	9	89%	11%	0%
	Essex County Council	31	35%	48%	16%
	Gravesham Borough Council	146	6%	71%	23%
	Kent County Council	97	7%	73%	20%

Cohort	Stakeholders	Number of Matters	% Matters Agreed	% Matters Under Discussion	% Matters Not Agreed
	London Borough of Havering	75	15%	73%	12%
	Medway Borough Council	20	40%	60%	0%
	Transport for London	31	16%	71%	13%
	Thurrock Borough Council	285	16%	43%	41%
	Tonbridge & Malling Borough Council	22	23%	59%	18%
	Totals	745	16%	58%	26%
Community and Parish Councils	Cobham Parish Council	46	54%	9%	37%
	Forestry England	20	40%	40%	20%
	Higham Parish Council	44	14%	0%	86%
	Shorne Parish Council	108	6%	32%	62%
	Thames Chase Trust	24	58%	21%	21%
	Totals	242	24%	21%	54%
Overall	1534	33%	43%	23%	

3.3 Common Issues

- 3.3.1 A Statement of Commonality (Application Document 5.3) has been produced which shows the common themes and issues across the stakeholders listed in Table 3.1.
- 3.3.2 The Statement of Commonality is a “live” document and will be updated through the post-submission and examination process in order to reflect changes made within the SoCGs through ongoing discussions with the stakeholders.

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Registered office Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ

National Highways Company Limited registered in England and Wales number 09346363