

Lower Thames Crossing

9.174 Deadline 7 Hearing Actions

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1 Introduction

1.1 Introduction and Purpose

- 1.1.1 The Examining Authority issued Action Points for the hearings held between 17 October 2023 and 24 October 2023. These are:
- a. Actions Points [\[EV-056\]](#) from Compulsory Acquisition Hearing (CAH) 3 held on 17 October 2023
 - b. Actions Points [\[EV-061\]](#) from CAH4 held on 18 October 2023
 - c. Action Points [\[EV-068\]](#) from Issue Specific Hearing (ISH) 8 on Construction and Operational Effects (not traffic) held on 19 October 2023
 - d. Action Points [\[EV-075\]](#) from ISH 9 on Environment and Biodiversity held on 23 October 2023
 - e. Action Points [\[EV-082\]](#) from ISH10 on Traffic and Transportation held on 24 October 2023
- 1.1.2 The Action Points included a number of Action Points required to be submitted at Deadline 7. In addition to this, there were several action points for Deadline 6 which were deferred to Deadline 7. These are contained within this document.
- 1.1.3 The structure of this document is as follows:
- a. Section 2 – contains CAH3 Actions
 - b. Section 3 – contains CAH4 Actions
 - c. Section 4 – contains ISH8 Actions
 - d. Section 5 – contains ISH9 Actions
 - e. Section 6 – contains ISH10 Actions

2 CAH3 Actions

2.1 Introduction

2.1.1 This section contains the Deadline 7 actions for the CAH3 Hearing [[EV-056](#)].

2.2 Hearing Action Point 2 Cascades Leisure Centre Playing Fields and Golf Facilities

2.2.1 Hearing Action Point 2 requests “*Please provide final positions in relation to Action 1, setting out matters agreed and matters not agreed and requiring adjudication*”.

2.2.2 The Applicant and Gravesham Borough Council (GBC) have continued to constructively engage on the replacement recreational land proposed to compensate for the loss of the closed 9-hole golf course (plot 13-09 on Land Plan Sheet 13 of Land Plans Volume B (Sheets 1 to 20) [[REP5-006](#)]) at Gravesend Golf Centre.

2.2.3 The Applicant and GBC met on Monday 6 November 2023 to discuss the Applicant’s financial offer in lieu of compensation as a contribution towards delivering a solution that meets the operational requirements of GBC, in the context of the wider development aspirations for Cascades Leisure Centre, a well as those of Swing Rite Golf Limited, which operates Gravesend Golf Centre. Following discussions, the Applicant revised its offer which has now been agreed with GBC subject to contract.

2.2.4 The Applicant and GBC case leads met again on 8 November 2023 to discuss terms and conditions and agree next steps. Both parties agreed to negotiate terms with the intent of formalising an agreement prior to the end of examination.

2.3 Hearing Action Point 8 PoTLL: Plot 21-10

2.3.1 Hearing Action Point 8 requests “*Please investigate and provide final positions on the removal of plot 21-10 from the application*”.

2.3.2 The Applicant has agreed with Port of Tilbury London Limited the removal from the Project’s Order Limits of two areas of hardstanding, situated within plot 21-10, equating to a total reduction of 4,734 sqm.

2.3.3 The Applicant is submitting the documents identified in Table 1 at Deadline 7 to reflect this update:

Table 2.1 Documents submitted at Deadline 7 in response to removal of Plot 21-10

Document number	Document title
2.1	Location Plan
2.2	Land Plans
2.3	Crown Land Plans
2.4	Special Category Land Plans
2.5	General Arrangements
2.6	Works Plans
2.7	Rights of Way and Access Plans
2.8	Streets Subject to Temporary Restrictions of Use Plans
2.9	Engineering Drawings and Sections
2.10	Traffic Regulation Measures Plans
2.11	Classification of Roads Plans
2.13	Structures Plans
2.16	Drainage Plans
2.17	Temporary Works Plans
2.18	Hedgerow and Tree Preservation Order Plans
4.1	Statement of Reasons
4.2	Book of Reference

2.4 Hearing Action Point 9: PoTLL Side Agreements / Framework Agreement

- 2.4.1 Hearing Action Point 9 requests *“Please provide an update on progress with side agreements /a framework agreement. Please document progress including setting out the equivalent of Heads of Terms that are relevant for the ExA/SoS to be aware of. If these are agreed, then the SoCG/ PADS process should also record agreement and evidence of agreement should be provided.”*
- 2.4.2 The Applicant continues to work with the Port of Tilbury London Limited on a Framework Agreement. This Framework Agreement will supplement those matters addressed by the Protective Provisions within the draft Development Consent Order [[REP6-010](#)], or other land agreements many of which are already in place.
- 2.4.3 Among other matters the following headings are proposed to be covered within the Framework Agreement:
- a. Working Groups to manage key interfaces between PoTLL and National Highways
 - b. Matters relating to construction traffic, including:
 - i. working arrangements for traffic movements within the Port of Tilbury, Tilbury 2 and other land owned by PoTLL

- ii. a protocol relating to construction traffic movements that could impact on access to the Port of Tilbury, Tilbury2 or other developments that PoTLL bring forward within the Tilbury area of the Thames Freeport
- c. Matters relating to the proposed utilities works
- d. Matters relating to land reinstatement, including the haul road
- e. Matters relating to the design and maintenance of the boundary between National Highways land and land owned by PoTLL
- f. Matters relating to the supply of aggregates to northern tunnel construction compound.
- g. Matters relating to security of the Port undertaking, including Port operational security requirements, incident management, emergency response, and evacuation plans.

2.5 Hearing Action Point 12 Orsett Golf Club

- 2.5.1 Hearing Action Point 12 requests “*Please provide an update including final positions and progress on discussions/ agreement/ outstanding issues. Identify matters for adjudication.*”
- 2.5.2 A report was shared with the Golf Club on 2 November 2023 that has been prepared on behalf of the Applicant by a golf club specialist. The report sets out the potential impacts of the new road on the golf course and evaluates the mitigation measures that the club has proposed. A meeting was held between the Applicant and the Club’s agent, Colin Cottage, on 10 October 2023 to discuss the report.
- 2.5.3 The Applicant has sought to explain the impacts on the 9th championship tee from the works to divert a Cadent gas pipeline (Work No G5) and has provided all the information it is able to at this stage. The Applicant shall liaise with the Club and Cadent to ensure that all reasonable steps are taken to reduce the impact on the 9th tee as far as reasonably practicable.
- 2.5.4 As the Applicant stated at CAH3, it has been agreed that a S253 agreement shall be entered into with the Golf Club regarding the erection of bat boxes on their land. The terms for this will be discussed and agreed in due course and in advance of the works taking place. Type 1 rabbit fencing¹ shall be erected between the golf course and the proposed nitrogen deposition compensation land to the south.
- 2.5.5 A site meeting is being arranged shortly to discuss the most appropriate mitigation measures for the club and the extent and type of any early planting.
- 2.5.6 The Golf Club’s agent, Colin Cottage, has confirmed that the Golf Club is satisfied with the current positions outlined above subject to progress with discussions being maintained with a view to entering into an agreement early in 2024.

¹ <https://standardsforhighways.co.uk/tses/attachments/c930cae4-6b41-4fbd-a90e-ab28df5ed587?inline=true>

2.6 Hearing Action Point 15: TBPL: Agreed and Outstanding Matters

- 2.6.1 Hearing Action Point 15 requests “Provide an update/final position on all outstanding CA/temporary possession matters, to include agreed matters and setting out any outstanding matters likely to require the ExA to adjudicate”.
- 2.6.2 The Applicant understands that Tarmac accepts the land requirements over plots 27-32 and 27-35 as noted in their Relevant Representation.
- 2.6.3 Following a direct request after CAH3, the Applicant issued its standard voluntary agreement Heads of Terms (HoTs) on the 24 October 2023 for the acquisition of plot 27-32 and possession of plot 27-35 and will progress discussions in an attempt to reach agreement before DCO decision.
- 2.6.4 The Applicant understands Tarmac accepts the Applicant’s land requirements in relation to the proposed utility works, but does not accept the requirement for new rights within the DCO on the basis there are existing historic agreements dated 1958 and 1960 between Hall and Co. Limited and the Central Electricity Generating Board.
- 2.6.5 The Applicant has reviewed the historic agreements and outlined its position in Post-event submissions, including written submission of oral comments, for CAH3 [REP6-087], including a more detailed commentary at Annex G.4 as to why the power to carry out the works is needed as part of the DCO and why new rights are being sought. Previous to the Applicant’s formal submission of Annex G.4 in [REP6-087], the Applicant has summarised its reasons why land is required in its DCO in its detailed response to Tarmac’s Relevant Representation (on 12 April 2023) and in subsequent correspondence.
- 2.6.6 On 7 November 2023, Tarmac requested a copy of the Applicant’s standard voluntary agreement for the utility rights, which would facilitate a direct agreement between the relevant statutory undertaker and Tarmac following completion of utility works and establishing ‘as laid’ positions. The Applicant issued its updated standard voluntary agreement HoTs on 9 November 2023
- 2.6.7 On 10 November 2023, in response to the Applicant’s formal submission of Annex G.4 in [REP6-087], Tarmac issued proposed terms to:
- a. Provide licence rights for the Applicant to temporarily possess the land to undertake the works and
 - b. Vary, by agreement with the Applicant, the existing historic agreements to include the words “replace” and “alter” the relevant utility assets,
- in consideration of which the Applicant would not exercise compulsory acquisition (CA) powers. Tarmac and the Applicant are already discussing HoTs as regards a voluntary agreement for access through Tarmac’s site for the purpose of conducting the necessary utility works (Access Agreement HoTs).
- 2.6.8 In relation to 2.6.7(a), the Applicant is willing to progress consideration of voluntary agreement for temporary access and suggests these elements are merged with the Access Agreement HoTs which govern the reasonable site restrictions (and access routes) during the undertaking of works to mitigate impacts.

- 2.6.9 In relation to 2.6.7(b), the Applicant has considered the terms proposed by Tarmac and, subject to clarification on certain matters, is willing to facilitate discussion between Tarmac and the relevant statutory undertakers (UK Power Networks and National Grid Electricity Transmission in this case). However, the Applicant notes that those statutory undertakers have maintained a consistent position throughout the DCO application process (as the Applicant has explained in its engagement with Tarmac and in previous submission to the ExA) that any works to their apparatus are to be authorised by the DCO; that new rights in respect of modified or replacement apparatus are to be in a form agreed with the relevant statutory undertaker (see draft DCO, Sch 14 (Protective Provisions) paras. 8 and 87) and that the statutory undertakers will require new rights on a modern form (and so not variations of existing historic rights).
- 2.6.10 To that end, the Applicant’s position in respect of permanent acquisition of new rights remains as stated in [\[REP6-087\]](#).
- 2.6.11 In any event and in the absence of voluntary agreement, the Applicant considers it has complied with Planning Act 2008 CPO guidance² having meaningfully engaged with Tarmac since October 2020. It has reduced and refined its Order Limits to mitigate impacts progressively since their first introduction, based on engagement with Tarmac and reviewing the methodology to carrying out works and advancing design, which in total has reduced the Applicant’s land requirements at Tarmac by 29.7 acres (12 hectares).

2.7 Hearing Action Point 19: Dedication Proposal for NMU Routes

- 2.7.1 Hearing Action Point 19 requests “*Commencing with discussion of the Benton objection (see Action 18), the Applicant indicated willingness in principle to reduce the extent of land prospectively subject to permanent acquisition in order to facilitate the establishment or relocation of non-motorised users’ (NMU)/ walking/ cycling or horse-riding (WCH) alignments.*
- a. *Please update/clarify the circumstances in which the use of a dedication agreement approach to NMU land could lead to the Applicant no longer requiring to permanently acquire alignments.*
 - b. *To the extent that a ‘backstop’ power to permanently acquire would be required to control against the failure of a dedication agreement, please set out how the relevant CA and or TP controls would need to be re-drafted.*
 - c. *Please provide a list of NMU alignments to which such an approach is now proposed to be applied, in addition to the Benton holdings represented by Mr Mike Holland. Is there a generally applicable approach that could apply more broadly to land subject to acquisition for NMU alignments? If so, please identify where that would apply.”*

² https://assets.publishing.service.gov.uk/media/5a748a8ce5274a7f9902904a/Planning_Act_2008_-_Guidance_related_to_procedures_for_the_compulsory_acquisition_of_land.pdf

- 2.7.2 The Applicant notes that the ExA’s action point 19 is in three parts, and these are addressed in turn below.
- 2.7.3 On the first part of action point 19, to recap, the Applicant outlined the “dedication agreement” approach at CAH3 and this was reported in paragraphs 3.5.16 and 3.6.10, and Appendix D.7, of its Post-event submissions, including written submission of oral comments, for CAH3 [\[REP6-087\]](#). The tripartite agreement would be between the landowner, the relevant local highway authority and National Highways. Landowners have also been offered a bilateral agreement (between the Applicant and the landowner), which would be subject to obtaining local authority agreement in future. The basis of both permutations of the agreement would be that, provided the landowner and local authority have undertaken necessary steps (e.g. under section 25 of the Highways Act 1980) to create a new Public Right of Way (PRoW) maintainable at the public expense, and provided that is created at the point in time at which it needs to be in place for the delivery of the Lower Thames Crossing project, then National Highways would agree not to exercise powers (including powers of compulsory acquisition) under the DCO to create the PRoW. Plainly the agreement process, if followed through, would obviate the need to exercise DCO powers. The outcome would be that the landowner would retain subsoil ownership of land below the PRoW, with the surface PRoW vesting in the local highway authority, in accordance with section 263 of the Highways Act 1980.
- 2.7.4 On the second part of action point 19, no change is considered necessary to the drafting of the CA and temporary possession (TP) powers in the DCO as a result of the dedication agreement proposal. The CA and TP powers are expressed permissively, and in line with any acquisition powers over any land contained in a DCO, guidance directs an Applicant to take reasonable steps to acquire that land by agreement before falling back on CA powers. If agreement is reached (in relation to any type of land under the shadow of compulsory powers) then this obviates the need for the powers to be exercised. Those powers must, however, remain as a fallback in the DCO to ensure a project can be delivered without being held to ransom.
- 2.7.5 On the third part of action point 19, the “dedication agreement” approach is not considered to be something suitable for “general application”, given that the Secretary of State has endorsed the Applicant’s “full acquisition” approach to highway creation in the Sparkford to Ilchester DCO decision (see further paragraphs 3.1.2 to 3.1.5 of [\[REP6-087\]](#)). The Applicant has offered a voluntary dedication agreement to any landowner affected by new WCH routes where that landowner has objected to full freehold acquisition of the route. The approach has been developed, in particular, as a response to landowners who have expressed development aspirations for their land, since the PRoW could be diverted as part of those development plans, without the need for any property transaction to re-acquire the freehold land forming the subsoil of the (former) PRoW.

- 2.7.6 The WCH routes that the Applicant has been made aware of in this respect include those listed below and the “dedication agreement” proposal has been presented to all these Interested Parties.
- a. The Mott Family (Station Road – Plots 22-73, 22-175 and 22-26); E&K Benton Ltd (North Road – Plot 39-34)
 - b. The Cole Family (east of Low Street Lane – part of Plot 23-51, High House Lane – Plot 28-105 (FP78), west of Brentwood Road – Plots 28-65, 28-48, 28-55 (part of), 28-41 and 28-66)
 - c. Ingrebourne Valley Limited (Kemps Farm – Plots 40-14 to 40-18 (inclusive) and 40-25)
 - d. Mr Stuart Mee (Dennis Road and Dennises Lane – Plots 42-18, 42-20, 40-20)

2.8 Hearing Action Point 21: NMU Cheale Group Land

- 2.8.1 Hearing Action Point 21 requests “*Discussions in the hearing indicated willingness to include additional flexibility in relation to the precise location of an NMU access corridor through the Cheale Group land holding. Please confirm the outcome of work with Mr Holland to re-frame this proposal to retain the passage sought whilst better accommodating the potential for future development proposals.*”
- 2.8.2 It should be noted that the access sought through Cheale Group Ltd land (Plots 44-112 and 44-90) is for permanent *utility* access associated with works MU84 and not for an *NMU* route as stated in the Action Point 21 above.
- 2.8.3 In submissions, the Cheale Group sought an agreement from the Applicant to move the above access route in future. The Applicant believes the current location of the route is appropriate for current uses but is content to enter into an agreement which would allow for flexibility of the route in future, for example, in circumstances where a development of the land comes forward.
- 2.8.4 An appropriate agreement is currently being drafted by the Applicant and will be forwarded to the Cheale Group shortly. Updates can be provided at Deadline 8.

2.9 Hearing Action Point 22: Matters remaining in dispute / PADS (for IPs represented by Mr Mike Holland)

- 2.9.1 Hearing Action Point 22 requests “*Please provide your final positions on matters that are likely to remain in dispute*”.
- 2.9.2 Following receipt of CAH3 Action Point 22, the Applicant has engaged and worked with Mr Mike Holland to produce Table 2.2.
- 2.9.3 Table 2.2 presents the final positions on matters that are likely to remain in dispute between the Applicant and IPs represented by Mr Mike Holland. To aid the Examining Authority, this table is presented in the format of a Principal Areas of Disagreement Summary Statement (PADSS).

Table 2.2 Final Positions on matters that are likely to remain in dispute between the Applicant and IPs represented by Mr Mike Holland

Item ref	Interested Party represented	Principal issue in question	SoCG Ref and link (if applicable)	The concern held by the IP	The Applicant's position	Likelihood of the concern being addressed during the Examination
1	Mott Family	Compulsory Acquisition	2.1.1 [REP4-205]	Ecological Mitigation Land (1) Extent of permanent land acquisition and cumulative effect of overall land take on the landowner's freehold interest (see IP's D1 and D6 submissions).	See response 2.1.1 in the Statement of Common Ground (SoCG) and paragraphs D.2.20 to D.3.7 (inclusive) 20 in [REP6-087] 9.129 Post Event Submissions.	Matter unresolved Low likelihood of resolution during Examination
2	Mott Family	Compulsory Acquisition	N/A	Ecological Mitigation Land (2) Alternative land proposals were submitted to the Applicant and Examining Authority (at Deadline 3 and Deadline 6)	The Applicant's response is detailed in paragraph D.2.20 in [REP6-087] – 9.129 Post Event Submissions. This submission may be subject to further qualification.	Matter unresolved Low likelihood of resolution during Examination
3	Mott Family	Compulsory Acquisition	2.1.3 [REP4-205]	Ecological Mitigation Land (3) Long term Management – landowner prepared to enter into voluntary management agreements as opposed to permanent acquisition by the Applicant (see D1 and D6 submissions).	Please see Applicant's Response in SoCG Item 2.1.3. The Applicant's position has since been confirmed to the IP that where essential permanent mitigation is required, voluntary management agreements are only available in rare and exceptional circumstances and that this	Matter unresolved Low likelihood of resolution during Examination

Item ref	Interested Party represented	Principal issue in question	SoCG Ref and link (if applicable)	The concern held by the IP	The Applicant’s position	Likelihood of the concern being addressed during the Examination
					is not the case as regards the Mott’s land.	
4	Mott Family	Compulsory Acquisition	N/A	Northern Portal (1) Under SACR-006 access to be provided to all retained land in title EX298754, including land east and west of the A122 alignment to incorporate access to retained river frontage land in Plots 16-40, 16-41 and 16-44. See also D1 and D6 submissions.	This is set out in SACR-006 in the Stakeholder Actions & Commitments Register [REP6-050] . The exact route and specification is subject to further liaison with the Contractor at the detailed design stage.	Matter unresolved Low likelihood of resolution during Examination
5	Mott Family	Compulsory Acquisition	N/A	Northern Portal (2) The location of the emergency rendezvous point (‘RVP’) is not agreed. Alternative location has previously been proposed if the RVP is required to be located on Mott land (see D6 submissions).	The Applicant’s position is set out in Section D.4 of 9.129 Post Event Submissions [REP6-087] . In summary, discussions with the ‘ <i>Emergency Services and Safety Partners Steering Group</i> ’ regarding an alternative RVP location are on-going and regular updates will be provided.	Matter unresolved Medium likelihood of resolution during Examination
6	Mott Family	Compulsory Acquisition	N/A	Northern Portal (3) The permanent acquisition of the maintenance and emergency track is objected to on basis of possible future use	The Applicant’s position is that this service and emergency access road is an essential requirement of the Project’s design and as	Matter unresolved Low likelihood of resolution during Examination

Item ref	Interested Party represented	Principal issue in question	SoCG Ref and link (if applicable)	The concern held by the IP	The Applicant's position	Likelihood of the concern being addressed during the Examination
				of route for Tilbury Link Road and the loss of value that might ordinarily accrue to the Mott Family if used for that future purpose (see D1 and D6 submissions).	such the unencumbered freehold interest in the land is required.	
7	Mott Family	Compulsory Acquisition	2.1.3 [REP4-205]	WCH Routes (1) Extent of new WCH routes and also upgrade of footpaths to bridleway status is not agreed (see D6 and ISH10 submissions).	The Applicant's response is detailed in item 2.1.12 of the SoCG.	Matter unresolved Low likelihood of resolution during Examination
8	Mott Family	Compulsory Acquisition	2.1.13 [REP4-205]	WCH Routes (2) Permanent acquisition of new WCH routes is strongly objected to (see D6 and ISH10 submissions).	The Applicant's response is detailed in item 2.1.13 of the SoCG. See also paragraph D7 of 9.129 Post Event Submissions [REP6-087] . In summary, alternative dedication agreement offered and is under consideration by the landowner.	Matter unresolved Medium likelihood of resolution during Examination
9	Mott Family	Compulsory Acquisition	2.1.15 [REP4-205]	Special Category Land Acquisition of replacement land at Goshems Farm for common land lost at Tilbury Green is objected to (see D1 and D6 submissions).	The Applicant's position is set out in item 2.1.15 of the SoCG.	Matter unresolved Low likelihood of resolution during Examination

Item ref	Interested Party represented	Principal issue in question	SoCG Ref and link (if applicable)	The concern held by the IP	The Applicant’s position	Likelihood of the concern being addressed during the Examination
10	Linford Land Consortium (Incorporating Mulberry Strategic Land and the Ockendon Family)	Compulsory Acquisition	n/a	Ecological Mitigation Land Location of ecological mitigation land at Plot 24-132 (and adjoining) is objected to. Without prejudice to this objection, if mitigation land is required in the landowner’s ownership north of Muckingford Road, the land within the utility corridor should be considered as an alternative as suggested by the landowner at D1, CAH3 and D6 to minimise the effect on the proposed residential development scheme.	The Applicant’s response is detailed in paragraph F.4 of 9.129 Post Event Submissions [REP6-087].	Matter unresolved Low likelihood of resolution during Examination
11	E&K Benton Ltd (incorporating Schatzmann Trustees and EA Strategic Land)	Compulsory Acquisition	2.1.2 [REP4-204]	Ecological Mitigation Land Long Term Management – landowner prepared to enter into voluntary management agreements as opposed to permanent acquisition by the Applicant (see D1 and D6 submissions).	The Applicant’s response is detailed in SoCG Item 2.1.2. The Applicant’s position has since been confirmed to the IP that where essential permanent mitigation is required, voluntary management agreements are only available in rare and exceptional circumstances and that this is not the case as regards the Bentons’ land.	Matter unresolved Low likelihood of resolution during Examination

Item ref	Interested Party represented	Principal issue in question	SoCG Ref and link (if applicable)	The concern held by the IP	The Applicant's position	Likelihood of the concern being addressed during the Examination
12	E&K Benton Ltd (incorporating Schatzmann Trustees and EA Strategic Land)	Compulsory Acquisition	2.1.3 and 2.1.4 [REP4-204]	WCH Routes (1) Extent of new WCH routes and also upgrade of footpaths to bridleway status is not agreed (see D1, D6 and ISH10 submissions). Specifically, WCH route along eastern side of North Road (B186) (Plot 39-34) and the new footpath 'Mardyke to FP136 Connection' through Plot 38-27 (et al). The landowner has suggested an alternative route for the 'Mardyke to FP136 Connection' to the north of the alignment at D6.	The Applicant's position is set out in detail in items 2.1.3 and 2.1.4 of the draft SoCG.	Matter unresolved Low likelihood of resolution during Examination
13	E&K Benton Ltd (incorporating Schatzmann Trustees and EA Strategic Land)	Compulsory Acquisition	2.1.6 and 2.1.7 [REP4-204]	WCH Routes (2) Permanent acquisition of new WCH routes is strongly objected to (see D1, D6 and ISH10 submissions).	The Applicant's position is set out in detail in items 2.1.6 and 2.1.7 of the draft SoCG. Alternative dedication agreement has been offered and is under consideration by the landowner.	Matter unresolved Medium likelihood of resolution during Examination

3 CAH4 Actions

3.1 Introduction

- 3.1.1 This section contains the Deadline 7 actions for the CAH4 Hearing Actions [\[EV-061\]](#).

3.2 Hearing Action Point 1: Rochester Bridge Trust: Progress and Outstanding Matters

- 3.2.1 Hearing Action Point 1 requests “*Please continue discussions and set out final positions, including a note of matters resolved, unresolved and needing adjudication. A PADS may be used for this.*”
- 3.2.2 Table 3.1 presents the Applicant’s understanding of the final positions on outstanding matters between the Applicant and the Rochester Bridge Trust. To aid the Examining Authority, this table is presented in the format of a Principal Areas of Disagreement Summary Statement (PADSS).
- 3.2.3 The Rochester Bridge Trust has not yet had an opportunity to review and comment on this table. The Applicant will submit an updated version at Deadline 8 should the Rochester Bridge Trust require any amendments.

Table 3.1 Final Positions on outstanding matters between the Applicant and the Rochester Bridge Trust

Item ref	Principal issue in question	The concern held by Rochester Bridge Trust	The Applicant's position	Matters resolved, unresolved or needing adjudication
1	Compulsory Acquisition	Ecological Mitigation That the temporary HRA mitigation land proposed in Plots 14-01 & 15-08 has not been justified and alternatives are available	The Applicant does not agree with RBT's interpretation of 'functionally linked land' nor the conclusions drawn from that interpretation. Alternatives have been considered and this is deemed the only suitable location. The Applicant's case is set out in more detail in Section 3 and Annex A of Post Hearing Submissions [REP6-088] . Despite the mitigation requirement only being temporary, the Applicant has offered to acquire the freehold of this land and as an alternative, also offered a draft s253 (Highways Act 1980) for the future management of this land. These matters are with RBT for further consideration.	Matter unresolved Low likelihood of resolution during Examination
2	Compulsory Acquisition	Drainage Pipes RBT is concerned that the temporary and permanent rights associated with the two sections of drainage pipe in Plots 14-04 and 14-01 will impede future prospects for the development of the land.	The Applicant has forwarded a draft agreement for one section which would obviate the need for permanent rights and has agreed to include an additional 'lift and shift' clause in this agreement for the temporary section of pipe. A revised draft agreement is being prepared by A and will be shared with the IP shortly for consideration.	Matter unresolved Medium likelihood of resolution during Examination
3	Compulsory Acquisition	Chalk Park RBT do not believe that the compulsory acquisition case for Chalk Park (Plots 13-02 and 13-04) has been made and that the land could be used temporarily by the Applicant during construction and returned to RBT after construction for RBT's future use.	The Applicant's case is set out in detail in Section 3 of Post Hearing Submissions [REP6-088] .	Matter unresolved Low likelihood of resolution during Examination

3.3 Hearing Action Point 5: ESW Closing Position and Outstanding Matters

- 3.3.1 Hearing Action Point 5 requests “*Please provide final positions and closing arguments. (This may be accomplished using the SoCG and/or PADS processes).*”
- 3.3.2 The Applicant remains confident that agreement will be reached between the parties during the Examination period, as stated in [\[REP6-052\]](#).
- 3.3.3 However, the Applicant has proposed the following response to ESW submission [\[REP6-156\]](#) which it believes is reflective of a closing position in the absence of agreement being reached within the Examination period.
- 3.3.4 With regard to ESW’s suggested removal of plot 24-133 and the Applicant’s counter to that proposal, the Applicant would refer to Annex B.3 *Hearing Action Point 4 – ESW: CA of Linford Borehole* [\[REP6-088\]](#) submitted in response to CAH4.
- 3.3.5 The Applicant notes the comments from ESW on Protective Provisions at section 3 of its response [\[REP6-156\]](#). A side agreement is currently being negotiated which already incorporates the majority of the provisions referred to in section 3 and the Applicant does not consider a bespoke set of Protective Provisions to be necessary. The Examining Authority should note that the majority of amendments are already agreed or immaterial in nature. Other points e.g. betterment, water quality, use of compulsory powers, are not agreed but remain under discussion. As such, the Applicant does not propose to respond to each of ESW’s comments here as they are already being discussed directly between the parties. The mechanisms of the water quality clause remain under discussion given that in the Register of Environmental Actions and Commitments (REAC) [\[REP6-038\]](#) the Applicant already has several commitments around water quality. The Applicant has held a meeting with ESW to discuss the agreement recently and the draft currently sits with ESW’s team.
- 3.3.6 The Applicant wishes to make clear that the existing Protective Provisions in Part 1 of Schedule 14 to the draft Order [\[REP6-010\]](#) are reasonable and offer adequate protection to ESW in all material respects, other than on water quality which is already covered by existing REAC commitments (see 3.4.14 of [\[REP6-088\]](#)). The existing provisions are well precedented and adequately protect water undertakers such as ESW. For example, the definition of apparatus is adequate as it includes “other apparatus belonging to or maintained by” ESW and so would not need further amendment. Similarly, parties should be able to rely on the ordinary meaning of “emergency” as it is unreasonable to expect contractors/agents to consult the technical scope of the defined term “emergency” before being able to take immediate steps to protect apparatus or people. There is broad agreement on the cost provisions in the side agreement, but the Applicant does not agree that betterment provisions should not apply. These provisions are set out in legislation and it would be inappropriate for the Applicant to agree to set these aside to benefit ESW. It is wholly reasonable to expect a utility undertaker to pay back any betterment it receives as a result of new apparatus, in line with the statutory cost sharing regime. On the acquisition of land, the Applicant has been clear that it needs the right to take powers over the Linford Well site (see [\[REP6-088\]](#)).

- 3.3.7 Overall, the Applicant is engaged in positive discussions with ESW, and progress has been made, as supported by ESW at paragraph 3.16 [\[REP6-156\]](#). The Applicant hopes that an agreement can be reached prior to the close of Examination. However, should an agreement not be reached, the Applicant maintains that the Protective Provisions already within the Order provide sufficient protection to ESW.
- 3.3.8 The Applicant shall provide a revised finalised position to the Examining Authority at Deadline 9 once further progress has been made between the parties.

4 ISH8 Actions

4.1 Introduction

- 4.1.1 This section contains the Deadline 7 actions for the ISH8 Hearings Actions [\[EV068\]](#) as well as the additional commitments for updates at Deadline 7 contained within the Post-event submissions, including oral written submission of oral comments for ISH8 [\[REP6-089\]](#).

4.2 Hearing Action Point 1: Assessment of Construction Compound Effects

- 4.2.1 Hearing Action Point 1 requests *“Are there circumstances in which the assessment of construction compounds has been undertaken on a generalised or generic basis, but where the proximity of specific sensitive uses/ receptors or the variable nature and location of particular construction activities give you reason for concern that any maximum adverse effects of the proposed operations at the compound have not yet been assessed? The Applicant is invited to respond to these submissions at D7.”*
- 4.2.2 The following was submitted at Deadline 6
- a. London Borough of Havering - Deadline 6 Submission - Actions arising from Issue Specific Hearings 8, 9 and 10 [\[REP6-147\]](#):

“Issue Specific Hearing 8

Action Point 1 Assessment of Construction Compound Effects

The Council has responded to Q9.1.5 (of ExQ2) regarding the adequacy of controls to monitor the impact of vibration on heritage assets, which could be potentially vulnerable to vibration relating to construction traffic/operations. This is subject of a separate Deadline 6 submission. There are four listed buildings in North Ockendon which are adjacent to the utility diversions for multi-utility networks and the Short Term Online Main Works Construction Access Route:

- Kilbro (Project ID. LB5; List Entry No. 1079868)*
- Russell Cottage (Project ID. LB6; List Entry No. 1079869)*
- The Forge (Project ID. LB7; List Entry No. 1079870)*
- Castle Cottages (Project ID. LB8; List Entry No. 1079871)*

It is suggested that condition surveys of these buildings are carried out prior to the commencement of any works to provide a baseline record of the condition of the buildings. This would then allow any potential damage arising from vibration to be identified as works progress”.

b. Gravesham Borough Council:

- i. Deadline 6 Submission - Appendix 2 Issue Specific Hearing 8 (ISH8) Construction & Operational Effects (Non traffic) [\[REP6-129\]](#):

“Please see the Council’s ISH8 post-hearing statement whereby we explain why we consider that a bespoke approach is needed for the Southern portal compound”.

- ii. Deadline 6 Submission - Appendix 1a PHS Issue Specific Hearing 8 (19 October 2023) – (ISH8) on Construction & Operational Effects (Non traffic) [\[REP6-126\]](#):

Comments relating to noise and vibration and landscape effects with suggested commitments for the REAC, and alterations to existing commitments relating to “*Southern Tunnel Compound: Two Travellers Sites (Horseshoe Meadow and Viewpoint Place) and residential property “Polperro” on A226 Rochester Road*”.

- c. Thurrock Council - Deadline 6 Submission - Post Event Submissions for Issue Specific Hearings (ISH8 – ISH10), page 22 [\[REP6-166\]](#):

“The Council would reiterate that mitigation measures proposed are very high level and non-specific. There are no specific noise reduction calculations for specific receptors or account being taken of what are the façade/heights of the receptors. There is, accordingly, a real risk that noise reduction levels being mentioned are not achievable.

There is also the issue that maximum effects for the construction compounds cannot be undertaken as there is currently no cap on the movements or commitment on uses. The Council would expect this to be addressed before an assessment can be confirmed as being worst case”.

Applicant’s response

4.2.3

The Applicant considers the assessments of construction activities and compounds undertaken in the Environmental Statement (ES) to be proportionate, and covers impacts on specific sensitive receptors within the relevant topic chapters ES Chapter 6: Cultural Heritage [\[REP4-116\]](#), ES Chapter 7: Landscape and Visual [\[APP-145\]](#) and ES Chapter 12: Noise and Vibration [\[APP-150\]](#). The Applicant does not consider there could be scenarios where maximum adverse effects of the proposed operations at the compound have not yet been assessed, as the assessments are based on a reasonable worst-case scenario.

- a. London Borough of Havering

With regard to the specific question about condition surveys on the four listed buildings suggested by the London Borough of Havering, the Applicant has amended the dAMS-OWSI Table 3.1 Mitigation Type 2.3

[**Document Reference 6.3 ES Appendix 6.9 (4)**] to include condition surveys where historic structures have the potential to be affected by vibration. The Applicant will consider the suggested buildings and update Table 9.3 within the dAMS-OWSI at Deadline 8.

b. Gravesham Borough Council

With regard to activity in the southern tunnel entrance compound and residents at Polperro, Viewpoint Place and Horseshoe Meadow, the amendments suggested by Gravesham Borough Council to the Register of Environmental Actions and Commitments (REAC) within ES Appendix 2.2 Code of Construction Practice, First Iteration of Environmental Management Plan [[REP6-038](#)] have been reviewed and the following entries have been made to the REAC (*new text in italics*):

- i. REAC measure LV008 Southern tunnel entrance compound, bund: Earth bunds of approximately 2-3m in height formed from material excavated onsite would be sited along the boundary of the compound, as material becomes available to facilitate visual screening for residential properties on Thong Lane and Rochester Road (A226) during construction. *The phasing of the works would be planned so that the bunds are in place before the main compound activities commence, subject to excavated material availability.*

‘Subject to excavated material availability’ has been added to the text suggested by Gravesham Borough Council, as some excavation works would need to commence prior to the bunding being implemented, in order to obtain material for the creation of the bunding.

- ii. REAC measure LV010 Southern tunnel entrance compound, construction compound facilities: Construction compound facilities greater than 6m in height would be located to maximise distance from residential areas of Chalk and adjoining Thong Lane, *and Polperro, Horseshoe Meadow and Viewpoint Place on the Rochester Road (A226)*, together with Thamesview School, as far as reasonably practicable.

Gravesham requested that ‘all construction compound facilities’ should be located to maximise distance from Polperro, Horseshoe Meadow and Viewpoint Place on the Rochester Road (A226). However, taken literally, this could preclude all construction activity within the compound adjacent to the properties. This REAC measure would provide the same mitigation as properties along Thong Lane, which are located directly adjacent to the north-western edge of the compound.

- iii. New REAC measure *LV035 Southern tunnel entrance compound, phasing: Reducing the impact on residential properties on Thong Lane and Rochester Road (A226) during construction, by phasing the works in the following order of preference:*
- Excavating material and then directly placing it in its permanent position within Chalk Park where reasonably practicable
 - Where direct placement is not reasonably practicable, using the central part of the western soil storage area shown on Plate 1.3 of Appendix 2.1 Construction Supporting Information to temporarily store material
 - Where temporary storage in the central part of the western soil storage area shown on Plate 1.3 of Appendix 2.1 Construction Supporting Information is not reasonably practicable, extending material storage to the northern part of the soil storage area.

This REAC measure has more detail than the text suggested by Gravesham Borough Council, however, the general principle is the same.

- iv. New REAC measure *LV036 Southern tunnel portal compound, haul road: The route of the proposed haul road, which is intended to join the Rochester Road (A226) at points immediately to the west and east of the Horseshoe Meadow and Viewpoint Place traveller sites, shall be located as far from the traveller sites as is reasonably practicable, taking account of the need to ensure safety and having regard to the location of other sensitive receptors. So far as reasonably practicable, acoustic solid barriers will be provided between the Horseshoe Meadow and Viewpoint Place traveller sites and the haul road.*

The text of this REAC measure is essentially as presented by Gravesham Borough Council.

c. Thurrock Council

Tables 12.31, 12.33 and 12.35 of ES Chapter 12 – Noise and Vibration [APP-150] set out the assessment and consideration of construction noise effects at each representative noise sensitive receptor. These calculations have been undertaken on the basis of a reasonable worst case with regard to plant complement, activity levels and locations. The calculations of unmitigated construction noise levels are presented, followed by realistic assumptions regarding the effectiveness of BPM which would reduce the unmitigated predicted levels and provide lower construction noise levels. As set out in noise REAC commitments NV001, NV002, NV004, NV006 and NV007, the Contractor is committed to implement noise and vibration controls under Best Practicable Means (BPM), prepare a Noise and

Vibration Management Plan and undertake an assessment of the proposed construction works to inform the consideration of Section 61 agreements from the relevant local authorities. At this stage the calculations are likely to be undertaken on an individual building basis, where facades and building heights would be taken into consideration. These are Project-wide commitments and the Applicant considers that it would not be practicable to develop detailed REAC commitments for every receptor ahead of the Contractor defining specific packages of work at each construction compound.

The Applicant will implement a system of control consistent with the Control of Pollution Act (CoPA) 1974 and the long-established precedent of implementing BPM as defined by CoPA 1974. The BPM measures to be used will be agreed with the relevant local authorities and subject to their control under their statutory powers under CoPA 1974. The Applicant considers this to be an established and proportionate approach as has been used on other projects, and does not agree that BPM would not be achievable.

4.3 Hearing Action Point 2: Construction Compound Effects: Additional Controls

4.3.1 Hearing Action Point 2 requests “*Further to responses to Action 1, are there circumstances relating to specific activities within specific compounds which would be subject to specific sensitive uses/receptors where additional control measures are required? • Do these need to be locationally specific? • In which control document are they best located? The Applicant is invited to respond to these submissions at D7.*”

4.3.2 The following was submitted at Deadline 6

a. Gravesham Borough Council

- i. Deadline 6 Submission - Appendix 2 Issue Specific Hearing 8 (ISH8) Construction & Operational Effects (Non traffic) [[REP6-129](#)]:

“Please see the Council’s ISH8 post-hearing statement whereby we explain why we consider that a bespoke approach is needed for the Southern portal compound”.

- ii. Deadline 6 Submission - Appendix 1a PHS Issue Specific Hearing 8 (19 October 2023) – (ISH8) on Construction & Operational Effects (Non traffic) [[REP6-126](#)]:

Comments relating to noise and vibration and landscape effects with suggested commitments for the REAC, and alterations to existing commitments regarding “*Southern Tunnel Compound: Two*

Travellers Sites (Horseshoe Meadow and Viewpoint Place) and residential property “Polperro” on A226 Rochester Road”.

- b. Thurrock Council - Deadline 6 Submission - Post Event Submissions for Issue Specific Hearings (ISH8 – ISH10), page 22 [\[REP6-166\]](#):

“Currently, there is no assessment to high rise towers, north of Chadwell St Mary adjacent to Godman Road. The Council requests clarification on the construction effects at these receptors be provided”.

Applicant’s response

- a. Gravesham Borough Council

Please refer to the response above to Hearing Action Point 1b for details of REAC measures relating to activity in the southern tunnel entrance compound and residents at Polperro, Viewpoint Place and Horseshoe Meadow.

Noise: The Polperro residential property (receptor CN30) and the traveller site View Point Place (receptor CN28) have been adequately assessed in the Environmental Statement (ES) Chapter 12: Noise and Vibration [\[APP-150\]](#), taking account of reasonable worst-case impacts.

To address comments raised by Gravesham at ISH8, the Applicant has provided a Travellers Sites Noise Assessment within Annex D of 9.131 Post-event submissions, including written submission of oral comments, for ISH8 [\[REP6-089\]](#), which covers View Point Place (and Horseshoe Meadow in the same location). Unmitigated reasonable worst-case construction noise levels at this receptor are predicted to have a moderate adverse impact during the daytime and night-time, with a maximum exceedance of 3.1dB(A) above the daytime period significant observed adverse effect level (SOAEL) and 4.3dB(A) above the night-time period SOAEL. No significant impacts are reported at this location during the evening period.

A comprehensive list of Best Practicable Means (BPM) measures is presented within Section 12.5 of Chapter 12: Noise and Vibration [\[APP-150\]](#), which will be implemented where appropriate across all construction activities associated with the Project. With regard to BPM for this noise sensitive receptor (NSR), measures would be required to include the following:

- i. Acoustic screening between construction works and noise sensitive receptor (BS5228-1 indicates up to 10dB reduction in noise)
- ii. Enclose static plant in ventilated acoustic enclosure (BS5228-1 indicates up to 20dB reduction in noise)

- iii. Fit construction plant with efficient exhaust sound reduction and equipment enclosure panels to be kept closed (BS5228-1 indicates a 5 to 10dB reduction in noise)

As a conservative assumption, based upon the activities being undertaken in close proximity to this NSR, a 10dB(A) attenuation attributable to the robust implementation of BPM measures can be reasonably applied. This correction for BPM would reduce the predicted unmitigated reasonable worst-case construction noise levels to below a SOAEL for the identified time periods. With the inclusion of the above BPM mitigation measures (REAC NV007), and all other construction phase control measures secured through REAC Ref. NV001 to NV010 and NV012, it is concluded that construction noise at this NSR would be suitably controlled to a level where it would not constitute a significant effect.

- b. Thurrock Council

Visual: The high rise towers, north of Chadwell St Mary adjacent to Godman Road has been assessed as visual receptor VR-S10-R-027 in ES Chapter 7: Landscape and Visual [[APP-145](#)]. Table 7.24 determines the visual impact as large adverse during construction.

Noise: The Applicant considers that the potential impacts at the high rise towers, north of Chadwell St Mary adjacent to Godman Road as a result of operations within Hornsby Lane Utility Logistics Hub (Work No ULH09) would be represented by the assessment presented for Brentwood Road Compound (Work No CA6) which is equidistant from the high rise towers. As shown within Table 12.32 of Chapter 12: Noise and Vibration [[APP-150](#)], there is predicted to be no significant adverse effects at this receptor. Notwithstanding this, commitments under NV007 for the implementation of Best Practicable Means (BPM) would be implemented for construction works associated with the Project and would further reduce construction noise levels. Work No ULH09 and CA6, and the high rise towers can be seen on Sheet 28 of the Temporary Works Plans [[REP5-022](#)]

4.4 Hearing Action Point 3: Outstanding Items for Adjudication on Agenda Item 3(a)

- 4.4.1 Hearing Action Point 3 requests “*Please draw the ExA’s attention to any matters arising from this Agenda item which are not agreed with the Applicant and on which you seek adjudication. The Applicant is invited to respond at D7.*”
- 4.4.2 The following was submitted at Deadline 6
 - a. Gravesham Borough Council Deadline 6 Submission - Appendix 2 Issue Specific Hearing 8 (ISH8) Construction & Operational Effects (Non traffic) [[REP6-129](#)]:

“GBC concerned about potential for unknown archaeological remains, where previous data is unavailable, so recommend comprehensive geophysical survey, with more detailed assessment (trenching, or other site-specific assessment tools) reserved for areas of archaeological interest, identified potential or known development impact impacts, either as a result of the geophysical survey, or other desk-based assessment. (NB - even temporary uses i.e. soil storage have the potential to result in a permanent effect on any buried archaeological remains and upstanding earthworks within their footprint, due to the shallow depth or surface presence of such remains)”.

- b. Thurrock Council - Deadline 6 Submission - Post Event Submissions for Issue Specific Hearings (ISH8 – ISH10), page 22-23 [[REP6-166](#)]:

“Worker Access to North Portal on-site accommodation and compound: to assist the Council in understanding worker travel to and from the on-site accommodation and the North Portal compound, it would request that the applicant sets out clearly what if any commitments it has on the routes the construction workers will use to access the on-site accommodation and what those routes are. More detail on this request is at the Further Written Statement of Agenda Item 3a(iv) above.

Caps and Clarity on Movements Associated with Each Compound: the Council continues to seek caps on the number of movements at each compound and clarity on the types of movements that would be associated with each compound. Without those caps it is not feasible to determine whether the assessment undertaken is a worst-case assessment as there are no commitments on uses. A response by the applicant on this matter is requested”.

Applicant’s response

- a. Gravesham Borough Council

The Applicant has provided a response to this concern which has been raised by Gravesham Borough Council (R2D6PES_Gravesham_2) in submission Applicant's Responses to IP's post-event submissions at Deadline 6 [**Document Reference 9.177**], which will be submitted at Deadline 7.

- b. Thurrock Council

The Applicant has provided a response to the issue regarding construction workforce movements within Applicant’s Responses to IP’s post-event submissions at Deadline 6 [**Document Reference 9.177**], which will be submitted at Deadline 7.

The Applicant has discussed this matter with Thurrock Council during technical engagement sessions and is captured in the Statement of Common Ground between National Highways and Thurrock Council Item 2.1.201 & 2.1.111 [[REP6-030](#)].

The Applicant does not consider that the introduction of a blanket vehicle cap would be an effective approach, considering the varied locations, periods, and intensities involved in construction traffic movements to and from compounds. Instead, the controls within the outline Traffic Management Plan for Construction [[REP6-048](#)] and outline Materials Handling Plan [[REP5-050](#)] are adequate to ensure that the construction works are constrained in a manner that directly addresses their impact on the road network, providing a more nuanced and tailored solution.

Additional information has been set out in the Applicant's response to Thurrock Council's Deadline 4 and Deadline 5 submissions, item 8.1.2, page 73 and 8.1.6, page 76 [[REP6-096](#)], specifically addressing the matter related to committing to a vehicle cap at this stage for vehicles traveling to and from compounds, as well as those moving between compounds.

4.5 Hearing Action Point 9: KCC Shorne Woods Country Park Progress Update

- 4.5.1 Hearing Action Point 9 requests “*KCC Shorne Woods Country Park Progress Update Provide an update in respect of any draft s106, or equivalent side agreement progress. If not agreed, final position from both parties to be provided.*”
- 4.5.2 The Applicant and KCC, with the Valuation Office Agency, have had positive discussions on the matter, and agreed that a mechanism for providing and reviewing evidence for the payment of compensation for potential reductions in visitors (and therefore income) will be secured via a side agreement. It is agreed that this would be considered and paid quarterly and would cover 100% of identified losses related to the Project as determined by a methodology to be finalised.
- 4.5.3 The Applicant, Valuation Office Agency and KCC are working to finalise the details of the mechanism. At present, areas remaining under discussion include the assumption by KCC that all observed losses incurred by Shorne Woods Country Park from the previous quarter and forecast demand are related solely to the LTC Project, and the assumption by KCC that quarterly income forecasts should be based only on the previous observed quarter before construction. The Applicant has suggested in outline that evidence (via commentary) be provided quarterly to support KCC’s application for compensation that would be considered against the activities being undertaken by Lower Thames Crossing, and other variables, during that quarter. KCC accept this in principle subject to agreement of wording within the side agreement. The Applicant has taken an action to provide a draft agreement in relation to this approach for KCC’s review.

4.6 Hearing Action Point 12: Cascades Leisure Centre

- 4.6.1 Hearing Action Point 12 requests “*Gravesham Borough Council to set out suggested amendments to the REAC in respect of Cascades Leisure Centre and Applicant to provide a response. Final positions to be provided by D7.*”
- 4.6.2 The Applicant engaged in productive discussions with Gravesham Borough Council (GBC) on November 10th, focusing on construction-related aspects, including the management of the Thong Lane crossing point. The Applicant has committed to prioritising the local traffic network under paragraph 4.5.8. GBC has raised concerns on the perception of this commitment by its inclusion under the heading of safety. The Applicant asserts that the inclusion of this commitment under the safety section does not compromise its clarity; instead, it strengthens the commitment by prioritising safety. This is especially critical where construction traffic interfaces with the public. Therefore, the decision to place it within this section is intentional and highlights the importance of safety in managing the crossing point.
- 4.6.3 In response to suggested commitment on phasing and monitoring of the crossing point, the Applicant has revised the Outline Traffic Management Plan for Construction, introducing an additional commitment (to para 4.5.8) to promote efficient phasing of works and monitoring regime at this location to inform appropriate traffic controls to minimise the disruption at Thong Lane. This is set out in paragraph 4.5.10: “The contractor will make reasonable endeavours to phase the movement of construction vehicles at the Thong Lane crossing point, aiming to minimise the instances where vehicles need to cross Thong Lane via the designated haul route. Reviews of the impacts on Thong Lane resulting from the crossing point will be conducted using monitoring data. These findings will be presented at the Traffic Management Forum (TMF), and collaborative efforts with relevant local authorities will be made to establish suitable restrictions, minimising disruption should it arise.”
- 4.6.4 GBC has also proposed the implementation of a daily cap as an additional commitment. However, at this phase of the project, the Applicant considers this commitment as ineffective and potentially counterproductive, as it may inadvertently encourage greater utilisation of the road network. Rather, the Applicant has opted for a monitoring regime at this site to facilitate the identification of suitable controls. These controls could include measures such as a cap on daily use or avoidance during periods of the day.

4.7 Commitments for updates at Deadline 7

- 4.7.1 Within Post-event submissions, including written submission of oral comments, for ISH8 [\[REP6-089\]](#), the Applicant committed to providing an update to the Examining Authority and relevant stakeholders at Deadline 7. This is contained within Table 4.1 below.

Table 4.1 Commitments to provide an update at Deadline 7

Reference	Extract from Post-event submissions, including written submissions of oral comments, for ISH8	Applicant's Update
3.1.62 and 3.1.63	<p>The Project has assumed that there would be provision for up to 480 workers to be accommodated onsite and that they would be part of the 65% of those requiring accommodation in the area. SJC noted that arriving at this figure is a matter of professional judgement, primarily targeted at nightshift workers who would amount to about 540 at the peak of activity, taking account that 35% of these workers would be from the travel to work area, the required number of bed spaces would be 353 and that the 480 bedspaces are in excess of that figure. IT addressed TC's request for further detail. The Applicant met with TC on 23 September to provide the information requested. TC subsequently provided comments which were further discussed. As submitted by IT these discussions resulted in various proposed changes which will be submitted at Deadline six. The Applicant considers these changes respond to the concerns raised by TC.</p> <p>[Post-hearing note: the Applicant and TC remain in dialogue on this point with a meeting scheduled for the 2 November. A revised note will be submitted at Deadline 7 capturing any progress.]</p>	<p>The Applicant and Thurrock Council have subsequently met (on 28 September and 2 November) to discuss this matter, and engaged in email correspondence relating to the approach to onsite accommodation.</p> <p>The figures for onsite accommodation for tunnel workers (provision being made for up to 400 to 420 'normal' condition workers and up to 60 to 80 hyperbaric workers a total number of bed spaces being 480) is based on the specialist needs for the tunnelling labour and is provided within the construction compound. This is based on the Applicant's professional judgement and experience of construction schemes and predicted on the scale of the tunnelling operation to be undertaken. The calculation used to determine the onsite accommodation proposal was provided at ISH8 and confirmed in writing in the Applicant's response to Hearing Action Point 6 [REP6-089].</p>
3.1.67	<p>In response to the concerns raised by the Emergency Services Group, IT noted that the Applicant invited them to submit an impact report and justification for further funding. This report has been received and submitted to the Department for Transport for consideration. The Applicant will respond at Deadline 7 in writing to the ExA's query on potential timescales and implications of this report.</p>	<p>Where a need for special police services outside the remit of normal policing duties has been identified, the Applicant is able to consider a request for funding from the police. For example, the Applicant has agreed to provide funding for special police services on A303 Stonehenge (Amesbury to Berwick Down) and A12 Chelmsford.</p> <p>The Applicant's position is that the Impact Assessment provided by Essex Police does not constitute a special police service.</p>

Reference	Extract from Post-event submissions, including written submissions of oral comments, for ISH8	Applicant's Update
		The Department for Transport is continuing to review the Impact Assessment provided by Essex Police in relation to the LTC Project.
4.2.5	SC clarified for the ExA that this agreement is presently under negotiation in the form of a section 106 agreement, although AT noted that a section 106 agreement is not the only potential vehicle. AT noted that if the section 106 agreement route is chosen and there has not been an agreement reached by Deadline 7, then the Applicant would provide a holding position explaining progress made with an aim to resolve outstanding matters by Deadline 8.	The Applicant met with Kent County Council (KCC) on 31 October and 9 November 2023. Agreement has been reached that the item will be included within a S106 agreement. It has also been agreed that any potential loss of income due to the Lower Thames Crossing construction programme at Shorne Woods Country Park can be reimbursed on a quarterly basis and with 100% of the losses being able to be reimbursed subject to the appropriate evidence being provided. The Applicant is to provide draft wording for the S106 entry to KCC as soon as possible with an aim to agree the wording by Deadline 8.
A.9.1	The Applicant understands the Department for Transport has received the Impact Assessment submitted by Essex Police in relation to the LTC project and is continuing to liaise with the Home Office. A submission will be made by the Applicant at Deadline 7 with an update in relation to this matter.	Where a need for special police services outside the remit of normal policing duties has been identified, the Applicant is able to consider a request for funding from the police. For example, the Applicant has agreed to provide funding for special police services on A303 Stonehenge (Amesbury to Berwick Down) and A12 Chelmsford. The Applicant's position is that the Impact Assessment provided by Essex Police does not constitute a special police service. The Department for Transport is continuing to review the Impact Assessment provided by Essex Police in relation to the LTC Project

5 ISH9 Actions

5.1 Introduction

5.1.1 This section contains the Deadline 7 actions for the ISH9 Hearing Actions [\[EV-075\]](#).

5.2 Hearing Action Point 2: OLEMP Definitions

5.2.1 Hearing Action Point 2 requests *“Provide an explanation for the practical implications of the use of the words “in perpetuity” and “long term management” in the OLEMP. Is further clarification/definition required to be added to the OLEMP to provide sufficient certainty?”*

5.2.2 Within Post-event submissions, including written submission of oral comments, for ISH9 [\[REP6-090\]](#) the following response was provided. *“The Applicant has undertaken a review of the oLEMP having regard to the use of, and context for, the phrase “long term”. The oLEMP contains a range of commitments relating to habitat establishment, monitoring, oversight arrangements and ongoing management. As a result, responding to the “in perpetuity” comments from Natural England requires more than a simple update to the oLEMP, which in turn requires additional time to address and implement. Accordingly, the Applicant will respond to this matter in full, including any necessary updates to the oLEMP, at Deadline 7.”*

5.2.3 The Applicant can now confirm that the oLEMP submitted at Deadline 7, has been updated as follows.

5.2.4 Specifically, within Section 4 (paragraph 4.1.14 a to c), to clarify the intent of the advisory group and the long-term commitments for the monitoring and management including clarification on management in perpetuity.

5.2.5 Table 4.1 has also been updated to clarify that advisory group consultation will be linked to the establishment monitoring periods for each habitat typology.

5.2.6 Section 8 has been updated for each of the habitat typologies to clarify that once the establishment monitoring period has passed an appropriate in-perpetuity management plan would be established.

5.2.7 Reference should also be made to Section 4.2 (paragraph 4.2.3) of the oLEMP [\[Document reference 6.7 \(5\)\]](#), submitted at this deadline.

5.3 Hearing Action Point 3: OLEMP Definitions

5.3.1 Hearing Action Point 3 requests *“Applicant to provide explanation of use of the phrase “where practicable” in the OLEMP and any measures for consultation. Are there specific measures for control in respect of storage and translocation of soils to be approved, and if so what controls?”*

5.3.2 The Applicant responded to this in Section A.3 of Post-event submissions, including written submission of oral comments, for ISH9 [\[REP6-090\]](#).

- 5.3.3 The Applicant refers the Examining Authority to Section 8.24 of the oLEMP [Document Reference 6.7 (5)] submitted at this deadline. Additional text has been added to provide clarification of what constraints might make soils unsuitable for salvage and re-use, and how these will be assessed.

5.4 Hearing Action Point 5: Soil Management

- 5.4.1 Hearing Action Point 5 requests: *“If the Applicant intends to rely upon a method similar to that used in respect of HS2 to target the translocation of soils from ancient woodland to compensation sites (“the translocation grid”), please submit an outline version into the Examination. Please explain the process and timing by which a detailed version will be consulted upon, approved and secured.”*
- 5.4.2 The Applicant refers the Examining Authority to Section 8.24 of the oLEMP [Document Reference 6.7 (5)] submitted at this deadline. Additional text has been added to paragraph 8.24.12 to present an outline of the steps which would be followed, and which would form the basis for the development of a detailed method statement, as already committed to in paragraph 8.24.11.
- 5.4.3 Paragraph 8.24.11 confirms the commitment that the detailed work activities will be developed between all parties during the development of the LEMP and subsequent work-specific method statements.

5.5 Hearing Action Point 6: Utilities Plan

- 5.5.1 Within Post-event submissions, including written submission of oral comments, for ISH9 [REP6-090] it is stated *“The Applicant recognises that other Ancient Woodland areas are impacted by the proposed utilities works and this will be submitted at D7.”*
- 5.5.2 The Applicant refers the Examining Authority to drawing “Utility Working Areas In Ancient Woodland” [Document Reference 9.171].

5.6 Hearing Action Point 8: Candidate Veteran Trees – Shorne Woods Country Park

- 5.6.1 Hearing action point 8 requests: *“Consider the potential re-alignment of the proposed footpath to avoid/reduce the impact on the candidate veteran trees adjacent to Shorne Woods Country Park (as indicated on the plan in REP4-084).”*
- 5.6.2 The Applicant can confirm that a review of the limits of deviation (LoD) associated with the DCO submitted design for the Thong Lane alignment north of the A2 has identified that it would be possible to avoid the candidate veteran trees associated with the western boundary of the Shorne and Ashenbank Woods SSSI. This can be achieved through adopting the westernmost alignment for the road within the LoD (by moving the current highway alignment west by up to 10m and by lowering slightly the highway alignment by up to 700mm). To secure the necessary approach for detailed design to achieve this alignment, Design Principle S2.16 (provided below) is proposed and has been included in the updated Design Principles [Document Reference 7.5 (5)] at Deadline 7.

Table 5.1 New Design Principle S2.16 Thong Lane alignment

Clause no.	Design Principle name	Design principle
S2.16	Thong Lane (Work no. 1H)	<p>The realignment of Thong Lane to the north of the A2 shall be designed to avoid impacting the Shorne and Ashenbank Woods SSSI to the east, in accordance with the following criteria:</p> <ul style="list-style-type: none"> • Specific attention shall be paid to avoid impacting the candidate veteran trees to the east of Thong Lane, within the SSSI. • The eastern toe of the proposed highway embankment adjacent to the SSSI, shall fall within the existing Thong Lane carriageway extents. • During construction, the existing sub-base to Thong Lane shall be retained as far as reasonably practicable, to minimise disturbance to the existing tree roots. • Appropriate drainage mitigation measures shall be undertaken to ensure adequate permeability through the embankment and maintain a suitable environment for tree root growth.

5.6.3 By restricting the alignment as proposed in the above design principle, it will also be possible to further minimise the impact on the western boundary of the Shorne and Ashenbank Woods SSSI.

5.7 Hearing Action Point 12 – The Wilderness – Status (Ancient Woodland)

5.7.1 This has been answered in B.2 of Post-event submissions, including written submission of oral comments, for ISH9 [\[REP6-090\]](#).

5.8 Hearing Action Point 13 – The Wilderness – Status (Ancient Woodland)

5.8.1 Hearing Action Point 13 requests *“In the event that ‘The Wilderness’ is designated as ancient woodland, provide details that would allow for avoidance of the designated area to the extent this is possible. In addition, provide a justification as to any residual woodland area that would need to be lost as part of the proposed works. In responding, please make reference to the relevant parts of the NNNPS.”*

5.8.2 The Applicant has provided a without prejudice response at Deadline 6 regarding any change to the Project’s assessment of impacts for ‘The Wilderness’, if it were to be designated as ancient woodland Annex B Hearing Action Point 12: the Wilderness - Status (Ancient Woodland) which is found in Deadline 6 Submission - 9.132 Post-event submissions, including written submission of oral comments, for ISH9 [\[REP6-090\]](#). In addition, at Deadline 6 the Applicant also provided detail of the new proposed Design Principle (S12.19) and REAC commitment (LV034), to ensure that the further retention of 4,000m² of The Wilderness could be achieved as a betterment on the existing (as submitted) outline design (Design Principles [\[REP6-046\]](#) and Code of

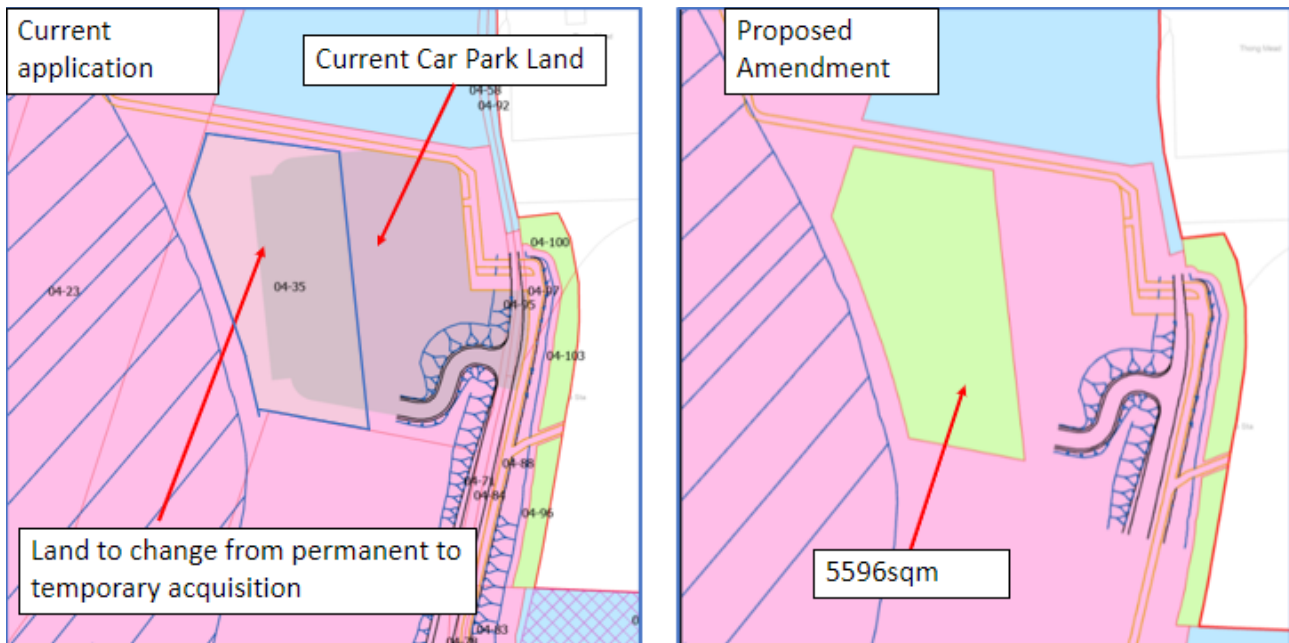
Construction Practice [REP6-038], respectively). The design principle would enable amendments to horizontal alignment through maximising the length of the retaining wall within the current LoD and pulling the alignment of the diverted watercourse as far south as possible, whilst the REAC commitment secures no loss of woodland as a result of the temporary utility diversion.

- 5.8.3 As has been stated previously, the horizontal and vertical alignment of the Project through the area of The Wilderness is heavily constrained by the existing landfill site to the south. A further review of the highway alignment design was undertaken to assess whether the impact on The Wilderness could be minimised further. This concluded that the impact on The Wilderness has already been minimised as far as reasonably practicable.

5.9 Hearing Action Point 18 Shorne Woods Country Park – Retention of Proposed Car Park Adjacent to the Park

- 5.9.1 Hearing action point 18 requests: *“Provide an updated position in respect of the car park currently proposed to be retained and then operated by KCC, having regard to the stakeholder feedback including submissions from Kent County Council, Gravesham Borough Council, Natural England and other relevant IPs. Please either provide a specific response to this action or include it with the answers to ExQ2 Q11.4.1 and Q11.4.2.”*
- 5.9.2 The Application currently includes for the main works compound located west of Thong Lane (Works No.CA2) to be reused as a car park (Work No. 1P) allowing the public to access the network of WCH routes and connections into Chalk Park, Shorne Woods Country Park and Jeskyns Community Woodland (via Thong Lane green bridge north).
- 5.9.3 As confirmed by the Applicant at ISH9 [EV-074] the Application only includes the surface level car parking area. While the ES has assessed additional visitor facilities (namely provision for suitably surfaced parking for 10 to 12 horse boxes, a building with provision for a kiosk, toilets, changing and storage facility, and then an area for cycle hire and cycle wash facility) these would be subject to the need for separate planning permission being obtained by a third party, which would manage and operate the facilities.
- 5.9.4 In response to concerns expressed by stakeholders in relation to the potential effects of recreational facilities (as expressed at ISH9 and through stakeholder engagement) the Applicant intends to remove the car park proposals (i.e. Work No. 1P) from the Application.
- 5.9.5 Removing the car park would enable an area of mitigation planting to be relocated further east (to provide screening of substations SS2 and SS3 and the associated Thong Lane access road) resulting in a circa 5,600sqm area of land changed from requiring permanent acquisition powers to temporary possession of land only, as shown on Figure 1 below:

Plate 5.1 Proposed update to the Land Plans



- 5.9.6 The Applicant notes that KCC has advised that if the additional facilities were not secured through the DCO (which they would not be) the Council's preference would be for the proposed car park to be removed from the Application entirely [[REP6-138](#)].
- 5.9.7 As a result of the amendment, Design Principle S2.11 would be revised.
- 5.9.8 The amendment is reflected in the following documents at Deadline 7:
- 2.2 Land Plans
 - 2.5 General Arrangement Plans
 - 2.6 Works Plans
 - 3.1 Schedule 1 and 11 of the draft DCO
 - 7.5 Design Principles

5.10 Hearing Action Point 22 Coalhouse Fort

- 5.10.1 Hearing Action Point 21 requests "*Taking account of any position submitted on Action 21 at D6, the Applicant is asked to clarify who would be responsible for the provision, monitoring and maintenance of a proposed weir to separate a salt water drainage system on Tilbury Marshes from the retained freshwater drainage system via Bowaters Creek*".
- 5.10.2 The proposed water level control structures at Coalhouse Fort, including the weir that is referred to in this action point, would be inspected and maintained by the Applicant, in accordance with Design Manual for Roads and Bridges standards. This is secured via commitment RDWE014 in the Register of Environmental Actions and Commitments within the Code of Construction Practice, First Iteration of Environmental Management Plan [Document Reference 6.3 ES Appendix 2.2 (7)].

5.11 Hearing Action Point 23: Hole Farm – TCPA Application

- 5.11.1 Hearing Action Point 23 requests “Provide an update on the status of the TCPA planning application at Hole Farm, once a decision has been made (or if any other significant changes to the status of the application have occurred).”
- 5.11.2 The status of the planning application for Hole Farm (application reference 23/00862/FUL) has not changed since the Applicant provided an update on this matter at Deadline 6 - see paragraph 7.1.5 of 9.132 Post-event submissions, including written submission of oral comments, for ISH9 [[REP6-090](#)].
- 5.11.3 The application is currently delegated to officers at Brentwood Council, as the relevant planning authority, with a recommendation to approve, subject to conditions. The Planning Officer is awaiting Essex Highways’ consultation response and a further response from Forestry England, as the applicant, to comments from Brentwood Council’s Heritage Officer before finalising the proposed conditions and positively determining the application.

6 ISH10 Actions

6.1 Introduction

6.1.1 This section contains the Deadline 7 actions for the ISH10 Hearings Actions [\[EV-082\]](#).

6.2 Hearing Action Point 7 Network North implementation

6.2.1 Hearing Action Point 7 states “*Network North implementation The UK Government has published Command Paper 946: “Network North: Transforming British Transport” (October 2023). Please provide comments on policy changes and new commitments arising from this policy which give rise to potential effects on the LTC project*”.

6.2.2 The Applicant provided a response to this in Section A.6 of Post-hearing submissions, including written submission of oral comments for, ISH10 [\[REP6-091\]](#).

6.2.3 Kent County Council provided a response in their post event submission [\[REP6-138\]](#) noting that they had received approval for the A229 Blue Bell Hill Improvement Scheme to proceed to the Outline Business Case stage, and setting out that the Network North announcement did not provide certainty with regard to Blue Bell Hill, as the Blue Bell Hill Project will remain subject to a funding decision by Government.

6.2.4 The Applicant considers that this is a demonstration of the funding framework for highways put in place by the Government operating as intended. It is appropriate for a scheme of this nature to follow a staged development process, with funding decisions made at the appropriate milestones. The Applicant considers that approval to proceed to Outline Business Case provides appropriate security commensurate with the stage of development of the A229 Blue Bell Hill Improvement Scheme. The Applicant’s proposals and assessments for the A122 Lower Thames Crossing are not dependent on such funding being given and the substantial benefits delivered by the Project outweigh the adverse impacts assuming no A229 Improvement Scheme is delivered. Nevertheless, it is a demonstration that there are already in place appropriate processes for highways project to seek funding from DfT, and that those processes function effectively.

6.2.5 The Council further states that “*a requirement should be included in the DCO for the Applicant to carry out the A229 Blue Bell Hill Improvement Scheme at its own expense in the eventuality that the Government does not provide funding for its delivery*”. The Applicant notes that as National Highways is funded by Government, any such Requirement would by definition act to make the decision regarding the A122 Lower Thames Crossing contingent on a decision on funding the A229 Blue Bell Hill. The Applicant has made the case previously, that this is not the intention of the Government, as has been set out in the Road Investment Strategy 2: 2020 – 2025 (Department for Transport, 2020) (as detailed in the Wider Network Impacts Position Paper [\[REP6-092\]](#)).

- 6.2.6 Gravesham Borough Council similarly stated in its submissions [REP6-133] and [REP6-128] that there was no certainty over the funding, given the need for approval of the business case. The Applicant has confirmed (as detailed in the Wider Network Impacts Position Paper [REP6-092]) that the adverse impacts at Blue Bell Hill have been assessed and included as disbenefits in the calculation of the benefits arising from the A122 Lower Thames Crossing, and that therefore the A122 Lower Thames Crossing is not dependent on the delivery of the A229 Blue Bell Hill scheme.

6.3 Hearing Action Point 12: PRow closures and diversions: route plan

- 6.3.1 Hearing Action Point 12 requests “Provide a snapshot plan showing PRowS to be closed, both temporarily and permanently, the temporary and permanent diversion routes and length of closure if temporary. The recording of multiple or staged short temporary diversions (and associated complexity) is not sought. The priority should be the recording of permanent closures and diversions.”
- 6.3.2 B.3.2 of Post-event submissions, including written submissions of oral comments at ISH10 [REP6-091] states “To assist with Thurrock Council’s request a single plan detailing key temporary diversion routes to PRow as well as existing and proposed routes will be presented at deadline 7.”
- 6.3.3 The Applicant refers the Examining Authority to Restrictions on Existing WCH Route Plan [Document Reference 9.170].

References

Department for Transport (2020). Road Investment Strategy 2: 2020 – 2025.
<https://www.gov.uk/government/publications/road-investment-strategy-2-ris2-2020-to-2025>

Glossary

Term	Abbreviation	Explanation
A122		The new A122 trunk road to be constructed as part of the Lower Thames Crossing project, including links, as defined in Part 2, Schedule 5 (Classification of Roads) in the draft DCO (Application Document 3.1)
A122 Lower Thames Crossing	Project	A proposed new crossing of the Thames Estuary linking the county of Kent with the county of Essex, at or east of the existing Dartford Crossing.
A122 Lower Thames Crossing/M25 junction		New junction with north-facing slip roads on the M25 between M25 junctions 29 and 30, near North Ockendon.
A13/A1089/A122 Lower Thames Crossing junction		Alteration of the existing junction between the A13 and the A1089, and construction of a new junction between the A122 Lower Thames Crossing and the A13 and A1089, comprising the following link roads: <ul style="list-style-type: none"> • Improved A13 westbound to A122 Lower Thames Crossing southbound • Improved A13 westbound to A122 Lower Thames Crossing northbound • Improved A13 westbound to A1089 southbound • A122 Lower Thames Crossing southbound to improved A13 eastbound and Orsett Cock roundabout • A122 Lower Thames Crossing northbound to improved A13 eastbound and Orsett Cock roundabout • Orsett Cock roundabout to the improved A13 westbound • Improved A13 eastbound to Orsett Cock roundabout • Improved A1089 northbound to A122 Lower Thames Crossing northbound • Improved A1089 northbound to A122 Lower Thames Crossing southbound
A2		A major road in south-east England, connecting London with the English Channel port of Dover in Kent.
Application Document		In the context of the Project, a document submitted to the Planning Inspectorate as part of the application for development consent.
Construction		Activity on and/or offsite required to implement the Project. The construction phase is considered to commence with the first activity on site (e.g. creation of site access), and ends with demobilisation.
Design Manual for Roads and Bridges	DMRB	A comprehensive manual containing requirements, advice and other published documents relating to works on motorway and all-purpose trunk roads for which one of the Overseeing Organisations (National Highways, Transport Scotland, the Welsh Government or the Department for Regional Development (Northern Ireland)) is highway authority. For the A122 Lower Thames Crossing the Overseeing Organisation is National Highways.

Term	Abbreviation	Explanation
Planning Act 2008 CPO Guidance		Department for Communities and Local Government, 2013 Planning Act 2008 Guidance related to procedures for the compulsory acquisition of land https://assets.publishing.service.gov.uk/media/5a748a8ce5274a7f9902904a/Planning_Act_2008_-_Guidance_related_to_procedures_for_the_compulsory_acquisition_of_land.pdf
Development Consent Order	DCO	Means of obtaining permission for developments categorised as Nationally Significant Infrastructure Projects (NSIP) under the Planning Act 2008.
Development Consent Order application	DCO application	The Project Application Documents, collectively known as the 'DCO application'.
Environmental Statement	ES	A document produced to support an application for development consent that is subject to Environmental Impact Assessment (EIA), which sets out the likely impacts on the environment arising from the proposed development.
Highways England		Former name of National Highways.
M2 junction 1		The M2 will be widened from three lanes to four in both directions through M2 junction 1.
M2/A2/Lower Thames Crossing junction		New junction proposed as part of the Project to the east of Gravesend between the A2 and the new A122 Lower Thames Crossing with connections to the M2.
M25 junction 29		Improvement works to M25 junction 29 and to the M25 north of junction 29. The M25 through junction 29 will be widened from three lanes to four in both directions with hard shoulders.
National Highways		A UK government-owned company with responsibility for managing the motorways and major roads in England. Formerly known as Highways England.
National Planning Policy Framework	NPPF	A framework published in March 2012 by the UK's Department of Communities and Local Government, consolidating previously issued documents called Planning Policy Statements (PPS) and Planning Practice Guidance Notes (PPG) for use in England. The NPPF was updated in February 2019 and again in July 2021 by the Ministry of Housing, Communities and Local Government.
National Policy Statement	NPS	Set out UK government policy on different types of national infrastructure development, including energy, transport, water and waste. There are 12 NPS, providing the framework within which Examining Authorities make their recommendations to the Secretary of State.
National Policy Statement for National Networks	NPSNN	Sets out the need for, and Government's policies to deliver, development of Nationally Significant Infrastructure Projects (NSIPs) on the national road and rail networks in England. It provides planning guidance for promoters of NSIPs on the road and rail networks, and the basis for the examination by the Examining Authority and decisions by the Secretary of State.

Term	Abbreviation	Explanation
Nationally Significant Infrastructure Project	NSIP	Major infrastructure developments in England and Wales, such as proposals for power plants, large renewable energy projects, new airports and airport extensions, major road projects etc that require a development consent under the Planning Act 2008.
North Portal		The North Portal (northern tunnel entrance) would be located to the west of East Tilbury. Emergency access and vehicle turn-around facilities would be provided at the tunnel portal. The tunnel portal structures would accommodate service buildings for control operations, mechanical and electrical equipment, drainage and maintenance operations.
Operation		Describes the operational phase of a completed development and is considered to commence at the end of the construction phase, after demobilisation.
Order Limits		The outermost extent of the Project, indicated on the Plans by a red line. This is the Limit of Land to be Acquired or Used (LLAU) by the Project. This is the area in which the DCO would apply.
Planning Act 2008		The primary legislation that establishes the legal framework for applying for, examining and determining Development Consent Order applications for Nationally Significant Infrastructure Projects.
Project road		The new A122 trunk road, the improved A2 trunk road, and the improved M25 and M2 special roads, as defined in Parts 1 and 2, Schedule 5 (Classification of Roads) in the draft DCO (Application Document 3.1).
Project route		The horizontal and vertical alignment taken by the Project road.
South Portal		The South Portal of the Project (southern tunnel entrance) would be located to the south-east of the village of Chalk. Emergency access and vehicle turn-around facilities would be provided at the tunnel portal. The tunnel portal structures would accommodate service buildings for control operations, mechanical and electrical equipment, drainage and maintenance operations.
The tunnel		Proposed 4.25km (2.5 miles) road tunnel beneath the River Thames, comprising two bores, one for northbound traffic and one for southbound traffic. Cross-passages connecting each bore would be provided for emergency incident response and tunnel user evacuation. Tunnel portal structures would accommodate service buildings for control operations, mechanical and electrical equipment, drainage and maintenance operations. Emergency access and vehicle turn-around facilities would also be provided at the tunnel portals.

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