

Final Principal Areas of Disagreement Summary Statement

Deadline 9A on 15 December 2023

Lower Thames Crossing (LTC) – TR010032

Transport for London (TfL) – Interested Party 20035666

Number	Principal Issue in Question	Statement of Common Ground (SoCG) reference	The brief concern held by TfL which was reported on in full in Written Representation	What needs to change, or be included, or amended so as to overcome the disagreement	Likelihood of the concern being addressed during Examination
Most Significant					
1	Wider network impacts on local and strategic roads	2.1.27	<p>Multiple locations of concern in relation to changes in travel patterns and network impacts from opening the LTC, including:</p> <ul style="list-style-type: none"> • A127 west of M25 J29 • Various junctions along A127 and A12 • A13 west of M25 J30 	<p>Detailed, micro-simulation modelling of the impacts at these locations and an understanding of operational complexities and possible mitigation was requested. The Applicant has undertaken some local junction assessments which TfL considers to lack robustness as they have not been validated against base year traffic flows. The Applicant submitted this modelling to the examination at Deadline 3 (REP3-131). TfL and the London Borough of Havering have therefore undertaken their own assessments which have</p>	<p>Not addressed – TfL has concerns about the Applicant’s junction modelling (e.g., level of detail provided, method used, lack of model validation) and the Applicant did not undertake any further junction assessments.</p>

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				been submitted as part of TfL's Written Representation at Deadline 1 (Appendix A of REP1-304) and most recently updated by the London Borough of Havering as REP7-208.	
2	Mitigation of wider network impacts	2.1.28	<p>Monitoring may demonstrate that mitigation measures such as capacity upgrades or junction improvements are needed on the surrounding road network in London to address traffic impacts that were not forecast.</p> <p>Timing and period of monitoring is insufficient – should be longer and prior to commencement of construction on the Project.</p>	Commitment was requested from the Applicant in the DCO to an approach to using monitoring to identify and work with highway authorities to secure funding for mitigation measures, should impacts different to the modelling be identified and should measures be demonstrated as necessary. TfL put forward a proposed approach as part of its Written Representation at Deadline 1 and through submissions REP4-359 and REP6-170. At the conclusion of the examination, TfL supports the draft requirement put forward jointly by the port authorities and Thurrock Council (REP8-166) as being the most appropriate	Not addressed – matter not agreed. TfL disputes that the Applicant is meeting its obligation to balance national and local needs as it is failing to commit to the necessary level of mitigation for the local road network through a requirement in the DCO to cover wider network impacts.

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				drafting of a requirement before the examination.	
21	Traffic modelling methodology / robustness	2.1.14, 2.1.32	Model zoning has been aggregated within London, which results in short distance local trips being omitted and junction impacts being underestimated. Other shortcomings of the modelling mean local impacts of the Project, including those related to construction traffic, are difficult to glean due to a lack of granularity, and the need for and scope of appropriate mitigation is therefore more difficult to identify.	More detailed modelling at the local level, consideration of the implications of the findings and recommendations of local junction modelling undertaken by TfL/LB Havering, and/or commitment by the Applicant to an approach to mitigation that could overcome the uncertainty with the modelling was requested by TfL.	Not addressed – the Applicant refuted concerns with model robustness and stood by its methodology, notwithstanding its previous acknowledgement of concerns arising from the model zoning issues identified.
3	Operational air quality (AQ) monitoring	2.1.17	AQ should be monitored where significant traffic increases are predicted as a result of the operational phase of the Project (e.g., A127 west of M25 Junction 29).	The DCO does not include commitment to air quality monitoring and, if required, mitigation, for sections of road with significant traffic increases forecast. The WNIMMP was also not amended accordingly.	Not addressed – matter not agreed. Fundamental difference in proposed approach.
4	Impact of the Project on	2.1.8	Works to the Transport for London Road Network (TLRN)	The DCO includes protective provisions in this regard. TfL	Assurances regarding TfL's involvement in the

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	existing and future TfL assets		should be constructed to the satisfaction of TfL as the local highway authority.	needs to understand the extent of new works or assets which it will be required to manage and maintain and requested TfL's costs to be covered by the Applicant for this purpose.	<p>design and construction of works affecting TfL assets has been addressed by way of protective provisions for the protection of local highway authorities included in the final dDCO.</p> <p>Not addressed is the request for TfL's costs to be covered, where there remains a fundamental difference of position between TfL and the Applicant. The local highway authorities have submitted draft text for an additional provision in the protective provisions to cover this matter.</p>
5	Costs and commuted sum for adoption	2.1.11	TfL is seeking to recover costs associated with delivery of the Project, together with a commuted sum to cover	Requested that the Applicant agree to a commuted sum to cover costs, in line with best practice and as previously	Not addressed – the Applicant has strongly opposed the provision of commuted sums.

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			increased management and maintenance costs from new and modified assets.	specified by the Secretary of State in the M25 Junction 28 Improvements DCO.	The local highway authorities have submitted draft text for an additional provision in the protective provisions to cover this matter.
Significant					
6	Consultation in the capacity of highway authority	2.1.2	TfL no longer considers this a principal issue.	N/A	N/A
8	Public transport	2.1.22	TfL requests the Applicant to consider targeted interventions to improve bus performance and reliability as part of the Project.	Consideration of interventions in collaboration with TfL was requested.	Not addressed – matter not agreed. The Applicant has no plans to provide interventions.
9	Erosion of benefits over time	2.1.25	TfL no longer considers this a principal issue.	N/A	N/A
10	New assets outside the highway boundary	2.1.9	TfL no longer considers this a principal issue as the matter has been addressed within protective provisions for the protection of local highway authorities included in the final dDCO.	N/A	Addressed

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11	Permanent vs. temporary acquisition of land owned by TfL	2.1.7	TfL no longer considers this a principal issue as the matter has been addressed within protective provisions for the protection of local highway authorities included in the final dDCO.	N/A	Addressed
12	Walking cycling and horse riding (WCH) crossing	2.1.23	TfL no longer considers this a principal issue as the matter has been addressed within protective provisions for the protection of local highway authorities included in the final dDCO.	N/A	Addressed
13	Particulate matter (PM _{2.5} & PM ₁₀)	N/A	TfL no longer considers this a principal issue.	N/A	N/A
14	Nitrogen dioxide (NO ₂)	N/A	Modelled NO ₂ levels are well above World Health Organisation (WHO) guidelines, which Mayoral policy is seeking to move towards.	Consider mitigation or how Project can meet WHO guidance to reduce impact on human health.	Not addressed – while levels are higher than aspirational guidance, they meet UK legal limit and Air Quality Strategy (AQS) objective, so the Applicant does not propose to take any further action to mitigate this.

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15	Local Policy considerations	2.1.4	<p>Project should not conflict with the Mayor's Transport Strategy (MTS) and/or adopted 2021 London Plan.</p> <p>The London Plan and the Mayor's Transport Strategy are important and relevant matters for the purposes of section 104 of the Planning Act 2008.</p>	A more robust approach to mitigation of traffic and carbon impacts is required. At the conclusion of the examination, TfL supports the draft requirement to cover wider network impacts put forward jointly by the port authorities and Thurrock Council (REP8-166).	Not addressed – TfL considers there to be some issues that remain, specifically with London Plan Policies T4 and SI2, and MTS Policy 7.
16	Operational carbon emissions	2.1.30	TfL aims to achieve net zero carbon by 2030 and the Project should play its part in achieving this goal (alongside the Government's Transport Decarbonisation Plan). To this end, action to address, manage, and mitigate user carbon (road user emissions) should be included in the Project.	The Carbon and Energy Management Plan could have been further aligned with net zero by investigating user carbon emissions mitigation and reductions from the opening year, rather than stating that the Applicant cannot control user carbon therefore scoping out any efforts to mitigate the impacts. The Applicant could take further steps to influence user carbon.	Not addressed – the Applicant is of the view that they cannot control emissions from road users, and that operational emissions are being addressed by the DfT at the national level rather than at the project level.
22	Air quality (AQ) assessment	2.1.18	The Project analysis shows that despite a worsening for some receptors in London, AQ will remain within legal limits.	As emerging Government policy, and likely to be designated before the DCO is determined, the Applicant	Not addressed – the Applicant's primary consideration is the current, designated

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			However, the draft National Policy Statement for National Networks (NPSNN) notes that AQ considerations are also important where substantial changes in AQ levels are expected, even if this does not lead to breaches of national air limits or statutory objectives, so the Applicant should consider this further.	should give sufficient additional weight to the draft NPSNN with regard to AQ assessment.	NPSNN and believes the draft NPSNN does not fundamentally alter the policy position.
Less Significant					
7	Future Ultra Low Emission Zone (ULEZ) expansion and road charging	2.1.19	The Applicant's Transport Assessment and Environmental Statement should have regard to the London-wide ULEZ expansion, implemented in August 2023. An assessment should also be made on how the environmental impacts of the Project may differ if road user charging is introduced in London. This could take the form of commentary within the Transport Assessment and Environmental Statement of	Sensitivity testing and/or commentary on the assessment of impacts for the London-wide ULEZ expansion and road user charging was not included.	Not addressed – matter not agreed. Disagreement on whether charging proposals need to be assessed and whether they will change the impacts of the Project.

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			potential changes to the environmental effects.		
17	Utility works rights and management	2.1.10	TfL no longer considers this a principal issue as the matter has been addressed within protective provisions for the protection of local highway authorities included in the final dDCO.	N/A	Addressed
18	Construction vehicle safety	2.1.12	Construction vehicle safety standards need to support TfL's Vision Zero goal.	A description of how the Applicant will comply with the Mayor's Vision Zero action plan was needed. The Code of Construction Practice was not amended to include further information on this, with the main request being to extend Direct Vision Standard (DVS) requirements beyond Greater London for the entire Project.	Not addressed – the Applicant was unwilling to expand the Vision Zero requirements (i.e. DVS) to the Project outside London.
19	Operational traffic management	2.1.15	Measures to ensure the resilience of the highway network in the event of an accident, to ensure traffic on the network is satisfactorily managed in the event of	Clarification on whether there is sufficient capacity at the A2/M2/LTC junction for it to be signed and used as a diversion route during closures or significant congestion on the	Not addressed – while additional information was provided by the Applicant on the low likelihood of full closures of the Dartford Crossing and the range of

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			planned or unplanned disruption.	Dartford Crossing was not sufficiently provided.	operational modes available, the explanation from the Applicant did not satisfy TfL that the LTC can be used as an appropriate diversion route for the Dartford Crossing due to the capacity constraint at the A2/M2/LTC junction.
20	Replacement planting	2.1.20	TfL no longer considers this a principal issue.	N/A	N/A