



PLANNING INSPECTORATE OPEN-FLOOR HEARING

on

23 NOVEMBER 2023

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PRESENT

PLANNING INSPECTORATE

RYND SMITH

KEN PRATT

KEN TAYLOR

CASE TEAM

SPENCER BARROWMAN

MARTIN ALMOND

LOWER THAMES CROSSING

TOM HENDERSON

LOCAL AUTHORITIES

CHRIS STRATFORD (Thurrock Council)

PETER DOHERTY (Thurrock Council)

[STEVE SMITH?] (Thurrock Council)

INTERESTED PARTIES

STEVEN BRACE

1 MR SMITH: Good evening, everybody, and welcome to today's open-floor hearing
2 number 5 for the Lower Thames Crossing. And this is the final open-floor
3 hearing in this examination. Before we introduce ourselves, can I just check
4 with the case team and the audio-visual team that we can be heard online and
5 that the recording and the livestream have started? And I'm seeing all the right
6 signals in all the right places, so we will proceed to introductions.

7 My name is Rynd Smith. I am lead member of a panel which is the
8 Examining Authority for the Lower Thames Crossing application, and I'm in
9 the chair for this hearing. I'll draw your attention to the frequently asked
10 questions linked to our rule 6 letter available on our website, where you'll find
11 brief biographies of the panel members and an explanation of the purpose of the
12 panel, the Examining Authority's appointment. My fellow panel members here
13 will now introduce themselves.

14 MR TAYLOR: Good evening, everybody. My name's Ken Taylor. I'm a panel member.
15 I'll mainly be observing this evening and taking notes, but I may ask some
16 questions as they arise.

17 MR PRATT: Good morning, everybody. My name's Ken Pratt, and I'm also a panel
18 member, and like my colleague, Mr Taylor, I'll mainly be observing and taking
19 notes and raising the occasional question.

20 MR SMITH: Thank you very much. And I will mention in passing that there are two
21 other members of this Examining Authority, Mr Dominic Young and Ms
22 Janine Laver, who are not sitting with us on the bench tonight. They are
23 preparing for another event. So I will introduce our planning inspectorate
24 colleagues working with us, and Martin Almond and Spencer Barrowman are
25 the case managers leading the case team here, and I believe that is the totality of
26 the team that is supporting us tonight. Mr Barrowman, I believe, has also been
27 supporting a virtual event. So that is introductions complete.

28 We will move firstly to the purpose of an open-floor hearing. This, as I've
29 indicated, is our final open-floor hearing, which is an opportunity for anyone
30 who makes a formal request to be heard to raise anything that's important or
31 relevant and which they think we should know about and consider before we
32 make findings or recommendations to the Secretary of State on the application
33 for development consent for the Lower Thames Crossing.

1 Any interested party in an examination can ask to be heard at an open-floor
2 hearing. And if such a request is received, then we must offer to hear that
3 interested party pursuant to their request. So, as I've indicated, this is the final
4 such hearing, and the purpose of holding it is to ensure that we provide an
5 opportunity to be heard to people who have requested and, for one reason or
6 another, have not yet been heard.

7 What I will also indicate is that, somewhat unconventionally, we also
8 extended a specific invitation to persons who had not requested to be heard, and
9 that is that we have asked and are providing an opportunity for representatives
10 of the Gammon Field gypsy and traveller community to speak at this event,
11 principally because there are provisions in the proposed development consent
12 order that affect that community. We haven't engaged directly with that
13 community at any stage in the examination to date, and we felt that it was
14 critically important that we did so before bringing this examination to an end.

15 So, that is a brief introduction. What I'm now going to do is to check who
16 we have here. And so, firstly, I'm just going to go to speakers in the room. Now,
17 I do believe that we have Mr Stratford, who is from Thurrock Council but will
18 be participating at least partly on behalf of the Gammon Field community. Is
19 that correct, Mr Stratford?

20 MR STRATFORD: Good evening, sir. Yes, it is. I coordinate the Thurrock response to
21 the LTC project, and I was the person involved in the two years of negotiation,
22 not directly with the travellers, but with me this evening online there are two
23 people. I'll let them introduce themselves in a moment. But Peter Doherty is
24 the head of housing operations for Thurrock Council, and [Steve Smith?] is the
25 travellers' representative. And the three of us together will be representing the
26 traveller community.

27 MR SMITH: Okay, thank you very much. Would you briefly like to come on screen and
28 introduce yourselves?

29 MR DOHERTY: Okay. Good evening. I'm Peter Doherty. As Chris has stated, I'm the
30 head of housing operations for the council. So just for clarity around the
31 structures within the organisation. Steve Smith, who is the traveller liaison
32 officer – sorry, manager, who'll introduce himself in a minute. Steve reports
33 into a manager between myself and him, but the three of us obviously – the three
34 council-run traveller sites that we manage in Thurrock Council.

1 MR SMITH: Okay, thank you very much.

2 MR DOHERTY: Thank you.

3 MR SMITH: And now, Mr Smith.

4 MR S SMITH: Hello there. Good evening. My name's Steve Smith, as Peter said. I am
5 the traveller liaison manager for Gammon Field. Me and a colleague of mine,
6 we manage the site on a daily basis and have regular contact with all the
7 residents.

8 MR SMITH: Okay, well, a big welcome here tonight. Thank you for coming. And
9 before we ask you to speak directly, I'll just check on the position in relation to
10 other speakers. Now, can I just check, do we have a representative of
11 Chelmsford Diocesan Board of Finance? I don't believe we do. No. Do we
12 have Linda Allen? No. Any representative of the AJA Booth Voluntary
13 Settlement? No. Steven Brace.

14 MR BRACE: Good evening. Yeah, I'm here.

15 MR SMITH: Excellent. Ray Styles? No. Dr E Thompson or Mr John Elliott. Okay, so
16 we do have Mr Brace. Now, in terms of the agenda order, we published a list of
17 speakers who were invited. I'm going to proceed in that order, so I'm going to
18 ask the representatives of the Gammon Field community to speak first –
19 obviously, through Thurrock Council as well. As a representative body, as a
20 community, we will provide you with 10 minutes to speak.

21 Now, given that we have invited you, I think it's incumbent upon us to
22 give you a little guidance in terms of what we would like you to cover, although
23 it is an open-floor hearing, so feel free to add such matters as you consider to be
24 relevant.

25 But we certainly would like to hear views that might be relevant in terms
26 of our consideration of the effect of the proposed development on the existing
27 Gammon Field community and the reprovision of a traveller's site for the
28 Gammon Field community, and indeed, the provisions in the draft development
29 consent order that manage that. So that is what we would very much like to hear
30 from you about, and so, on that basis, what I'm going to do is to ask you to
31 commence speaking. It is a time-limited period, so you'll have 10 minutes to
32 speak.

33 Just before you do, to flag for the other speaker, Mr Brace, as an
34 individual, you will be provided with five minutes, and your speaking time will

1 start once the representatives of the Gammon Field community have finished
2 their contribution. So, Mr Stratford.

3 MR STRATFORD: Okay, I'll keep it brief to allow the other two to speak more. We
4 have negotiated with National Highways and the traveller community through
5 the council in, firstly, selecting a site, which went through a few options, and
6 then we found the site next to the existing site, literally contiguous with it.
7 That's been negotiated with the National Highways design team for two years,
8 and we believe we've got an agreed layout sufficiently secured within the DCO
9 by various means. We have made a recent submission about adding three words
10 to one of the requirements, following an issue-specific hearing request from
11 yourselves, so I think, with that in mind, we are quite comfortable with the
12 current situation, as I believe the travellers are.

13 But I'll let, maybe, Peter kick off first, and Steve, and explain why the
14 travellers aren't here first of all, and then tell you, basically, where we think we
15 are with them. So, Peter.

16 MR DOHERTY: Thanks, Chris. Yeah, just to clarify that we did invite representatives
17 along for this evening, but they declined. And as Steve Smith has already
18 indicated, we have daily contact with our tenants as well, so, as I say, Steve's
19 brought that directly to them as well, but, I say, they're pleased with, I say,
20 what's happened, in terms of what's been put forward. And they've been very
21 much involved in terms of the new site itself.

22 So, just to pick up on a bit more detail in terms of what Chris has just
23 commented on, as he stated, we have been in negotiations over the last two years
24 with National Highways and with our tenants. And there's been a number of
25 events which we've held with National Highways and with our tenants around
26 the site and the spec, etc. So, in terms of what we've done, we've been able to
27 work, as I say, with residents and with National Highways to agree a plan.
28 We've allocated out the plots already in terms of where the individual families
29 would be located in terms of the plots. And we've also agreed the build design.

30 So we've also looked to establish some improvements because, obviously,
31 it's a good opportunity for us to address some of the concerns that they've got
32 in terms of the current site, so what we've been able to do in terms of
33 improvements going forward as well – and again, listening to the views of our
34 residents – is we've redesigned the site layout. We've provided larger plot

1 spaces for the caravans and the dry rooms, and we've also provided extra
2 storage.

3 And I think one of the other key things we were concerned with the current
4 site is that there is no permanent gas supply to the site as it stands at the moment,
5 so, in terms of the proposed new site, that's one of the things that we've agreed
6 will go into the new site, so I think that's a big improvement in terms of the
7 health and safety of the new site as well.

8 So, in terms of general engagement, we've established a Facebook page,
9 which we've been operating for some time now with our tenants, and that's been
10 very much utilised by our tenants and National Highways and the council as well
11 as a means of communication. We've got two onsite officers – I think that's
12 already been referenced, so Steve is the manager, and we have one other officer
13 as well. And they're responsible for the three council-run sites, so they're fully
14 supervised sites where we have both officers working Monday to Friday, 9 to 5.

15 National Highways, they visited the site on a number of occasions with us
16 and held events there, so they've met with the residents and, in my opinion,
17 they've done a good job in terms of that as well.

18 So, in terms of the relocation, so this – just to clarify – is a displacement
19 because of the LTC development. It's a council-owned site for which planning
20 permission was granted back in 1994, so we've owned and managed the site for
21 its entirety. So there's been no compliance issues, so no mechanical or other
22 business issues, for example, have started up in and around the site, so we've
23 managed that particularly well. And as I say, with the two officers on site, that's
24 never become an issue, and with the other two sites as well that we manage,
25 there's not been any issues there as well.

26 The other thing I'd like to stress as well, this particular site is very much
27 a settled family site, so some of the issues potentially that you may come across
28 elsewhere certainly haven't arisen in any of the three sites that we manage.

29 And in terms of the move from the current site to the proposed site, we
30 have agreed that the new site development will be completed ahead of the
31 residents moving from the old site, or, should I say, the current site.

32 MR SMITH: Thank you very much. Okay. If that concludes your contribution,
33 Mr Doherty, then we'll move onto Mr Smith.

1 MR S SMITH: Hello, there. There's not much more I can add to what Peter's said, other
2 than the fact that me and my colleague [Jason Monk?] were quite instrumental
3 in getting the two sides together, National Highways and the residents. There
4 was a lot of introductions. Collectively, they were quite happy – well, they're
5 not happy that their homes are being taken away – collectively, it wasn't an
6 issue. But they had individual concerns about sizes of plots and stuff like that,
7 so there was a lot of negotiations between me and my colleague and the residents
8 and National Highways.

9 And over a period of time, we were quite successful in getting the two
10 sides to agree on a site plan and on the plot layouts as well, so, other than that,
11 I've really got nothing more to add to what Peter said.

12 MR SMITH: Okay, well, thank you very much. Now, there is almost half of your allotted
13 time left, so, Mr Stratford, if there any concluding remarks that you would like
14 to make.

15 MR STRATFORD: Thank you. Yes, sir. Amongst the glowing contributions that we've
16 had all around, there are two small issues to resolve. One is the additional
17 wording in the requirement that covers not just design and layout but use and
18 operation – that gives the council more control. If the applicant were able to
19 agree to that, that would make things very easy.

20 And then a point you will be familiar with, it's a technical point really, but
21 the SACR – whilst the DCO does now say it must be done in compliance with
22 the SACR, as you well know, the wording in the SACR itself is a bit looser, and
23 so we would like an absolute commitment that the new site will be up and
24 running prior to any claim on the old site. I mean, the wording is in there; it's
25 SACR point 8, I think –

26 MR SMITH: Yeah.

27 MR STRATFORD: – 008. It just needs to be tightened up in terms of the DCO
28 connection.

29 MR SMITH: And because of the very particular issue of, essentially, loss of immediate
30 home associated with this –

31 MR STRATFORD: Yeah.

32 MR SMITH: – then you are seeking the best possible guarantee that the reprovision's
33 occurred before it is called upon.

34 MR STRATFORD: Yes, and I can't imagine it's an unreasonable request.

1 MR SMITH: Indeed.

2 MR STRATFORD: Yeah.

3 MR SMITH: Well, then, Mr Stratford, unless there's anything else that you want to add,
4 at this juncture, I will introduce Mr Tom Henderson who is representing the
5 applicant here tonight. Are there any remarks in response that you need to make
6 before we move on?

7 MR HENDERSON: Thank you, sir. Just very briefly – Tom Henderson speaking for the
8 applicant. We have responded to Thurrock Council's request for an amendment
9 to the requirement in our deadline 7 submissions – appreciate those have only
10 recently been posted. And I don't think the exam library is updated as yet. But
11 I think what I would suggest is that Mr Stratford and colleagues, when they have
12 a chance to read that, reflect on what we've said rather than going into the detail
13 now. There is some detail around it –

14 MR SMITH: We have also made provision, actually, Mr Henderson – apologies for
15 cutting across you, but we have made provision for some time in the DCO
16 issue-specific hearing to look at the technical mechanics because I was very
17 conscious of that fact that, if members of the community wish to attend tonight,
18 that we weren't battling everybody with technical recitations, that we'd save that
19 for issue-specific hearing 14.

20 MR HENDERSON: Absolutely. It's also in your commentary on the –

21 MR SMITH: It is.

22 MR HENDERSON: – DCO as well, so for Thurrock Council's benefit, that's our
23 document 9.180.

24 MR SMITH: Yes.

25 MR STRATFORD: I've just refreshed the screen. The exam library is now up.

26 MR SMITH: Yes, indeed. I just received a note on my screen confirming that.

27 MR STRATFORD: And therefore, Tom, if you could provide the actual REP7 number.

28 MR HENDERSON: Yeah.

29 MR SMITH: Provide it after the hearing –

30 MR STRATFORD: Yeah, that's fine.

31 MR SMITH: Thank you.

32 MR HENDERSON: – rather than hold matters up. And that allows some time to consider
33 it before the ISH14.

34 MR SMITH: Indeed. Excellent.

1 MR HENDERSON: Thank you.

2 MR SMITH: Unless you've got anything further to add, Mr Henderson –

3 MR HENDERSON: No, thank you.

4 MR SMITH: – we will draw submissions on behalf of the Gammon Field traveller
5 community to a close, which then takes me to the one other person in attendance,
6 Mr Steven Brace. Can I ask you to come on screen, Mr Brace?

7 MR BRACE: Good evening.

8 MR SMITH: Good evening. Now you have – this is an open floor for five minutes to
9 put such relevant matters as you wish to put about the effects of the application,
10 so, Mr Brace, the time's yours. You'll get a slide warning, I hope, at
11 approximately one minute before you need to stop.

12 MR BRACE: Okay, thank you very much. Yeah, my name's Steven Brace. I've been a
13 resident of Riverview Park for over 50 years, and my main concerns – I've got
14 quite a big list; I'll try and get through them all, hopefully – is, at the beginning
15 of this whole process, the maps and everything that were provided in the
16 consultation books, none of them had a scale on them. The detail on them was
17 – well, you couldn't make out any detail. As I've lived here for 50 years, I
18 expected to be able to work out what was roughly what, but I was unable to.

19 And the whole way through this process, when I've gone to Highways
20 England website to try and find out information, it seems to put you to another
21 link and another link. And by the time you get to all the end of them links,
22 you're nowhere near what you was trying to find out. It's just ridiculous. You
23 can never actually find out the information that you're looking for.

24 And when I went to one of the first consultations, one of my questions to
25 the people there was, 'Could they please tell me the distance of the road from
26 my property?' and unfortunately, to this day, I still do not have that distance
27 even though I can step out of my front door and look down the road and see the
28 A2, I still can't find out what distance I am from the actual road itself. They
29 didn't seem to have any idea as to exactly where it was going, so that was the
30 main bit on the web pages. I find it very confusing.

31 And all the comments on those web pages are – there's a picture of
32 England with all red dots on it, all these people saying, 'Oh, it's great. Yeah,
33 it's going to be this. It's going to be that.' I made a few comments on there
34 about why I think it shouldn't be actually put on – why it shouldn't go ahead.

1 And if you actually look through there, you will not find any of the comments
2 that say, well, reasons to why it really shouldn't go ahead. It's mainly all the
3 comments as to why it should, which I feel is a little bit unfair to the people who
4 find it not the correct decision to be done.

5 Also, I wrote to my MP, Adam Holloway, on several occasions at the
6 beginning of the process because I'd also asked if we could have decibel
7 readings from our properties at this present time because we've got the A2,
8 which you can hear quite often. Just the other side of there, we've got the
9 high-speed rail link. And as the high-speed rail link goes through the Gravesend
10 east block, it has to sound its horn because it's a manned station, so we hear that
11 all the time.

12 And as to this day, all I've ever heard back about the decibel readings is
13 that my decibel meter would be the one at the Inn on the Lake, and it couldn't
14 be set up because of rain and wind. Well, considering the amount of rain and
15 wind we have, I don't know how they're going to actually put it up there. But
16 there does appear to be some around, but I've still never heard any information
17 as to what the readings are, what the residents should expect to get as a level of
18 noise from this new road when it opens.

19 My next concern was the temporary works. When they started the – what
20 was it – ground investigation and survey work, we was told that this would be a
21 temporary matter. They'd only be there for a little while, drilling holes, putting
22 down the bits and pieces, which was fine. On a couple of occasions, they
23 blocked off public footpaths without actually having put up notifications.

24 And when I questioned the fella that was there, he told me that I had to go
25 around it. And I explained to him, if I went around where he was telling me, I
26 was then going onto private property, which was the Southern Valley golf
27 course. But he just said, 'Well, you've got to go around' – because I walk my
28 dogs across every day – but he was not a lot of help.

29 And my other main concern, basically, is the wildlife. There's so much
30 wildlife in this area. I've looked around, and in the last few months, probably a
31 lot of the people have never ever seen a stag beetle. This year, I had to – or last
32 year, I had to actually go looking for the grubs for the stag beetles because
33 they're slowly disappearing.

1 And once the road goes in, Shorne Country Park will literally be in a box
2 where no animals or anything can actually get across to actually move around,
3 so it will just become sterile. There's no deer or anything in there now because
4 of the A2.

5 Once this road goes in, they'll be no opportunity for anything to travel
6 from either side of the road to make a new community, so everything in there
7 will just become inbreeding unless it's a bird that can fly in. No mammals will
8 be able to get in or out of the place because they'll be trapped between two major
9 roads, so it's not really the ideal thing.

10 And I couldn't understand why they went for a tunnel as opposed to a
11 bridge because a tunnel has got to be lit 365 days a year. It's got to be ventilated;
12 it's also got to be water pumped out, whereas a bridge at Dartford only wants
13 lights on of a night – needs no ventilation. The water would run off by gravity,
14 so I can't quite understand why a bridge at Dartford wasn't the main option as
15 opposed to a tunnel at Gravesend.

16 MR SMITH: Okay, and at that point, Mr Brace, I'm afraid I'm going to have to ask you
17 to conclude because, as a matter of fairness, we provide the same speaking time
18 to all individual speakers, of five minutes. I do note, however, that you've raised
19 a range of essentially factual questions. And we do have a representative of the
20 applicant in the room with us, Mr Henderson, who, if he can't answer those with
21 immediate effect, might be in a position to be able to arrange for a member of
22 the applicant team to contact you or write to you with the information.

23 I would also flag that, in terms of this process, which is an examination
24 being conducted by the Planning Inspectorate, that we have a very broad
25 diversity of opinion. A lot of people have made what are known as relevant
26 representations to us, by no means all of which are supportive of the project.
27 And we have the full range of that opinion represented in front of us and have
28 heard very diverse views in writing and in oral submissions as well. And we
29 will be taking them all fully and fairly into account before we make a
30 recommendation to the Secretary of State about whether or not development
31 consent is granted for this proposed development, so rest assured, all views are
32 being taken into account.

33 But what I'm going to do now is just pass to Mr Henderson to see if he
34 has comments to make, and indeed, whether there is any way in which the

1 applicant can hopefully address some of the questions that you've raised.
2 Mr Henderson.

3 MR HENDERSON: Thank you, sir. Tom Henderson for the applicant, and thank you to
4 Mr Brace for his comments. Obviously, we respect those and his right to make
5 them. What I propose we do, which is the form we've taken for other open-floor
6 hearings, is that we're obviously taking a note of proceedings, and for previous
7 participants, we've tabulated each of the comments they've made and then
8 provided a response to each comment, which can take the form of a signpost for
9 information or new information or new responses if that's what's merited. So
10 that's what we would propose to do, and that information would be available to
11 Mr Brace at deadline 8. And then he can obviously comment further should he
12 wish to do so.

13 MR SMITH: And, Mr Brace, if you wish to comment on that, we will then have a further
14 deadline at deadline 9, which is second to last deadline in this examination,
15 where a written comment can be made responding to the material that the
16 applicant provides you. So, thank you once again for attending.

17 Now, noting that, in relation to the other requests that we heard that were
18 made, other people who did request to be heard have either contacted the
19 planning inspectorate and indicated that they no longer wish to exercise their
20 right or have not attended either in person or virtually. So, on that basis, I think
21 the Examining Authority is satisfied that we have provided those people with a
22 reasonable opportunity to be heard and that the necessity to hear any further
23 requests to be heard at any other open-floor hearing is now, essentially, at an
24 end, so this has been the last open-floor hearing in this examination.

25 I would like to thank everybody who has participated, not just at this
26 hearing but at the four open-floor hearings preceding it, for their participation.
27 Everything that has been said today and in the previous four hearings will be
28 carefully considered. And unless there's anything else that anybody else wants
29 to raise before we close formally, I will now – on behalf of my colleagues as
30 well – wish everyone good night and say that open-floor hearing number 5 – it
31 isn't – almost closed, but it's not because Mr Stratford from Thurrock –

32 MR STRATFORD: Just one small point. You did invite the travellers and the
33 representatives both to this meeting and to the one on ISH14 on Tuesday.

34 MR SMITH: I did.

1 MR STRATFORD: And I'm just wondering whether that is necessary for them to come.

2 MR SMITH: I don't believe so. I mean, our purpose was to be, essentially, as broadly
3 inclusive as we could be. And we didn't really mind whether the community
4 wished to attend by representation or in person. And we didn't really mind
5 whether they wanted to use this opportunity or a technical issue-specific hearing.
6 But, on the basis that at least representatives of the community have been heard,
7 I think that's sufficient.

8 MR STRATFORD: Thank you.

9 MR SMITH: So, let us move now then to close open-floor hearing number 5 and also
10 bring an end to this week's hearings. For those of you involved, we will meet
11 again at issue-specific hearing 13 into traffic and transportation in this room at
12 10.00 a.m. on Monday morning. Thank you very much, ladies and gentlemen.

13

14

(Meeting concluded)