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15 December 2023

Dear Mr Smith

A122 Lower Thames Crossing (Reference Number TR010032)

Deadline 9A

1 Response to Rule 8(3) and 9 letter of 17 November 2023

- 1.1.1 This submission is in response to the Rule 8(3) and 9 letter [[PD-049](#)] issued by the Examining Authority on 17 November 2023 giving details of changes to the Examination Timetable.
- 1.1.2 Annex A of this letter identifies all of the documents that accompany this submission.
- 1.1.3 A Navigation Document [**Document Reference 1.4 (16)**] has been provided with this submission.

1.2 Final Statements of Common Ground (SoCGs)

- 1.2.1 The Applicant refers the Examining Authority to Annex B which provides a schedule and status of the final SoCGs submitted (or not) at Deadline 9A which includes:
- a. Updates to those SoCGs submitted with the Development Consent Order (DCO) application on 31 October 2022
 - b. New SoCGs prepared with Interested Parties in response to the Rule 6 Letter [[PD-013](#)]
 - c. 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
- 1.2.2 All updated SoCGs are presented as 'Final' and have been included in 'tracked changes' and 'clean' versions.

- 1.2.3 In total, SoCGs with 73 Interested Parties have been submitted into the Examination and 72 have been submitted as ‘Final’ iterations either before or at Deadline 9A.
- 1.2.4 In agreement with the Port of Tilbury London Limited (PoTLL), the Applicant has not included that Final SoCG as the parties are still in active negotiations on a side agreement that is close to being settled, which would in turn inform the final position of several matters. To give the Examining Authority the most up-to-date positions at the close of Examination, this Final SoCG, reflecting the agreed positions will be submitted at Deadline 10.
- 1.2.5 In addition to the SoCGs, the Applicant has also submitted a Final Statement of Commonality [**Document Reference 5.3 (10)**] at this deadline.

1.3 Any further information requested by the ExA under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 (EPR)

Procedural Decision 45

- 1.3.1 On 8 December 2023, the Examining Authority issued Procedural Decision 45 [[PD-051](#)] to seek further information about the designation of ‘The Wilderness’ under Rule 17 of the EPR. Within this Procedural Decision there were several questions directed to the Applicant to be submitted at Deadline 9A.
- 1.3.2 The Applicant has responded to this within Applicant’s response to Procedural Decision 45 The Wildness [**Document Reference 9.224**].
- 1.3.3 The Applicant notes that it may respond at Deadline 10 to the material provided by Natural England at Deadline 9A.

2 Other

2.1 Section 135 Consent from the Secretary of State for the Environment, Food and Rural Affairs

- 2.1.1 The Applicant can confirm that the Secretary of State (SoS) for the Environment, Food and Rural Affairs has granted the Crown’s consent under section 135 of the Planning Act 2008 in relation to land owned by the Forestry Commission and managed by Forestry England being (i) parts of Thames Chase Community Forest near North Ockendon and Great Warley and (ii) Jeskyns Community Woodland near Cobham, Kent. This is enclosed with this submission with as Letter of Confirmation – SoS Environment, Food and Rural Affairs (Crown Land) [**Document Reference 9.223**].

2.2 Response to third written questions (ExQ3)

- 2.2.1 It was requested in the Examining Authority’s third written questions and requests for information (ExQ3) [[PD-046](#)], for a limited number of questions, for the Applicant to provide updates or nil returns at each successive deadline.
- 2.2.2 **Q2.1.1 A47 Judicial Challenges in the Court of Appeal:** requests that, at each successive deadline until the closure of the Examination, a position statement be submitted explaining any changes to the circumstances of this litigation. If there is no change, then nil return should be entered.

2.2.3 The Applicant can confirm nil return in response to this question at Deadline 9A.

2.2.4 **Q4.2.2 River access and jetties for construction:** requests that, at successive deadlines, the ExA be kept informed of any changed positions emerging from ongoing discussions with the Port of London Authority (PLA) in regard to use of river transport.

2.2.5 The Applicant can confirm nil return in response to this question at Deadline 9A, and that the response included within the Deadline 9 Cover Letter [**Document Reference 9.210**] remains the current position.

2.3 Stakeholder Actions and Commitments Register (SAC-R)

2.3.1 The SAC-R was discussed at ISH12 and a number of points were raised by some of the local authorities in attendance. Subsequently the Applicant has continued its engagement with these stakeholders, resulting in updates to the SAC-R. These are:

- a. An update to SACR 025 to respond to comments from Gravesham Borough Council on the replacement recreational area north of Thong Lane.
- b. The London Borough of Havering submitted some detailed points upon Part 2 (the Skills, Education and Employment Strategy) and Part 3 (Community Funds) in document [REP8 -151], including a number of proposed changes to the wording of those parts. Where appropriate, the Applicant has accepted some of the revised wording proposed by the London Borough of Havering in the version of the SAC-R submitted at deadline 9A. The Examining Authority and Interested Parties should therefore consider the Deadline 9A version of the Stakeholder Actions and Commitments Register [**Document Reference 7.21 (8)**] as the final version.

2.3.2 This document has been included in 'tracked changes' and 'clean' versions.

2.4 References to the Examination Library

2.4.1 It has not been possible to update all cross-references to the Deadline 9 references in the Examination Library – i.e. '[REP9-XXX]' as the Examination Library had not yet been updated by 11am on the Deadline 9A deadline day. The Applicant has therefore referred to its document numbering system in the document, i.e. '[Document Reference 9.XXX]'.

Yours sincerely

Dr Tim Wright

Head of Consents – Lower Thames Crossing

Appendix A Documents which accompany the Applicant's Deadline 9A submission

A.1.1 Table A.1 below provides a list of documents being submitted at this deadline. This table excludes the Statement of Common Grounds which are listed in Appendix B.

Table A.1 Documents submitted at Deadline 9A

Document Reference	Document Title
TR010032/APP/1.4	1.4 Navigation Document (Version 16)
TR010032/APP/5.3	5.3 Statement of Commonality (Version 10)
TR010032/APP/7.21	7.21 Stakeholder Actions and Commitments Register (Version 8)
TR010032/EXAM/9.223	9.223 Letter of confirmation – SoS Environment, Food and Rural Affairs (Crown Land)
TR010032/EXAM/9.224	9.224 Applicant's response to Procedural Decision 45 The Wildness

Appendix 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 9A	Deadline 9A summary
Barking Power Ltd	5.4.3.2 v2	No	No	No	No	No	No	No	No	Yes	Final SoCG (with all matters agreed) submitted at Deadline 9A
Basildon Council	5.4.4.1 v3	Yes	No	No	No	No	No	No	No	Yes	Final SoCG (with all matters agreed) 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 v3	Yes	No	No	No	No	No	No	No	Yes	Final SoCG 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 v3	No	Yes	No	No	No	No	No	No	Yes	Final SoCG submitted at Deadline 9A
Environment Agency	5.4.1.1 v5	Yes	No	No	No	Yes	No	Yes	No	Yes	Final SoCG submitted at Deadline 9A
Northumbrian Water Limited – Trading as Essex and Suffolk Water	5.4.3.6 v2	No	No	No	No	No	No	No	No	Yes	Final SoCG 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 9A	Deadline 9A summary
Essex County Council	5.4.4.5 v5	Yes	No	No	No	Yes	No	Yes	No	Yes	Final SoCG 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 v3	No	No	No	Yes	No	No	No	No	Yes	Final SoCG submitted at Deadline 9A
Forestry England	5.4.5.2 v4	No	No	No	Yes	No	No	No	Yes	Yes	Final SoCG submitted at Deadline 9A
Gravesham Borough Council	5.4.4.6 v4	Yes	No	No	No	No	Yes	No	No	Yes	Final SoCG submitted at Deadline 9A
Health and Safety Executive	5.4.3.9 v3	Yes	No	No	No	No	No	No	No	Yes	Final SoCG (with all matters agreed) 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	-	-	-	-	Final SoCG (with all matters agreed) was submitted at Deadline 5
High Speed One Ltd	5.4.3.10 v4	Yes	No	No	Yes	No	No	No	No	Yes	Final SoCG 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 (with all matters agreed) submitted at Deadline 8
Kent County Council	5.4.4.7 v5	Yes	No	No	No	No	Yes	Yes	No	Yes	Final SoCG submitted at Deadline 9A
Kent Downs AONB Unit	5.4.1.4 v4	Yes	No	No	No	No	Yes	No	No	Yes	Final SoCG 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 9A	Deadline 9A summary
London Borough of Havering	5.4.4.8 v5	Yes	No	No	No	Yes	Yes	No	No	Yes	Final SoCG submitted at Deadline 9A
Marine Management Organisation	5.4.1.5 v3	No	No	No	No	No	No	Yes	No	Yes	Final SoCG submitted at Deadline 9A
Medway Council	5.4.4.10 v3	Yes	No	No	No	No	No	No	No	Yes	Final SoCG submitted at Deadline 9A
Natural England	5.4.1.6 v6	No	Yes	No	No	Yes	No	Yes	Yes	Yes	Final SoCG submitted at Deadline 9A
Network Rail Infrastructure Ltd	5.4.3.14 v3	Yes	No	No	No	No	No	No	No	Yes	Final SoCG submitted at Deadline 9A
Openreach Ltd	5.4.3.16 v3	Yes	No	No	No	No	No	No	Yes	-	Final SoCG (with all matters agreed) submitted at Deadline 8
Port of London Authority	5.4.1.7 v2	No	No	No	No	No	No	No	No	Yes	Final SoCG submitted at Deadline 9A
Port of Tilbury London Ltd	5.4.2.2 v2	No	No	Yes	No	No	No	No	No	No	Final SoCG to be submitted at Deadline 10
Royal Mail Group	5.4.3.17 v2	No	No	No	No	No	No	No	No	Yes	Final SoCG (with all matters agreed) submitted at Deadline 9A
Shorne Parish Council	5.4.5.4 v4	No	No	No	Yes	No	Yes	No	No	Yes	Final SoCG submitted at Deadline 9A
Southern Gas Networks PLC	5.4.3.18 v4	Yes	No	No	No	No	Yes	No	Yes	-	Final SoCG (with all matters agreed) 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
Thurrock Council	5.4.4.12 v4	No	No	Yes	No	No	Yes	No	No	Yes	Final SoCG 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 9A	Deadline 9A summary
Thurrock Flexible Generation Ltd (TFG) (formally Thurrock Power Limited)	5.4.2.3 v3	No	No	No	No	No	Yes	No	No	Yes	Final SoCG submitted at Deadline 9A (with all matters agreed)
Tonbridge & Malling Borough Council	5.4.4.13 v5	Yes	No	Yes	No	No	Yes	No	No	Yes	Final SoCG submitted at Deadline 9A
Transport for London	5.4.4.11 v5	Yes	No	No	Yes	No	No	Yes	No	Yes	Final SoCG submitted at Deadline 9A
UK Power Networks Ltd	5.4.3.21 v3	Yes	No	No	No	No	No	No	Yes	-	Final SoCG (with all matters agreed) 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 (with all matters agreed) submitted at Deadline 8
Zayo Group UK Ltd	5.4.3.25 v3	Yes	No	No	No	No	No	No	No	Yes	Final SoCG 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 9A	Deadline 9A summary
Cuxton Parish Council	9.39 v2	Yes	No	No	No	No	No	No	No	Yes	Final SoCG 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 9A	Deadline 9A summary
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 v3	Yes	No	No	No	No	Yes	No	No	Yes	Final SoCG submitted at Deadline 9A
Essex Police	9.41 v3	Yes	No	No	No	No	Yes	No	No	Yes	Final SoCG 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 v3	Yes	No	No	No	No	Yes	No	No	Yes	Final SoCG submitted at Deadline 9A
Kent Police	9.42 v3	Yes	No	No	No	No	Yes	No	No	Yes	Final SoCG 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 v2	No	No	No	No	No	Yes	No	No	Yes	Final SoCG 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
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 v2	No	No	No	No	No	Yes	No	No	Yes	Final SoCG (with all matters agreed) 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 9A	Deadline 9A summary
NHS Mid & South Essex Integrated Care Board	9.121 v2	No	No	No	No	Yes	No	No	No	Yes	Final SoCG submitted at Deadline 9A
NHS North East London Integrated Care Board	9.44 v2	Yes	No	No	No	No	No	No	No	Yes	Final SoCG (with all matters agreed) submitted at Deadline 9A
North Kent Marshes Internal Drainage Board	9.43 v3	Yes	No	No	No	Yes	No	No	Yes	No	Final SoCG (with all matters agreed) 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	No	Swale Borough Council requested to withdraw from the SoCG process and indicated that they would write to the Planning Inspectorate to confirm this position ahead of 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	Doc ref/ latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9A	Deadline 9A summary
Anglian Water Services Limited	9.27 v2	Yes	No	No	No	No	No	No	Yes	-	Final SoCG (with all matters agreed) 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 9A	Deadline 9A summary
National Grid Electricity Transmission PLC	9.30 v2	Yes	No	No	No	No	No	No	No	Yes	Final SoCG (with all matters agreed) submitted at Deadline 9A
National Gas Transmission PLC	9.31 v2	Yes	No	No	No	No	No	No	No	Yes	Final SoCG (with all matters agreed) submitted at Deadline 9A
Southern Water Services Ltd	9.32 v2	Yes	No	No	No	No	No	No	Yes	-	Final SoCG (with all matters agreed) submitted at Deadline 8
Thames Water Utilities Ltd	9.33 v2	Yes	No	No	No	No	No	No	Yes	-	Final SoCG (with all matters agreed) submitted at Deadline 8
Cole Family (Land & Property)	9.46 v3	Yes	No	No	No	No	Yes	No	No	Yes	Final SoCG submitted at Deadline 9A

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

Interested Party	Doc ref/ latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9A	Deadline 9A 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	Doc ref/ latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9A	Deadline 9A summary
Harlex Haulage and J & B Martin (Crayford & Fawkham) Limited	9.69 v3	N/A	N/A	Yes	No	No	No	Yes	No	Yes	Final SoCG submitted at Deadline 9A
John and Elizabeth Gressier	9.68 v3	N/A	N/A	Yes	No	No	No	Yes	No	Yes	Final SoCG submitted at Deadline 9A

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

Interested Party	Doc ref/ latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9A	Deadline 9A summary
E and K Benton Ltd	9.91 v2	N/A	N/A	N/A	Yes	No	No	No	No	Yes	Final SoCG submitted at Deadline 9A
Melville Mott & Family	9.92 v2	N/A	N/A	N/A	Yes	No	No	No	No	Yes	Final SoCG submitted at Deadline 9A
The Master, Fellows and Scholars of the College of Saint John the Evangelist in the University of Cambridge	9.104 v2	N/A	N/A	N/A	Yes	No	No	No	No	Yes	Final SoCG submitted at Deadline 9A

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

Interested Party	Doc ref/ latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9A	Deadline 9A summary
Morzine Ltd	9.156 v2	N/A	N/A	N/A	N/A	N/A	Yes	No	No	Yes	Final SoCG submitted at Deadline 9A
Thames Enterprise Park Limited	9.155 v2	N/A	N/A	N/A	N/A	N/A	Yes	No	No	Yes	Final SoCG submitted at Deadline 9A

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

Interested Party	Doc ref/ latest version	DL 1	DL 2	DL 3	DL 4	DL 5	DL 6	DL 7	DL 8	DL 9A	Deadline 9A summary
DeGiorgio Holdings Ltd (Inn on the Lake Hotel)	9.182 v2	N/A	N/A	N/A	N/A	N/A	N/A	Yes	No	Yes	Final SoCG submitted at Deadline 9A
Stuart Mee & Family	9.181 v2	N/A	N/A	N/A	N/A	N/A	N/A	Yes	No	Yes	Final SoCG submitted at Deadline 9A