

**LOWER THAMES CROSSING
DEVELOPMENT CONSENT ORDER EXAMINATION**

WRITTEN SUBMISSIONS at DEADLINE 9A

on behalf of

KATHRYN HOMES LTD: Unique Reference 20035583

RUNWOOD HOMES LTD: Unique Reference 20035580

RUNWOOD PROPERTIES LTD: Unique Reference 20035582

1. These Written Submissions are made on behalf of Kathryn Homes Ltd, Runwood Homes Ltd and Runwood Properties Ltd (“the Objectors”) at Deadline 9A. Each of the Objectors is a registered Interested Party and has separately made Relevant Representations but they share common interests and so have combined together to make these joint Written Submissions setting out their position at Deadline 9A.

Response to Applicant’s Document Ref 9.222 Deadline 9 Hearing Actions

2. Because Deadline 9A is within the same week as Deadline 9, the Examination Library has not yet been updated and so the Objectors refer to the Applicant’s reference number (9.222) rather than a REP9-xxx reference number.
3. The Applicant’s Document Ref 9.222 helpfully signposts (at para 7.2.2) a submission the Applicant made at Deadline 8 [REP8-114] which was the Applicant’s Post-event submissions following ISH14. The Objectors did not appear at ISH14 and had missed the fact that part of the text of REP8-114 dealt with Whitecroft (in Annex A.8). The Objectors are therefore commenting on Annex A.8 of REP8-114 at Deadline 9A as the next available deadline. The Objector hope that the ExA will find the comments (below) helpful in narrowing matters of disagreement between the Applicant and the Objectors.

Objectors' Response to Annex A.8 of the Applicant's Post-event submissions for ISH14 [REP8-114]

4. The Objectors welcome the Applicant's statement (at para A.8.1) that it has *"made clear its intent to acquire the [Whitecroft] site by voluntary agreement"*. Negotiations to achieve that outcome continue to be progressed.
5. In the Objectors' Written Submissions at Deadline 9 (which also at present lack an Examination Library reference), the Objectors addressed at paras 8 to 9 a procedural route open to the ExA in the event that the matter of acquisition were to be dealt with via the DCO.
6. The Objectors note that at paras A.8.5 to A.8.8 of REP8-114 the Applicant suggests an alternative procedural mechanism, including (on a without prejudice basis) the addition of wording to Article 30 of the draft DCO, as set out at para A.8.7. The Objectors have reflected on that wording and are satisfied that it would, in practice, achieve the same outcome as the procedural route suggested by the Objectors, namely it would ensure that if the LTC is to proceed, it can only do so by the acquisition of Whitecroft (including the site of the Care Home).
7. The Objectors therefore consider that the ExA has a choice of options as to how it could secure via the terms of the DCO that the Whitecroft will have to be acquired by the Applicant (so facilitating the relocation of the Care Home) if the LTC is to proceed by beginning any part of the authorised development.
8. Whilst the Objectors note that the Applicant puts forward its position on revisions to Article 30 on a without prejudice basis, the Objectors also note that the updated Health & Equalities Impact Assessment Appendix B (Applicant's Document Ref 7.10) now recognises (on p.26 and p.28) the Applicant's commitment to purchase Whitecroft to enable the relocation of the Care Home, and it is on this basis that it is suggested by the Applicant that the PSED can be met.

9. The Objectors also note that the offer made by the Applicant was in the context of the continuing nature of the PSED (at para 3.4.4 of REP8-109). The Objectors set out their Final Position on the PSED in answer to AP11 following ISH14 in the Objectors' submissions at Deadline 9. That position remains in the event that there is no purchase of Whitecroft. Thus, whilst the Applicant might describe its proposals to amend Article 30 of the draft DCO as without prejudice, the Objectors consider that it is clear that the PSED cannot be satisfactorily discharged unless there are secure arrangements in place for the acquisition of Whitecroft so as to enable the relocation of its vulnerable residents before the commencement of construction works in the vicinity. The Objectors therefore invite the ExA to make their recommendation to the SoS accordingly.

15 December 2023