

Reference number: TR010032
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FAO Mr Smith (Lead Panel Member for the Examining Authority) c/o Mr Bartkowiak (Case Manager)
The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

A122 Lower Thames Crossing
National Highways
Woodlands
Manton Lane
Bedford
MK41 7LW

National Highways Customer Contact
Centre: 0300 123 5000

5th December 2023

Dear Mr Smith

A122 Lower Thames Crossing (Reference Number TR010032)

1 Deadline 8

1.1 Response to Rule 6 Letter 25 April 2023 and Rule 8 Letter 27 June 2023 and amended 3 July 2023 – Deadline 8

1.1.1 This submission is in response to the Rule 6 Letter [\[PD-013\]](#) issued by the Examining Authority on 25 April 2023, the Rule 8 Letter [\[PD-018\]](#) issued by the Examining Authority on 27 June 2023 and the amended Rule 8 Letter [\[PD-020\]](#) issued by the Examining Authority on 3 July 2023.

1.1.2 Annex A and Annex B to this letter identify all of the documents that accompany this submission. Table 1.1 to Table 2.1 of this letter reflect what each of these documents relates to (i.e. updates following Statement of Common Ground (SoCG) discussions, documents to be submitted at each deadline, minor corrections, etc.). Some of the documents relate to more than one of these categories and are therefore listed in more than one table.

1.2 Post-event submissions, including written submission of oral comments made at the hearings held 20 to 28 November 2023

1.2.1 Compulsory Acquisition Hearing 5 (CAH5) was held on 21 November 2023 at Hilton London Bridge and as a virtual event. The Applicant refers the Examining Authority to Post-event submissions, including written submission of oral comments, for CAH5 **[Document Reference 9.186]** which contains the Applicant's oral summaries and responses to the points made by Interested Parties. Please refer to Section 2 for more information on Hearing Actions.

1.2.2 Issue Specific Hearing 11 (ISH11) on Environmental Matters was held on 22 November 2023 at Hilton London Bridge and as a virtual event. The Applicant refers the Examining Authority to Post-event submissions, including written submission of oral comments, for ISH11 **[Document Reference 9.187]** which contains the Applicant's oral summaries and responses to the points made by

- 1.2.3 Interested Parties. Please refer to Section 2 for more information on Hearing Actions.
- 1.2.4 Issue Specific Hearing 12 (ISH12) on Social, Economic and Project Delivery Matters was held on 23 November 2023 at Hilton London Bridge and as a virtual event. The Applicant refers the Examining Authority to Post-event submissions, including written submission of oral comments, for ISH12 [**Document Reference 9.188**] which contains the Applicant's oral summaries and responses to the points made by Interested Parties. Please refer to Section 2 for more information on Hearing Actions.
- 1.2.5 Open Floor Hearing 5 (OFH5) was held on 23 November 2023 at Hilton London Bridge and as a virtual event. The Applicant refers the Examining Authority to Post-event submissions, including written submission of oral comments, for OFH5 [**Document Reference 9.189**] which contains the Applicant's oral summaries and responses to the points made by Interested Parties. Please refer to Section 2 for more information on Hearing Actions.
- 1.2.6 Issue Specific Hearing 13 (ISH13) on Traffic and Transport was held on 27 November 2023 at Hilton London Bridge and as a virtual event. The Applicant refers the Examining Authority to Post-event submissions, including written submission of oral comments, for ISH13 [**Document Reference 9.190**] which contains the Applicant's oral summaries and responses to the points made by Interested Parties. Please refer to Section 2 for more information on Hearing Actions.
- 1.2.7 Issue Specific Hearing 14 (ISH14) on the draft Development Consent Order (dDCO) was held on 28 November 2023 at Hilton London Bridge and as a virtual event. The Applicant refers the Examining Authority to Post-event submissions, including written submission of oral comments, for ISH14 [**Document Reference 9.191**] which contains the Applicant's oral summaries and responses to the points made by Interested Parties. Please refer to Section 2 for more information on Hearing Actions.
- 1.2.8 The Applicant also highlights it provided three visual aids to support Issue Specific Hearing 11, these were submitted to the Planning Inspectorate on 21 November 2023:
- a. 9.204 Issue Specific Hearing 11 Supporting Information item 3a i) [[AS-110](#)]
 - b. 9.205 Issue Specific Hearing 11 Supporting Information item 3a ii) [[AS-111](#)]
 - c. 9.206 Issue Specific Hearing 11 Supporting Information item 4a [[AS-112](#)]

1.3 Comments on RIES

- 1.3.1 The Examining Authority issued Report on the Implications for European Sites (RIES) [[PD-048](#)] on 14 November 2023. The Applicant has reviewed this, and provides its comments within Applicant's comments on Report on the Implications for European Sites (RIES) [**Document Reference 9.197**].
- 1.3.2 In addition to this, the Applicant is also providing:
- a. 9.198 Applicant's detailed response to comments made by Natural England on HRA Matters
 - b. 9.199 Assessment of the air quality effects on European sites following Natural England Advice.

1.4 Comments on ExA's DCO/Commentary

1.4.1 The Examining Authority issued Examining Authority's Commentary on the draft Development Consent Order [\[PD-047\]](#) on 14 November 2023. The Applicant has reviewed this, and provides its comments within Applicant's comments on Examining Authority's Comments on the draft Development Consent Order **[Document Reference 9.194]**.

1.5 Responses to further Examining Authority's Question

1.5.1 The Examining Authority issued ExQ3 – the Examining Authority's written questions and requests for information [\[PD-046\]](#) on 14 November 2023.

1.5.2 The Applicant has reviewed and responded to these within Response to the Examining Authority's Third Written Questions (ExQ3) **[Document Reference 9.192]**. The Applicant has answered all questions set for Deadline 8.

1.5.3 The Applicant would like to draw attention to the following questions:

- a. **ExQ3_Q2.1.1:** The Applicant notes that a response was sought to Q2.1.1 at Deadline 7. A specific response to that question has now been provided, but was in substance addressed by the Applicant in its Deadline 6 submissions.

In brief, the Applicant, at Deadline 6, submitted the Applicant's Response to Comments Made by the Climate Emergency Policy and Planning at D3 to D5 [\[REP6-094\]](#). This submission responded to the substantive matters raised by Dr. Boswell and also set out the Applicant's primary position in relation to the case of R (Boswell) v Secretary of State for Transport [2023] EWHC 1710.

The Applicant notes that it is requested that at each successive deadline a position statement is provided which explains any changes (or confirmation of no change) to the circumstances of this litigation. The Applicant commits to doing so, and notes that the hearing of the substantive appeal is now scheduled for 16 January 2024.

- b. **ExQ3_Q4.2.2:** The Applicant provided an update on the engagement with the Port of London Authority (PLA) within Section 3.6 of the Deadline 7 Cover Letter [\[REP7-001\]](#). The Applicant can confirm it has agreed with the PLA to meet prior to Deadline 9, aiming to advance discussions on use of port facilities commitment and make any necessary amendments to the outline Materials Handling Plan for submission at Deadline 9. The final position with the PLA on this matter will be captured in the Statement of Common Ground submitted at Deadline 9A.
- c. **ExQ3_Q12.1.1** – The Applicant confirms an update will be made at Deadline 9 in regard to this question.

1.6 Applicant's submission of updated S106 agreement(s) and any other updated legal agreements

- 1.6.1 The Applicant submitted six draft section 106 (s106) agreements as part of the Deadline 7 submission in accordance with the Examination Timetable.
- 1.6.2 On 17 November the Applicant issued each Local Authority with a revised officer contribution offer and where applicable, a revised financial offer for severance contributions.
- 1.6.3 On 22 November the Applicant issued each Local Authority with an updated draft s106 with the revised officer contribution and severance contribution figures and minor drafting changes including addressing the timing of the payments. The drafts remain largely as submitted at Deadline 7 and as such, have not been resubmitted at Deadline 8.
- 1.6.4 The Applicant offered to meet with the Local Authorities immediately after ISH12, to finalise them and where possible, issue them soon after for signature ahead of submission of the final versions at Deadline 9.
- 1.6.5 Should a Local Authority choose not to sign the s106 agreement they will be submitted as unilateral agreements.

1.7 Updated SoCGs

- 1.7.1 The Applicant refers the Examining Authority to Annex B which provides a schedule and status of the SoCGs submitted (or not) at Deadline 8 which includes:
- Updates to those SoCGs submitted with the Development Consent Order (DCO) application on 31 October 2022
 - New SoCGs prepared with Interested Parties in response to the Rule 6 Letter [\[PD-013\]](#)
 - Additional SoCGs with further Interested Parties that were not submitted with the Application, or requested in the Rule 6 Letter [\[PD-013\]](#), but which the Applicant feels will assist the Examining Authority
- 1.7.2 All updated SoCGs have been included in 'tracked changes' and 'clean' versions.
- 1.7.3 The Statement of Commonality [**Document Reference 5.3 (9)**] has been updated to reflect the updates in the SoCGs.
- 1.7.4 In negotiating the matters within these SoCGs, changes/updates have been made to DCO application documents. Table 1.1 identifies these DCO application documents and updated versions which are included as part of this submission.

Table 1.1 Updated DCO application documents following stakeholder and SoCG discussions

Document number	Document title
TR010032/APP/6.3	6.3 ES Appx 2.2 - Code of Construction Practice including Register of Environmental Actions and Commitments (REAC), First Iteration of Environmental Management Plan (Version 8)
TR010032/APP/6.3	6.3 ES Appx 2.2 - Code of Construction Practice including Register of Environmental Actions and Commitments (REAC), First Iteration of Environmental Management Plan - Appendix D – Community Liaison Groups – Initial Terms of Reference
TR010032/APP/6.3	6.3 ES Appx 2.2 - CoCP including REAC, First Iteration of Environmental Management Plan - Annex E - Heat map
TR010032/APP/6.3	6.3 ES Appx 6.9 Draft Archaeological Mitigation Strategy and Outline Written Scheme of Investigation (Version 5)
TR010032/APP/6.7	6.7 Outline Landscape and Ecology Management Plan (Version 6)
TR010032/APP/7.5	7.5 Design Principles (Version 6)
TR010032/APP/7.13	7.13 Framework Construction Travel Plan (Version 5)
TR010032/APP/7.14	7.14 Outline Traffic Management Plan for Construction (Version 8)
TR010032/APP/7.21	7.21 Stakeholder Actions and Commitments Register (Version 6)

1.7.5 These documents have been provided in ‘tracked changes’ and ‘clean’ versions.

1.7.6 An example of the type of changes that have been made to the documents in Table 1.1 are:

- a. Following ISH12, the name of the Code of Construction Practice has been updated to make reference that the Register of Environmental Actions and Commitments is contained within it.
- b. A new Appendix to the Code of Construction Practice has been added, Appendix D – Community Liaison Group – Initial Terms of Reference.
- c. A new appendix to the Code of Construction Practice has been added – Appendix E – Heat Map showing areas of high value habitat for terrestrial invertebrates within the Project Order Limits.
- d. The Applicant is submitting an Outline Palaeolithic Written Scheme of Investigation as Annex C of the draft Archaeological Mitigation Strategy and Outline Written Scheme of Investigation (dAMS-OWSI). The nature and character of Palaeolithic archaeology is different to that of the more recent past and requires some specialist techniques, particularly around sampling and scientific dating. Following discussions with the Local Authority Archaeological Advisors, the Applicant thought it appropriate to expand on the mitigation measures proposed within the main body of the dAMS-OWSI and describe some techniques in more detail. This will provide an outline for

those Site Specific Written Schemes of Investigation (SSWSIs) that deal primarily with mitigation of the impact of the Project on Palaeolithic remains.

- e. An update to the terms of reference for the Workers Accommodation Working Group Terms of Reference as included in the Framework Construction Travel Plan.

1.8 Applicant's submission of documents at Examination deadlines and the Applicant's amended draft DCO

- 1.8.1 The Applicant notes that procedural decision PD-013-17 within the Rule 6 Letter [PD-013] identifies nine documents which should be submitted at each Examination deadline or include notification of 'nil return'. In addition to the documents listed, the Rule 8 Letter issued on 27 June 2023 [PD-018] and amended on 3 July 2023 [PD-020] also requests three additional documents are included at each regular submission. Table 1.2 provides information on those which are being submitted with this submission and states 'nil return' for those that are not, for completeness.
- 1.8.2 It should be noted that an updated draft DCO [Document Reference 3.1 (10)] and Schedule of Changes to the Draft DCO during Examination [Document Reference 9.47 (8)] have been submitted at this Deadline.
- 1.8.3 These documents have been included in 'tracked changes' and 'clean' versions.

Table 1.2 Updated DCO application documents following stakeholder and SoCG discussions

Document reference	Document title	Status
TR010032/APP/1.4	1.4 Navigation Document (Version 14)	Enclosed with this submission
TR010032/APP/3.1	3.1 draft DCO (Version 10)	Enclosed with this submission
TR010032/EXAM/9.47	9.47 Schedule of Changes to the draft DCO during Examination (Version 8)	Enclosed with this submission
TR010032/APP/3.2	3.2 Explanatory Memorandum (Version 6)	Enclosed with this submission
TR010032/APP/4.2	4.2 Book of Reference (Version 7)	Nil return
TR010032/EXAM/9.22	9.22 Schedule of Changes to the Book of Reference (Version 5)	Nil return
TR010032/APP/5.3	5.3 Statement of Commonality (Version 9)	Enclosed with this submission
TR010032/APP/4.1	4.1 Statement of Reasons Annex B (Version 7)	Nil return
TR010032/EXAM/9.3	9.3 Status of Negotiations with Statutory Undertakers (Version 4)	Nil return
TBC	National Policy Statement Tracker	Nil return
TR010032/APP/7.21	7.21 Stakeholder Actions and Commitments Register (Version 6)	Enclosed with this submission
TR010032/APP/3.3	3.3 Consents and Agreements Position Statement (Version 7)	Nil return

Document reference	Document title	Status
TR010032/APP/1.6	1.6 Errata Report (Version 6)	Enclosed with this submission

- 1.8.4 Within the Examining Authority's first written questions and requests for information [PD-029] (ExQ1) Questions Q15.1.1 to Q15.1.4 identified that a revised response to the questions is to be provided at each deadline unless the Applicant is aware there have been no changes. Table 1.3 below provides the states of these documents for Deadline 8.

Table 1.3 Status of ExQ1 questions from the 15 series

Document reference	Document title	Status
TR010032/EXAM/9.77	9.77 ExQ1.15.1.1 Schedule of CA and TP Objections – LTC (Version 4)	No Change
TR010032/EXAM/9.78	9.78 ExQ1.15.1.2 Crown Land and Consent – LTC (Version 4)	No Change
TR010032/EXAM/9.79	9.79 ExQ1.15.1.3 PA2008 s127 Statutory Undertakers' Land/Rights – LTC (Version 4)	No Change
TR010032/EXAM/9.80	9.80 ExQ1.15.1.4 PA2008 s138 Statutory Undertakers' Rights and Apparatus – LTC (Version 2)	No Change

1.9 Comments on any information required by the Examining Authority and received by Deadline 6A and 7

- 1.9.1 The Applicant has reviewed the submissions by others, published at Deadline 6A and Deadline 7. The Applicant's response is provided in:

- a. Applicant's comments on Interested Parties' submissions at Deadline 6A [Document Reference 9.195]
- b. Applicant's comments on Interested Parties' submissions at Deadline 7 [Document Reference 9.196]
- c. Applicant's comments on Interested Parties' submissions regarding Wider Network Impacts at D7 [Document Reference 9.208]
- d. A number of Interested Parties provided comments on the draft DCO at Deadline 7. The Applicant has reviewed all the comments and provided a response to them in Applicant's responses to Interested Parties' comments on the dDCO at D7 [Document Reference 9.193]

- 1.9.2 The Applicant has no comments to make on the other Deadline 6A or 7 submissions at this time.

1.10 Changes to land interests

- 1.10.1 Procedural decision PD-013-18, within the Rule 6 Letter [PD-013], states, 'When the Applicant becomes aware that there has been a change in ownership or a new interest in relevant land, the Applicant is requested to make the relevant person or organisation aware that they can make a request to the ExA to become an Interested Party under section 102A of the Planning Act 2008'.

1.10.2 Since Deadline 7, no new interests in land have been identified.

2 Applicant’s response to Hearings Action Lists

2.1.1 The Examining Authority issued Action Lists for the hearings held between 21 November and 28 November 2023. The Action Points included a number of Action Points required to be submitted at Deadline 8.

2.1.2 Annex C contains a list of all the Action Points from the November Hearings and where they have been addressed.

2.2 Deadline 7 Hearing Actions Commitments

2.2.1 Within Deadline 7 Hearing Actions [[REP7-185](#)], the Applicant provided a commitment to provide an update at Deadline 8. Table 2.1 below provides the update.

Table 2.1 Updates from Deadline 7 Hearing Actions

Deadline 7 Hearing Action Reference	Applicant’s update
CAH3 Hearing Action Point 21: NMU Cheale Group Land. Para 2.8.4 states <i>“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.”</i>	A draft agreement incorporating a ‘lift & shift’ provision for the proposed utility access was forwarded to Cheale Group’s agent on 17 November 2023. At the time of writing, the Applicant is awaiting their response and will keep up engagement to progress with a final position at Deadline 9. Please note that the Deadline 7 Hearing Actions [REP7-185] incorrectly referred to an ‘NMU’ route. Please note this access is solely for the future use by the relevant statutory undertaker (currently UK Power Networks) to their fixed equipment in this location and is not an NMU or WCH route.
CAH4 Hearing Action Point 1 Rochester Bridge Trust: Progress and Outstanding Matters	Further to the Deadline 7 submission, the Applicant has forwarded updated drafts of the voluntary agreements relating to (1) the drainage provisions and (2) for the HRA habitat to be managed by the Rochester Bridge Trust under a s253 (Highways Act 1980) agreement and is currently awaiting a further response from the landowner’s solicitor. It is hoped that these agreements will be completed by close of Examination or very shortly thereafter, if not.
ISH8 Hearing Action Point 1: assessment of construction of compound effects. Para 4.2.3(a) <i>“The Applicant will consider the suggested buildings and update Table 9.3 within the dAMS-OWSI at Deadline 8.”</i>	An updated dAMS-OWSI has been provided with this submission [Document Reference 6.3 ES Appendix 6.9 (5)].
Table 4.1 reference 4.2.5 <i>“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.”</i>	The Applicant issued a draft side agreement on 28 November incorporating a financial contribution to reduce the financial impacts of the Project and provide a mechanism for the Council to be compensated for any potential business losses caused by the Project.

2.2.2 The Applicant has received an update from the Department of Transport regarding an impact assessment from Essex Police (referenced within Table 4.1 reference 3.1.67 of Deadline 7 Hearing Actions [[REP7-185](#)]). This is contained within Annex D of this Cover Letter.

3 Other Matters

3.1 Other documents being submitted

3.1.1 Other documents being submitted with Deadline 8, include:

- a. 1.6 Errata Report – to identify minor errors and omissions that have been identified in the documents which have not been updated in the source document.
- b. 7.19 Carbon and Energy Management Plan - At Deadline 7, the Applicant submitted a partial update to the C&EMP to reflect changes that have occurred following the progress made during the procurement of the design and build contractors. At Deadline 8, the Carbon and Energy Management plan has been subject to a full update to ensure all elements of the plan reflect the Project's current position with respect to the secured carbon limit.

3.2 Environmental Statement Addendum

3.2.1 The 9.8 Environmental Statement Addendum (Version 7) [[REP7-154](#)] has been updated and submitted at Deadline 8 to capture amendments to Environmental Statement documents.

3.2.2 These Environmental Statement (ES) document updates include revisions to REAC commitments to reflect changes made in Table 7.1 of the Code of Construction Practice, including Register of Environmental Actions and Commitments (REAC), First Iteration of Environmental Management Plan (Version 8) [**Document Reference 6.3 Appendix 2.2 (8)**].

3.2.3 Other updates to documents include those made in response to stakeholder engagement, written questions and the correction of errata. The ES Addendum also identifies the issuing of updated versions of the appendices presenting the draft protected species licences, following engagement with Natural England.

3.3 Change / Planned Amendments (update)

3.3.1 The Applicant has promoted seven changes (i.e. modifications to the Project which required a formal change request – namely MRC01 – MRC03 and EC01 – EC04)) and ten amendments (EA01 – EA10), all of which have been accepted into the Examination and have been reflected in the current suite of documents where appropriate and necessary.

3.3.2 The Book of Plans (volume 2) and the Plates within the control documents have been updated to reflect the Project's final Order Limits.

3.3.3 As previously advised (see the Cover Letter and Submissions for Deadline 4 [[REP4-001](#)]) some documents have not been fully updated to reflect all changes and amendments where it would not have been practical or useful to do so during Examination (for example reflecting the minor Order Limits changes on every ES figure). The final suite of submission documents will, however, fully reflect the Application as amended. The final ES Addendum, (to be submitted at **Deadline 9**), for example, will identify all figures in the original ES which show

the Order Limits boundary at the time of submission and should be read to have been updated by the ES Addendum.

3.3.4 It should be noted the Applicant proposes to submit a final version of the Final ES Addendum at Deadline 10. This will not contain updates to the text, but just ensure that the links to the Deadline 9 documents are captured with the appropriate links to the Examination library for ease for readers.

3.3.5 The Applicant does not anticipate any further proposed changes or planned amendments to the Project.

3.4 Protected Species Licences and Letters of No Impediment (LONIs)

3.5 Since the Application, the Applicant has received updated draft Protected Species Licences and Letters of No Impediment from Natural England. These include:

- a. 6.3 ES - Appx 8.16 – Draft EPS mitigation licence application – Bats [Document Reference 6.3 ES Appendix 8.16 (2)]
- b. 6.3 ES - Appx 8.17 – Draft EPS mitigation licence application – Great Crested Newts [Document Reference 6.3 ES Appendix 8.17 (2)]
- c. 6.3 ES - Appx 8.18 – Draft EPS mitigation licence application – Dormouse [Document Reference 6.3 ES Appendix 8.18 (2)]
- d. 6.3 ES - Appx 8.19 – Draft EPS mitigation licence application – Badger [Document Reference 6.3 ES Appendix 8.19 (2)]. Note this is a confidential document
- e. 6.3 ES - Appx 8.20 – Draft EPS mitigation licence application – Water Vole [Document Reference 6.3 ES Appendix 8.20 (2)]

3.5.1 The Letters of No Impediment will be included in Appendices to the Consents and Agreements Position Statement at Deadline 9.

3.6 Renaming of Kent Downs AONB

3.6.1 The Applicant notes that all Areas of Outstanding Natural Beauty have recently been renamed as 'National Landscapes'. This has been discussed with the Kent Downs AONB Unit and the agreed proposal is to continue referring to 'Kent Downs AONB' for discussions and documentation related to the Project.

Yours sincerely

Dr Tim Wright, Lower Thames Crossing

Annex A Documents which accompany the Applicant's Deadline 8 submission

A.1.1 Table A.1 below identifies the documents which accompany the Applicant's Deadline 8 submission. Note this does not include Statement of Common Ground submissions, which are covered in Annex B.

Table A.1 Documents that accompany Deadline 8 submission

Document reference	Document title
TR010032/APP/1.4	1.4 Navigation Document (Version 13)
TR010032/APP/1.6	1.6 Errata report (Version 6)
TR010032/APP/3.1	3.1 dDCO (updated) (Version 10)
TR010032/APP/3.2	3.2 Explanatory Memorandum (Version 7)
TR010032/APP/5.3	5.3 Statement of Commonality (Version 9)
TR010032/APP/6.3	6.3 ES Appx 2.2 – CoCP, First Iteration of Environmental Management Plan (Version 8)
TR010032/APP/6.3	6.3 ES Appx 2.2 - CoCP Annex D - Community Liaison Groups - Initial Terms of Reference
TR010032/APP/6.3	6.3 ES Appx 2.2 - CoCP Annex E - Heat map
TR010032/APP/6.3	6.3 ES Appx 6.9 - Draft Archaeological Mitigation Strategy and Outline Written Scheme of Investigation (Version 5)
TR010032/APP/6.3	6.3 ES Appx 8.16 - Draft EPS mitigation licence application - bats (Version 2)
TR010032/APP/6.3	6.3 ES Appx 8.17 - Draft EPS mitigation licence application - great crested newts (Version 2)
TR010032/APP/6.3	6.3 ES Appx 8.18 - Draft EPS mitigation licence application - dormouse (Version 2)
TR010032/APP/6.3	6.3 ES Appx 8.19 - Draft badger development licence application (confidential) (Version 2)
TR010032/APP/6.3	6.3 ES Appx 8.20 - Draft water vole conservation licence application (Version 2)
TR010032/APP/6.7	6.7 Outline Landscape and Ecology Management Plan (Version 6)
TR010032/APP/7.5	7.5 Design Principles (Version 6)
TR010032/APP/7.13	7.13 Framework Construction Travel Plan (Version 5)
TR010032/APP/7.14	7.14 Outline Traffic Management Plan for Construction (Version 8)
TR010032/APP/7.19	7.19 Carbon and Energy Management Plan (Version 3)
TR010032/APP/7.21	7.21 Stakeholder Actions and Commitments Register (Version 6)
TR010032/EXAM/9.8	9.8 ES Addendum (Version 8)
TR010032/EXAM/9.47	9.47 Schedule of Changes to the dDCO (Version 8)
TR010032/EXAM/9.185	9.185 Cover Letter and Submissions for Deadline 8

Document reference	Document title
TR010032/EXAM/9.186	9.186 Post-event submissions, including written submission of oral comments, for CAH5
TR010032/EXAM/9.187	9.187 Post-event submissions, including written submission of oral comments, for ISH11
TR010032/EXAM/9.188	9.188 Post-event submissions, including written submission of oral comments, for ISH12
TR010032/EXAM/9.189	9.189 Post-event submissions, including written submission of oral comments, for OFH5
TR010032/EXAM/9.190	9.190 Post-event submissions, including written submission of oral comments, for ISH13
TR010032/EXAM/9.191	9.191 Post-event submissions, including written submission of oral comments, for ISH14
TR010032/EXAM/9.192	9.192 Responses to the Examining Authority's Third Written Questions (ExQ3)
TR010032/EXAM/9.193	9.193 Applicant's Responses to Interested Parties' comments on the dDCO at D7
TR010032/EXAM/9.194	9.194 Applicant's response to ExA's Commentary on the dDCO
TR010032/EXAM/9.195	9.195 Applicant's comments on Interested Parties' submissions at D6A
TR010032/EXAM/9.196	9.196 Applicant's comments on Interested Parties' submissions at D7
TR010032/EXAM/9.197	9.197 Applicant's comments on the Report on Implications for European Sites (RIES)
TR010032/EXAM/9.198	9.198 Applicant's detailed response to comments made by Natural England on HRA matters
TR010032/EXAM/9.199	9.199 Assessment of the air quality effects on European sites following Natural England advice
TR010032/EXAM/9.208	9.208 Applicant's comments on Interested Parties' submissions regarding Wider Network Impact at D7

Annex B Schedule and status of SoCGs

Table B.1 Status of those SoCGs submitted with the Application

Interested Party	Doc ref/ latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 8 summary
Barking Power Ltd	5.4.3.2 v1	No	No	No	No	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Basildon Council	5.4.4.1 v2	Yes	No	No	No	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Brentwood Borough Council	5.4.4.2 v4	Yes	No	No	No	Yes	No	No	Yes	-	Final SoCG submitted at Deadline 8
Cadent Gas Ltd	5.4.3.3 v2	Yes	No	No	No	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Cellnex UK Ltd	5.4.3.4 v3	Yes	No	No	No	No	No	No	Yes	-	Final SoCG submitted at Deadline 8
Cobham Parish Council	5.4.5.1 v3	Yes	No	No	No	No	No	No	Yes	-	Final SoCG submitted at Deadline 8
Dartford Borough Council	5.4.4.3 v4	Yes	No	No	No	No	No	Yes	Yes	-	Final SoCG submitted at Deadline 8
DP World London Gateway	5.4.2.1 v2	No	Yes	No	No	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Environment Agency	5.4.1.1 v4	Yes	No	No	No	Yes	No	Yes	No		The final iteration of the SoCG will be submitted at Deadline 9A
Northumbrian Water Limited – Trading as Essex and Suffolk Water	5.4.3.6 v1	No	No	No	No	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A

Interested Party	Doc ref/ latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 8 summary
Essex County Council	5.4.4.5 v4	Yes	No	No	No	Yes	No	Yes	No		The final iteration of the SoCG will be submitted at Deadline 9A
EXA Infrastructure Services UK Ltd	5.4.3.8 v3	Yes	No	No	No	No	No	No	Yes	-	Final SoCG submitted at Deadline 8
Forestry Commission	5.4.1.2 v2	No	No	No	Yes	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Forestry England	5.4.5.2 v3	No	No	No	Yes	No	No	No	Yes		Updated SoCG submitted, final iteration will follow at Deadline 9A
Gravesham Borough Council	5.4.4.6 v3	Yes	No	No	No	No	Yes	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Health and Safety Executive	5.4.3.9 v2	Yes	No	No	No	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Higham Parish Council	5.4.5.3 v4	Yes	Yes	No	No	No	No	No	Yes	-	Final SoCG submitted at Deadline 8
Historic England	5.4.1.3 v3	Yes	No	No	No	Yes	No	No	-	-	Final SoCG (with all matters agreed) was submitted at Deadline 5
High Speed One Ltd	5.4.3.10 v3	Yes	No	No	Yes	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
ITS Technology Group Ltd (NextGen Access)	5.4.3.15 v3	Yes	No	No	No	No	No	No	Yes	-	Final SoCG submitted at Deadline 8
Kent County Council	5.4.4.7 v4	Yes	No	No	No	No	Yes	Yes	No		The final iteration of the SoCG will be submitted at Deadline 9A
Kent Downs AONB Unit	5.4.1.4 v3	Yes	No	No	No	No	Yes	No	No		The final iteration of the SoCG will be submitted at Deadline 9A

Interested Party	Doc ref/ latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 8 summary
London Borough of Havering	5.4.4.8 v4	Yes	No	No	No	Yes	Yes	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Marine Management Organisation	5.4.1.5 v2	No	No	No	No	No	No	Yes	No		The final iteration of the SoCG will be submitted at Deadline 9A
Medway Council	5.4.4.10 v2	Yes	No	No	No	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Natural England	5.4.1.6 v5	No	Yes	No	No	Yes	No	Yes	Yes	-	Updated SoCG submitted, final iteration will follow at Deadline 9A
Network Rail Infrastructure Ltd	5.4.3.14 v2	Yes	No	No	No	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Openreach Ltd	5.4.3.16 v3	Yes	No	No	No	No	No	No	Yes	-	Final SoCG submitted at Deadline 8
Port of London Authority	5.4.1.7 v1	No	No	No	No	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Port of Tilbury London Ltd	5.4.2.2 v2	No	No	Yes	No	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Royal Mail Group	5.4.3.17 v1	No	No	No	No	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Shorne Parish Council	5.4.5.4 v3	No	No	No	Yes	No	Yes	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Southern Gas Networks PLC	5.4.3.18 v4	Yes	No	No	No	No	Yes	No	Yes	-	Final SoCG submitted at Deadline 8
Thames Chase Trust	5.4.5.5 v3	Yes	No	No	No	No	No	No	Yes	-	Final SoCG submitted at Deadline 8

Interested Party	Doc ref/ latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 8 summary
Thurrock Council	5.4.4.12 32	No	No	Yes	No	No	Yes	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Thurrock Flexible Generation Ltd (TFG) (formally Thurrock Power Limited)	5.4.2.3 v2	No	No	No	No	No	Yes	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Tonbridge & Malling Borough Council	5.4.4.13 v5	Yes	No	Yes	No	No	Yes	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Transport for London	5.4.4.11 v4	Yes	No	No	Yes	No	No	Yes	No		The final iteration of the SoCG will be submitted at Deadline 9A
UK Power Networks Ltd	5.4.3.21 v3	Yes	No	No	No	No	No	No	Yes	-	Final SoCG submitted at Deadline 8
Verizon UK Ltd	5.4.3.22 v3	Yes	No	No	No	No	No	No	Yes	-	Final SoCG submitted at Deadline 8
Virgin Media Ltd	5.4.3.23 v3	Yes	No	No	No	No	No	No	Yes	-	Final SoCG submitted at Deadline 8
Vodafone Ltd	5.4.3.24 v3	Yes	No	No	No	No	No	No	Yes	-	Final SoCG submitted at Deadline 8
Zayo Group UK Ltd	5.4.3.25 v2	Yes	No	No	No	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A

Table B.2 Status of the SoCGs requested in the Rule 6 Letter/post-Rule 6 Letter

Interested Party	Doc ref/ latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 8 summary
Cuxton Parish Council	9.39 v1	Yes	No	No	No	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Dover District Council	9.34 v3	Yes	No	No	No	No	Yes	No	Yes	-	Final SoCG submitted at Deadline 8
Emergency Services and Safety Partnership Steering Group	9.28 v2	Yes	No	No	No	No	Yes	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Essex Police	9.41 v2	Yes	No	No	No	No	Yes	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Hutchinson Ports	Interested party has confirmed to the Examining Authority that they do not see a need for a SoCG										
Kent & Medway Economic Partnership	9.36 v2	Yes	No	No	No	No	Yes	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Kent Police	9.42 v2	Yes	No	No	No	No	Yes	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Luddesdown Parish Council	9.50 v2	No	Yes	No	No	No	No	No	Yes	-	Final SoCG submitted at Deadline 8
Maidstone Borough Council	9.154 v1	No	No	No	No	No	Yes	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Maritime and Coastguard Agency	Interested party has confirmed to the Examining Authority that they do not see a need for a SoCG										
Meopham Parish Council	9.40 v2	Yes	No	No	No	No	No	No	Yes	-	Final SoCG submitted at Deadline 8

Interested Party	Doc ref/ latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 8 summary
Metropolitan Police	Interested party has confirmed to the Applicant that they do not see a need for a SoCG										
NHS Kent and Medway Integrated Care Board	9.151 v1	No	No	No	No	No	Yes	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
NHS Mid & South Essex Integrated Care Board	9.121 v1	No	No	No	No	Yes	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
NHS North East London Integrated Care Board	9.44 v1	Yes	No	No	No	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
North Kent Marshes Internal Drainage Board	9.43 v3	Yes	No	No	No	Yes	No	No	Yes	-	Final SoCG submitted at Deadline 8
Peel Ports	Interested party has confirmed to the Examining Authority that they do not see a need for a SoCG										
Sevenoaks District Council	9.37 v3	Yes	No	No	Yes	No	Yes	-	-	-	Final SoCG (with all matters agreed) submitted at Deadline 6
Swale Borough Council	9.38 v1	Yes	No	No	No	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Trinity House	Interested party has confirmed to the Examining Authority that they do not see a need for a SoCG										

Table B.3 Status of the additional SoCGs submitted by the Applicant at Deadline 1

Interested Party	Our Doc ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 8 summary
Anglian Water Services Limited	9.27 v2	Yes	No	No	No	No	No	No	Yes	-	Final SoCG submitted at Deadline 8
National Grid Electricity Transmission PLC	9.30 v1	Yes	No	No	No	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
National Gas Transmission PLC	9.31 v1	Yes	No	No	No	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Southern Water Services Ltd	9.32 v2	Yes	No	No	No	No	No	No	Yes	-	Final SoCG submitted at Deadline 8
Thames Water Utilities Ltd	9.33 v2	Yes	No	No	No	No	No	No	Yes	-	Final SoCG submitted at Deadline 8
Cole Family (Land & Property)	9.46 v2	Yes	No	No	No	No	Yes	No	No		The final iteration of the SoCG will be submitted at Deadline 9A

Table B.4 Status of further additional SoCGs submitted by the Applicant at Deadline 2

Interested Party	Our Doc ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 8 summary
Global Mutual (c.o. Lakeside Centre Limited)	9.51 v2	*	Yes	Yes	-	-	-	-	-	-	Final SoCG (with all matters agreed) was submitted at Deadline 3 * <i>Global Mutual submitted a unilateral SoCG direct to the Examining Authority at Deadline 1</i>

Table B.5 Status of further additional SoCGs submitted by the Applicant at Deadline 3

Interested Party	Our Doc ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 8 summary
Harlex Haulage and J & B Martin (Crayford & Fawkham) Limited	9.69 v2	N/A	N/A	Yes	No	No	No	Yes	No		The final iteration of the SoCG will be submitted at Deadline 9A
John and Elizabeth Gressier	9.68 v2	N/A	N/A	Yes	No	No	No	Yes	No		The final iteration of the SoCG will be submitted at Deadline 9A

Table B.6 Status of further additional SoCGs submitted by the Applicant at Deadline 4

Interested Party	Our Doc ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 8 summary
E and K Benton Ltd	9.91 v1	N/A	N/A	N/A	Yes	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Melville Mott & Family	9.92 v1	N/A	N/A	N/A	Yes	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
The Master, Fellows and Scholars of the College of Saint John the Evangelist in the University of Cambridge	9.104 v1	N/A	N/A	N/A	Yes	No	No	No	No		The final iteration of the SoCG will be submitted at Deadline 9A

Table B.7 Status of further additional SoCGs submitted by the Applicant at Deadline 6

Interested Party	Our Doc ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 8 summary
Morzine Ltd	9.156 v1	N/A	N/A	N/A	N/A	N/A	Yes	No	No		The final iteration of the SoCG will be submitted at Deadline 9A
Thames Enterprise Park Limited	9.155 v1	N/A	N/A	N/A	N/A	N/A	Yes	No	No		The final iteration of the SoCG will be submitted at Deadline 9A

Table B.8 Status of further additional SoCGs submitted by the Applicant at Deadline 7

Interested Party	Our Doc ref/version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9	Deadline 8 summary
DeGiorgio Holdings Ltd (Inn on the Lake)	9.182 v1	N/A	N/A	N/A	N/A	N/A	N/A	Yes	No		The final iteration of the SoCG will be submitted at Deadline 9A
Stuart Mee & Family	9.181 v1	N/A	N/A	N/A	N/A	N/A	N/A	Yes	No		The final iteration of the SoCG will be submitted at Deadline 9A

Annex C Hearing Actions

Table C.1 Actions from November hearings

Action number	Action	Applicant's response
CAH5 Action 1 [EV-083a]	Final positions To set out matters that are agreed between the parties and matters that remain under discussion.	The Applicant refers the Examining Authority to Section A.2 of Post-event submissions, including written submission of oral comments, for CAH5 [Document Reference 9.186].
CAH5 Action 2 [EV-083a]	This action is not for the Applicant	
CAH5 Action 3 [EV-083a]	Nitrogen Deposition Provide graph showing emissions curve in relation to Nitrogen Deposition and physical barriers/speed reduction discussion.	The Applicant refers the Examining Authority to Section A.3 of Post-event submissions, including written submission of oral comments, for CAH5 [Document Reference 9.186].
CAH5 Action 4 [EV-083a]	This action is not for the Applicant	
CAH5 Action 5 [EV-083a]	This action is not for the Applicant	
ISH11 Action 1 [EV-084a]	The Levelling-up and Regeneration Act 2023 (LURA) - section 245 (5) & (6)(a) Section 245 (5) & (6)(a) of LURA, will amend the Countryside and Rights of Way Act 2000 in respect of the "general duty" imposed on Public Bodies dealing with functions in an AONB.	The Applicant refers the Examining Authority to Section A.2 of Post-event submissions, including written submission of oral comments, for ISH11 [Document Reference 9.187].

Action number	Action	Applicant's response
	<p>Please provide a commentary on the effect of this for the Development and the assessments which have been submitted. In addition, provide a view as to the effect of the new “general duty” on the policy framework in the NNNPS (paragraphs 5.150 - 5.153). In particular, please consider the use of the wording “where possible” in the Policy and “must seek” in LURA. Please set out reasons for conclusions that the amended “general duty” does or does not affect the application of policy.</p> <p>Other IPs may respond by D9</p>	
ISH11 Action 2 [EV-084a]	<p>Local Landscape Character Area boundaries</p> <p>Provide clarity as to any adjustments which were made to Local Landscape Character Area/ Sub Area boundaries in respect of the assessments prepared for the 2020 Application and the current application. If any changes were made in 2020 and/or 2023, please set out detailed reasons for this.</p>	<p>The Applicant refers the Examining Authority to Section A.3 of Post-event submissions, including written submission of oral comments, for ISH11 [Document Reference 9.187].</p>
ISH11 Action 3 [EV-084a]	<p>Assessment of significance – AONB character areas</p> <p>Provide more information on the design re-evaluation/assessment of significance in respect of the changes made between the 2020 application and the current application. Please specify the design changes and how these informed the re-grading of the impact of the scheme</p>	<p>The Applicant refers the Examining Authority to Section A.4 of Post-event submissions, including written submission of oral comments, for ISH11 [Document Reference 9.187].</p>
ISH11 Action 4 [EV-084a]	<p>Kent Downs AONB landscape impact assessments</p> <p>On a without prejudice basis, provide an assessment using the published Kent Downs AONB Unit landscape character area/sub areas boundaries in addition to the assessment already provided by the Applicant using adjusted boundaries.</p> <p>In addition, you may provide a commentary with reasoning setting out whether or not you consider that this alternative assessment could/should be adopted by the ExA.</p>	<p>The Applicant refers the Examining Authority to Section A.5 of Post-event submissions, including written submission of oral comments, for ISH11 [Document Reference 9.187].</p>

Action number	Action	Applicant's response
	Other IPs can respond at D9.	
ISH11 Action 5 [EV-084a]	This action is not for the Applicant.	
ISH11 Action 6 [EV-084a]	<p>Photomontages of Green Bridges within the Kent Downs AONB</p> <p>Applicant and Natural England to discuss the possibility of the Applicant providing additional photomontages/representative viewpoints showing the Green Bridges as they would be seen from wider the landscape. To include the consideration of whether 'side-on' perspectives also ought to be provided.</p> <p>Applicant to provide an update at D8 and, if additional photomontages are to be provided, the Applicant to provide these at D9.</p> <p>Natural England, and other IPs, can then provide final comments at D10.</p>	The Applicant refers the Examining Authority to Section A.6 of Post-event submissions, including written submission of oral comments, for ISH11 [Document Reference 9.187].
ISH11 Action 7 [EV-084a]	<p>Width of the Green Bridges</p> <p>Please provide a supplement to the response at [REP4-182], giving a commentary as to the feasibility of any scope to widen the Green Bridges which would not significantly alter the linear extent of the structures.</p>	The Applicant refers the Examining Authority to Section A.7 of Post-event submissions, including written submission of oral comments, for ISH11 [Document Reference 9.187].
ISH11 Action 8 [EV-084a]	This action is not for the Applicant.	
ISH11 Action 9 [EV-084a]	This action is not for the Applicant	

Action number	Action	Applicant's response
ISH11 Action 10 [EV-084a]	<p>Star Dam – Compulsory Acquisition matters</p> <p>Provide commentary in respect of the distribution of temporary possession/ permanent acquisition at Star Dam. In addition, provide details of the future maintenance of the structure, for example will the Environment Agency continue to retain maintenance responsibility for the structure and retain appropriate access for such a purpose.</p>	<p>The Applicant refers the Examining Authority to Section B.2 of Post-event submissions, including written submission of oral comments, for ISH11 [Document Reference 9.187].</p>
ISH11 Action 11 [EV-084a]	<p>Coalhouse Fort – Compulsory Acquisition matters</p> <p>On the understanding that the wetland mitigation provision at Coalhouse Fort is provided as part of the Preliminary Works, what would the Applicant's position be should the Main Works for the development not subsequently proceed for currently unforeseen reasons. Could/would the land be returned to its previous condition and offered to be returned to the landowner, or would it be retained by the Applicant and be a matter for compensation.</p>	<p>The Applicant refers the Examining Authority to Section B.3 of Post-event submissions, including written submission of oral comments, for ISH11 [Document Reference 9.187].</p>
ISH11 Action 12 [EV-084a]	<p>Coalhouse Fort – Provision of wetland mitigation</p> <p>Provide an update as to whether the time window given in the REAC for the early provision of the wetland mitigation could/should be given greater prominence.</p>	<p>The Applicant refers the Examining Authority to Section B.4 of Post-event submissions, including written submission of oral comments, for ISH11 [Document Reference 9.187].</p>
ISH11 Action 13 [EV-084a]	<p>Coalhouse Point – Potential land contamination following any future flood event</p> <p>Provide further written comments on flood risk and possible associated contamination on the proposed wetland mitigation land and adjacent third-party land particularly following a flood event or similar</p>	<p>The Applicant refers the Examining Authority to Section B.5 of Post-event submissions, including written submission of oral comments, for ISH11 [Document Reference 9.187].</p>
ISH11 Action 14 [EV-084a]	<p>This action is not for the Applicant</p>	

Action number	Action	Applicant's response
ISH11 Action 15 [EV-084a]	This action is not for the Applicant	
ISH11 Action 16 [EV-084a]	<p>Nitrogen deposition compensation – spatial relationship between impact and compensation</p> <p>Submit details (including diagrammatical representations) indicating where nitrogen deposition compensation for each of the 4 clusters are proposed to be provided in comparison the relevant geographical locations of the impact that is sought to be mitigated.</p>	The Applicant refers the Examining Authority to Section C.2 of Post-event submissions, including written submission of oral comments, for ISH11 [Document Reference 9.187].
ISH11 Action 17 [EV-084a]	This action is not for the Applicant	
ISH11 Action 18 [EV-084a]	<p>RIES and nitrogen deposition matters</p> <p>To the extent that any of the matters raised in actions 14 to 17 bear on Habitats Regulations Assessment and positions summarised in the RIES, please respond to the RIES identifying the relevant actions and extracting relevant parts of your actions response.</p>	The Applicant refers the Examining Authority to Section C.3 of Post-event submissions, including written submission of oral comments, for ISH11 [Document Reference 9.187].
ISH11 Action 19 [EV-084a]	<p>Southern Valley Golf Course</p> <p>Clarify position of potential contamination on the proposed open space replacement land at Sothern Valley Golf Course which would be provided to Gravesham Borough Council. In particular would the controls in the dDCO and related Control Documents ensure that the further contaminated land investigation and remediation (if required) also be carried out on this land as well as the parts of the golf course which would form part of the operational development itself.</p>	The Applicant refers the Examining Authority to Section A.2 of Post-event submissions, including written submission of oral comments, for ISH12 [Document Reference 9.188].

Action number	Action	Applicant's response
ISH12 Action 1 [EV-085a]	This action is not for the Applicant	
ISH12 Action 2 [EV-085a]	<p>Southern Valley Golf Course – replacement recreation land and potential land contamination</p> <p>The Applicant and Gravesham Borough Council to provide a written update on matters raised in Action Point 19 from ISH11. The Applicant is to set out if (and how) the dDCO and related control documents would secure further land contamination investigation (and then any necessary remediation, identified as being necessary) which would be provided to GBC as replacement recreation land.</p> <p>Gravesham Borough Council is to set out whether it considers the controls proposed by the Applicant would be sufficient. If not, set out why and provide recommended amendments/additions.</p>	The Applicant refers the Examining Authority to Section A.2 of Post-event submissions, including written submission of oral comments, for ISH12 [Document Reference 9.188].
ISH12 Action 3 [EV-085a]	This action is not for the Applicant	
ISH12 Action 4 [EV-085a]	This action is not for the Applicant	
ISH12 Action 5 [EV-085a]	This action is not for the Applicant	
ISH12 Action 6 [EV-085a]	<p>S106 Agreements</p> <p>Provide any additional submissions in respect of the status of ongoing/final negotiations on the draft s106 Agreements that were provided by the Applicant at Deadline 7.</p>	Brentwood Borough Council: The Applicant's financial contribution for officer posts has been accepted by the Council. The s106 is engrossed and ready to be executed.

Action number	Action	Applicant's response
		<p>Essex County Council: The Applicant's financial contribution for officer posts has been accepted by the Council. The s106 is engrossed and ready to be executed.</p> <p>Thurrock Council: The Applicant's financial contributions for officer posts and severance at Brennan Road have been accepted by the Council. The final s106 has been issued to the Council for approval.</p> <p>London Borough of Havering: The Applicant's financial contribution for officer posts has been accepted by the Council. The final s106 has been issued to the Council for approval.</p> <p>Gravesham Borough Council: Negotiations are ongoing between the Applicant and the Council with a view to reaching agreement.</p> <p>Kent County Council: The Applicant's financial contributions for officer posts; severance at Valley Drive; HGV restrictions at Henhurst Road have been accepted by the Council. The Applicant's compensatory enhancement offer for the Kent Downs AONB unit has been accepted by the Council. The final s106 has been issued to the Council for approval.</p>
ISH12 Action 7 [EV-085a]	This action is not for the Applicant	
ISH12 Action 8 [EV-085a]	<p>S106 Agreements – blue pencil clauses</p> <p>Please provide a view on the potential use of 'blue pencil clauses' in S106 agreements. In responding, please make reference to their use in the context of NSIP applications.</p>	<p>The Applicant refers the Examining Authority to Section B.2 of Post-event submissions, including written submission of oral comments, for ISH12 [Document Reference 9.188].</p>

Action number	Action	Applicant's response
ISH12 Action 9 [EV-085a]	<p>S106 Agreements - Benchmarking evidence for officer posts</p> <p>Applicant to provide Thurrock Council and the London Borough of Havering with their information in respect of any benchmarking for salaries and on-costs for officer posts to be funded through S106 Agreements.</p> <p>Note: this information should not be submitted into the Examination, but solely shared with the relevant local planning authorities.</p>	<p>The Applicant refers the Examining Authority to Section B.3 of Post-event submissions, including written submission of oral comments, for ISH12 [Document Reference 9.188].</p>
ISH12 Action 10 [EV-085a]	<p>S106 Agreements - Index linking of severance packages</p> <p>Applicant to provide an update in respect of including an index link mechanism in the relevant S106 Agreements for the severance packages of the funded posts</p>	<p>The Applicant refers the Examining Authority to Section B.4 of Post-event submissions, including written submission of oral comments, for ISH12 [Document Reference 9.188].</p>
ISH12 Action 11 [EV-085a]	<p>S106 Agreements – funded posts for Local Authorities</p> <p>Provide an update on the scope/number of funded posts at individual Local Authorities. Please include details on the mechanism for the funding of a work package/post that would not equate to a full-time position and/or where there is uncertainty as to the officer time likely to be required.</p>	<p>The Applicant refers the Examining Authority to Section B.5 of Post-event submissions, including written submission of oral comments, for ISH12 [Document Reference 9.188].</p>
ISH12 Action 12 [EV-085a]	<p>Shorne Woods Side Agreement (Revenue Compensation)</p> <p>Applicant to submit asap to Kent County Council.</p> <p>Subsequently the Applicant and Kent County Council should provide confirmation whether this side agreement has been agreed by the parties. Any matters that the parties rely upon in terms securing a relevant important consideration should be provided in outline form (Deadline 9)</p>	<p>The Applicant refers the Examining Authority to Section B.6 of Post-event submissions, including written submission of oral comments, for ISH12 [Document Reference 9.188].</p>
ISH12 Action 13 [EV-085a]	<p>Integrated Care Boards</p> <p>Provide an update on the Applicant's discussions with the Integrated Care Boards and whether those discussions have</p>	<p>The Applicant refers the Examining Authority to Section B.7 of Post-event submissions, including written submission of oral comments, for ISH12 [Document Reference 9.188].</p>

Action number	Action	Applicant's response
	specifically covered the need for the provision of additional health care services for the existing local community in addition to additional health provision for the workers associated with the development	
ISH12 Action 14 [EV-085a]	This action is not for the Applicant	
ISH12 Action 15 [EV-085a]	<p>SACR Provide an update on potential alterations to the SACR [REP7-152]. To include:</p> <ul style="list-style-type: none"> • Potential adjustments/clarification to 4th (currently unidentified) voting person/organisation in Part 3, Paragraph 3.2.1(d). • Potential increase of individual project funding from £10,000 – £20,000. • Potential increase to the current 12 month time limit for the completion of a funded project. • Reconsideration of the current lack of index linking for the SACR funding 	The Applicant refers the Examining Authority to Section B.8 of Post-event submissions, including written submission of oral comments, for ISH12 [Document Reference 9.188].
ISH12 Action 16 [EV-085a]	<p>Community Fund “Pilot Scheme” Detail Information in relation to National Highways’ current Community Fund “Pilot Scheme” to be provided in writing, for the purpose of evidencing the type of projects that could receive funding through the LTC Community Fund.</p>	The Applicant refers the Examining Authority to Section B.9 of Post-event submissions, including written submission of oral comments, for ISH12 [Document Reference 9.188].
ISH12 Action 17 [EV-085a]	<p>Mitigation Route Map Applicant to confirm that the Mitigation Route Map document would be a Certified Document. In addition, consider, and then confirm, what alterations/updates would assist in providing clarity as to which control document is relevant to each issue/topic. This should give consideration to</p>	The Applicant refers the Examining Authority to Section C.2 of Post-event submissions, including written submission of oral comments, for ISH12 [Document Reference 9.188].

Action number	Action	Applicant's response
	<p>the ease of use for a user who may not be familiar with the development/DCO process.</p> <p>In addition, consider and provide commentary, whether a further iteration of this document (post consent) should be provided to add additional detail.</p>	
ISH12 Action 18 [EV-085a]	<p>Register of Environmental Actions and Commitments (REAC)</p> <p>Applicant to consider whether the REAC could/should be provided as a standalone document. If this is to be provided, please do so by D8.</p>	<p>The Applicant refers the Examining Authority to Section C.3 of Post-event submissions, including written submission of oral comments, for ISH12 [Document Reference 9.188].</p>
ISH12 Action 19 [EV-085a]	<p>Preliminary Works and Environmental Management Plan (EMP) Iterations</p> <p>Provide clarity on what constitutes preliminary works and what works are covered in each EMP iteration. In responding, please confirm what works relate to the provision of construction compounds at each stage and indicate how this is secured in the dDCO and related control documents.</p>	<p>The Applicant refers the Examining Authority to Section C.4 of Post-event submissions, including written submission of oral comments, for ISH12 [Document Reference 9.188].</p>
ISH12 Action 20 [EV-085a]	<p>EMP and the REAC</p> <p>Provide commentary/justification for the use of the wording “reflect” instead of other wording such as “substantially in accordance with” in requirement 4 of the dDCO in relation to the REAC and EMP (2nd iteration). In addition, please provide examples where similar wording has been used in made DCOs.</p>	<p>The Applicant refers the Examining Authority to Section C.5 of Post-event submissions, including written submission of oral comments, for ISH12 [Document Reference 9.188].</p>
ISH12 Action 21 [EV-085a]	<p>DCO/ Control Document Enforcement Powers</p> <p>Provide clarity on responsibilities (in particular in relation to enforcement matters) between the different local authority departments (such as Planning Vs Highways) and from which legislative provisions those enforcement powers are drawn.</p>	<p>The Applicant refers the Examining Authority to Section C.6 of Post-event submissions, including written submission of oral comments, for ISH12 [Document Reference 9.188].</p>

Action number	Action	Applicant's response
ISH12 Action 22 [EV-085a]	<p>Lighting and shipping navigation</p> <p>Discuss with the PLA, the manner in which lighting, and its potential associated impacts on shipping/ navigation on the River Thames, would be secured. This should include the extent to which the PLA would be formally consulted and the interaction between matters secured in the Code of Construction Practice and the Protective Provisions proposed for the PLA.</p> <p>Applicant to provide an update and the PLA to provide any further comments.</p>	<p>The Applicant refers the Examining Authority to Section C.7 of Post-event submissions, including written submission of oral comments, for ISH12 [Document Reference 9.188].</p>
ISH12 Action 23 [EV-085a]	<p>Suite of Energy National Planning Policy Statements (NPSs)</p> <p>Provide comments on the most recent suite of draft Energy National Planning Policy Statements in respect of any matters you consider important and relevant to this development.</p> <p>If the suite of Energy NPSs are designated prior to the close of the Examination, provide any updated comments in respect of the designated versions of the NPSs.</p> <p>In providing comments, at both deadlines, please have regard to the transitional arrangements in the NPSs and indicate what weight you consider should be given to the new NPSs compared to the current policy framework</p>	<p>This action will be responded to by the Applicant at Deadline 9.</p>
ISH12 Resumed Action 1 [EV-085i]	<p>This action is not for the Applicant. The Applicant may respond at Deadline 9.</p>	
ISH12 Resumed Action 2 [EV-085i]	<p>This action is not for the Applicant.</p>	

Action number	Action	Applicant's response
ISH12 Resumed Action 3 [EV-085i]	<p>Outline Materials Handling Plan (oMHP)</p> <p>These parties to continue to discuss refinements to the wording of the oMHP in respect of the commitments for multi-modal transport for the transportation of materials.</p> <p>In particular, the applicant is to consider adding wording to refer to 'environmentally equivalent' in addition to, or instead of, 'environmentally better' when non-road transportation is being considered.</p>	This action will be responded to by the Applicant at Deadline 9.
ISH12 Resumed Action 4 [EV-085i]	<p>Draft Archaeological Mitigation Strategy and Outline Written Scheme of Investigation (AMS-oWSI)</p> <p>Update on matters in discussion with the London Borough of Havering and Thurrock Council in respect of the AMS-oWSI.</p>	The Applicant refers the Examining Authority to Section C.8 of Post-event submissions, including written submission of oral comments, for ISH12 [Document Reference 9.188].
ISH12 Resumed Action 5 [EV-085i]	<p>Illustrative Plans</p> <p>Provide a complete list of illustrative plans which the Applicant does not intend to be certified documents. This can be submitted with the final version of draft DCO.</p>	This action will be responded to by the Applicant at Deadline 9.
ISH12 Resumed Action 6 [EV-085i]	<p>REAC – GS021</p> <p>Consider whether commitment GS021 in the REAC should be extended to include preliminary works effect.</p>	The Applicant refers the Examining Authority to Section C.9 of Post-event submissions, including written submission of oral comments, for ISH12 [Document Reference 9.188].
OFH5 Action 1 [EV-086c]	<p>Written response</p> <p>Provide a written response to the matters raised by Mr Brace.</p>	The Applicant refers the Examining Authority to Table 3.1 of Post-event submissions, including written submission of oral comments, for OFH5 [Document Reference 9.189].
ISH13 Action 1 [EV-087g]	<p>Orsett Cock: Additional weave length and General Arrangement Plans</p> <p>Please submit a drawing demonstrating the proposition that relevant additional weave length can be provided without a requirement for additional land and within the limits of deviation.</p>	The Applicant refers the Examining Authority to Section A.2 of Post-event submissions, including written submission of oral comments, for ISH13 [Document Reference 9.190].

Action number	Action	Applicant's response
	Please provide an amendment to the General Arrangement Plans Vol C [REP7-028/029] to show this change.	
ISH13 Action 2 [EV-087g]	This action is not for the Applicant.	
ISH13 Action 3 [EV-087g]	<p>Orsett Cock: roundabout route and lane name convention (diagram)</p> <p>Please provide an intersection route and lane diagram or diagrams, with the individual lanes and the entrance and exit routes and paths named – consistently with the approach taken in analysing model outputs. Please include WCH provision in the response to this action.</p>	The Applicant refers the Examining Authority to Section A.3 of Post-event submissions, including written submission of oral comments, for ISH13 [Document Reference 9.190].
ISH13 Action 4 [EV-087g]	<p>Orsett Cock: roundabout route modelling assumptions</p> <p>Please use versions of the diagrams referred to in Action 3 to illustrate the differences between Applicant v3.6 modelling and the Thurrock Council v3.6T modelling assumptions. Further to discussion at ISH13, this should be taken as an opportunity to explain the modelling that is already before the ExA, but not to amend it. Thurrock Council may comment in responding submissions at D9.</p>	The Applicant refers the Examining Authority to Section A.4 of Post-event submissions, including written submission of oral comments, for ISH13 [Document Reference 9.190].
ISH13 Action 5 [EV-087g]	This action is not for the Applicant.	
ISH13 Action 6 [EV-087g]	<p>Orsett Cock: model 3.6T</p> <p>Provide commentary as to whether, in the Applicant's view, model 3.6T reflects realistic driver behaviour.</p>	The Applicant refers the Examining Authority to Section A.5 of Post-event submissions, including written submission of oral comments, for ISH13 [Document Reference 9.190].
ISH13 Action 7 [EV-087g]	<p>Thames Freeport (Ports and Thurrock Council): Collaborative development of draft Requirement 18</p>	The Applicant refers the Examining Authority to Section A.6 of Post-event submissions, including written submission of oral comments, for ISH13 [Document Reference 9.190].

Action number	Action	Applicant's response
	By Deadline 9, please engage to seek a further revised draft of Requirement 18 in which the objectives to be met and definitions of terms and outcomes sought to secure the proper functionality of the Orsett Cock are (as far as possible) agreed. Provide a draft that sets out all matters agreed. If necessary, provide reservations and statements of individual or group positions on matters not agreed.	
ISH13 Action 8 [EV-087g]	This action is not for the Applicant.	
ISH13 Action 9 [EV-087g]	This action is not for the Applicant.	
ISH14 Action 1 [EV-088f]	<p>Register of Requirements</p> <p>Confirm whether additional physical locations, such as the offices of Thurrock Council, Gravesham Council and the London Borough of Havering could or would be available for the deposit of documents provided under paragraph 23 of Schedule 2 of the dDCO.</p>	The Applicant refers the Examining Authority to Section A.2 of Post-event submissions, including written submission of oral comments, for ISH14 [Document Reference 9.191].
ISH14 Action 2 [EV-088f]	<p>Commence and begin</p> <p>Provide a commentary as to any implications related to the timings for commencement/ beginning of the development and associated timings, with particular reference to environmental surveys and the updating of HRA data.</p>	The Applicant refers the Examining Authority to Section A.3 of Post-event submissions, including written submission of oral comments, for ISH14 [Document Reference 9.191].
ISH14 Action 3 [EV-088f]	<p>Arbitration process with the Port of London Authority</p> <p>Provide commentary in respect of the arbitration provisions in paragraph 99 of Schedule 14 Part 8 (Protective Provisions for the Port of London Authority) and in what context is it envisaged these would be used.</p>	The Applicant refers the Examining Authority to Section A.4 of Post-event submissions, including written submission of oral comments, for ISH14 [Document Reference 9.191].

Action number	Action	Applicant's response
ISH14 Action 4 [EV-088f]	<p>Drafting within the dDCO</p> <p>Consider and update the drafting in paragraphs 99(3) and 99(6) of Schedule 14 Part 8 (Protective Provisions for the Port of London Authority) in the dDCO.</p>	The Applicant has updated these provisions to assist with clarity in the dDCO submitted at Deadline 8.
ISH14 Action 5 [EV-088f]	This action is not for the Applicant. The Applicant will respond at D9.	
ISH14 Action 6 [EV-088f]	<p>Worker housing</p> <p>Applicant to provide proposed update of current provision: LAs to provide feedback at D9.</p>	The Applicant refers the Examining Authority to Section A.5 of Post-event submissions, including written submission of oral comments, for ISH14 [Document Reference 9.191].
ISH14 Action 7 [EV-088f]	<p>Removal of temporary works</p> <p>Consider the current drafting of Art 35(5)(g) with particular reference to landowner agreement and matters of public interest whilst also ensuring compliance with the Rochdale Envelope.</p>	The Applicant refers the Examining Authority to Section A.6 of Post-event submissions, including written submission of oral comments, for ISH14 [Document Reference 9.191].
ISH14 Action 8 [EV-088f]	<p>Construction traffic management</p> <p>Consider and comment on the need for a sub-iteration of the CTMP covering preliminary works traffic, to be consulted upon by the ports and the highway authorities</p>	The Applicant refers the Examining Authority to Section A.7 of Post-event submissions, including written submission of oral comments, for ISH14 [Document Reference 9.191].
ISH14 Action 9 [EV-088f]	This action is not for the Applicant.	
ISH14 Action 10 [EV-088f]	This action is not for the Applicant.	
ISH14 Action 11 [EV-088f]	<p>Whitecroft Care Home</p> <p>If there is no agreement between the Applicant and the Owners/Operators of the Care Home by Deadline 8, at Deadline 9 please provide final submissions on any measures that the</p>	The Applicant refers the Examining Authority to Section A.8 of Post-event submissions, including written submission of oral comments, for ISH14 [Document Reference 9.191].

Action number	Action	Applicant's response
	ExA should recommend to the Secretary of State (including dDCO provisions) to ensure that the public sector equality duty (PSED) can be discharged.	
ISH14 Action 12 [EV-088f]	<p>Brentwood Enterprise Park</p> <p>Provide detailed measures to maintain access(es) to the Brentwood Enterprise Park during the construction phase to be secured in the Code of Construction Practice (CoCP). Landowner and Site manager to comment at D9a, alongside final positions on this matter.</p>	The Applicant refers the Examining Authority to Section A.9 of Post-event submissions, including written submission of oral comments, for ISH14 [Document Reference 9.191].
ISH14 Action 13 [EV-088f]	<p>Mee Land and Business</p> <p>Review the measures located in the REAC and/or CEMP to address outstanding issues, including irrigation, farm shop viability, access and how to manage land during construction, alongside the position of the two parties at the Deadline.</p>	The Applicant refers the Examining Authority to Section A.10 of Post-event submissions, including written submission of oral comments, for ISH14 [Document Reference 9.191].
ISH14 Action 14 [EV-088f]	<p>Blue Bell Hill and Burham</p> <p>On a without prejudice basis, what amendments should be made in the REAC & DCO, if the land at Blue Bell Hill and Burham is retained within the Order land to address submissions on the adequacy of nitrogen compensation land provision within or close to the Kent Downs AONB.</p>	The Applicant refers the Examining Authority to Section A.11 of Post-event submissions, including written submission of oral comments, for ISH14 [Document Reference 9.191].

Annex D Letter from the DFT



Department
for Transport

Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR
Tel: 0300 330 3000

Web Site: www.gov.uk/dft

Our Ref:

DATE: 4th December 2023

Dear National Highways – LTC,

Lower Thames Crossing – Essex Police Impact Assessment

Thank you for sharing the documentation provided by Essex Police which was raised at Issue Specific Hearing 8 on 19 October 2023.

We are aware that you, National Highways, as the applicant, have set out your position on the representation made by Essex Police in response to the report dated 3 March 2023, which is intended to illustrate the potential increased demand during the construction phase of the Lower Thames Crossing project, as submitted at Deadline 7 (17 November). We note your position that the Impact Assessment provided by Essex Police does not constitute a Special Police service.

We have undertaken a separate consideration of the request from Essex Police based on the information provided in their Impact Assessment. We have concluded that the request from Essex Police does not go beyond what is necessary for Police to meet their existing statutory duties.

Yours sincerely


Helen Ramsden
Deputy Director