THE A122 (LOWER THAMES CROSSING) DEVELOPMENT CONSENT ORDER

Deadline 9 Submission – Comments on Applicant's submissions at Deadline 8

Interested Party	Northumbrian Water Limited (operating as Essex & Suffolk Water)
PINS Reference Number	TR010032
IP Reference Number	20035532
Document Ref.	ESW 18
Author	Winckworth Sherwood LLP
Date	11 December 2023

Arbor
255 Blackfriars Road
London
SE1 9AX
DX: 156810 London Bridge 6

[redacted]

Winckworth Sherwood

Solicitors and Parliamentary Agents

The following table contains the responses of Northumbrian Water Limited (operating as Essex & Suffolk Water) ("ESW") to the Applicant's submissions at Deadline 8 of the Examination.

Applicant's submission	**Relevant text**	**ESW response**
REP8-115 Responses to the Examining Authority's Third Written Questions (ExQ3)	**Response to ExQ3_Q6.1.5 (In the REAC, referenced above, RDWE059 states that the Highway bored tunnels will utilise closed face tunnelling techniques. How does this tunnelling process protect groundwater from contamination by the water required to operate the tunnel boring machine?)** *…In addition, it is noted that the Applicant intends to use groundwater for the TBM water supply. This would be raw water from the Northumbrian Water Limited (Essex and Suffolk Water) well at Linford that is currently not connected to mains supply, as discussed in REAC commitment RDWE003. The abstracted groundwater would be from the Chalk aquifer, of which the groundwater would otherwise naturally flow towards the River Thames. Therefore, the water used for the TBM water supply would be of similar quality or more fresh than the in situ groundwater encountered during tunnelling.*	1. The water abstracted at the Linford well is from the Essex chalk aquifer. The in-situ groundwater encountered during tunnelling will originate from the same groundwater body. The chemical and bacteriological composition of the groundwater varies depending on the location in the groundwater body and the depth at which the water originates. For example, the concentration of dissolved metals, such as iron and manganese. It is presumed that there will be soil/mud, and associated bacteria in the in-situ groundwater due to tunnelling activity, whereas the groundwater abstracted from Linford well is clear, of low turbidity and negligible bacteriological content, requiring relatively little treatment to produce potable water. 2. If 'freshness' is being used here as a term to describe the clarity and cleanliness of the water, then the Linford well water would certainly be 'more fresh' than the water encountered in the tunnelling excavation. 3. ESW would refer to its concerns previously raised about contamination and where necessary will expand on these, including in the context of

Applicant's submission	**Relevant text**	**ESW response**
		this response, in its final Principal Areas of Disagreement Summary submitted at Deadline 9A on Friday 15 December.
REP8-117 Applicant's response to Examining Authority's Commentary on the draft Development Consent Order	**Response to QD3 (Are there any documents that have been submitted to the Examination that should be certified but are not recorded in the dDCO?):** *Having reviewed, the Applicant considers that the list of documents included in Schedule 16 to the dDCO [REP7-090] is complete but proposes to (1) include the Mitigation Route Map [REP4-203]; (2) amend the title of the Code of Construction Practice to improve the visibility of the REAC and (3) remove the Interrelationship with other Nationally Significant Infrastructure Projects and Major Development Schemes [APP-550].* **Response to QD6 (Should the REAC be individually identified in Schedule 16 (certified documents)?):** *Notwithstanding the Applicant's view that the approach previously proposed was clear and accurate, the Applicant has modified the dDCO at Deadline 8 to improve the visibility of the Register of Environmental Actions and Commitments (REAC) in Schedule 16 to the dDCO [Document Reference 3.1 (10)].* **Response to QD43 (Local Planning and Highway Authorities, Port Authorities and Operators, Natural England, the Environment Agency and the Marine Management Organisation as asked whether the REAC commitments are sufficiently secured. If not,**	4. As ESW set out at Issue Specific Hearing 12 and in its Deadline 8 submissions (REP8-156 and REP8-157), it has practical concerns about the REAC remaining part of the CoCP. ESW is concerned about the ability of those dealing with the scheme during its construction and operation to find the relevant commitments within the REAC if it continues to be contained in the CoCP's appendices. 5. Notwithstanding the Applicant's various comments across its Deadline 8 submissions, ESW still considers that it would be clearer in years to come to those looking for environmental commitments (especially those that endure during operation) if these were contained in a stand-alone REAC than in a document described primarily as a code of construction practice.

Applicant's submission	Relevant text	ESW response
	what specific additional references to the REAC are required in any of the existing draft Requirements, or are any additional Requirements sought (and if so reasons for their inclusion and drafts should be provided)?): *The Applicant notes that this question is directed to IPs and therefore has no comments at this stage, however the Applicant is firmly of the view that the REAC commitments are sufficiently and appropriately secured by the dDCO, principally via Requirement 4 [REP7-090]. As requested by the ExA, where appropriate the Applicant will provide a response to any comments by IPs in relation to this question, at Deadline 9 in the Examination timetable.*	