



# Lower Thames Crossing

## 9.42 Final Agreed Statement of Common Ground between (1) National Highways and (2) Kent Police (Tracked changes)

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Infrastructure Planning (Examination  
Procedure) Rules 2010

Volume 9

DATE: December 2023  
DEADLINE: 9A

Deleted: October

Deleted: 6

Planning Inspectorate Scheme Ref: TR010032  
Examination Document Ref: TR010032/EXAM/9.42

VERSION: 3.0

Deleted: 2

### Revision history

Version	Date	Submitted at
1.0	18 July 2023	Deadline 1
2.0	31 October 2023	Deadline 6
<u>3.0</u>	<u>15 December 2023</u>	<u>Deadline 9A</u>

## Status of the Statement of Common Ground

This is the ~~Final~~ Agreed Statement of Common Ground between (1) National Highways (The Applicant) and (2) Kent Police.

Both parties have reached agreement on the position of the status of all four matters. Of the four matters contained within, all matters are agreed leaving no matters outstanding.

Deleted: a Draft

Deleted: with matters outstanding.¶

Deleted: agree that this draft Statement of Common Ground is an accurate description of the matters raised and the current status of each matter

### On behalf of the Applicant

Name	[REDACTED]
Position	[REDACTED]
Organisation	National Highways
Signature	[REDACTED]

### On behalf of Kent Police

Name	[REDACTED]
Position	[REDACTED]
Organisation	Kent Police
Signature	[REDACTED]

Deleted: ¶

From: [REDACTED]  
Sent: 09 October 2023 15:16  
To: [REDACTED]  
Subject: RE: EXTERNAL - SoCGs

Hi [REDACTED]

Thanks for the email

No concerns from me and I am content

Thanks

[REDACTED]

The Applicant considers that this draft Statement of Common Ground is an accurate description of the matters raised by Kent Police and the status of each matter, based on the engagement that has taken place to date. ¶  
A high-level overview of the engagement undertaken since the DCO application was submitted on 31 October 2022 is summarised in Table A.1 in Appendix A.¶

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¶  
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# 1 Introduction

## 1.1 Purpose of the Statement of Common Ground

1.1.1 This Statement of Common Ground (SoCG) has been prepared in respect of the Development Consent Order (DCO) application for the proposed A122 Lower Thames Crossing (the Project) made by National Highways Limited (The Applicant) to the Secretary of State for Transport (Secretary of State) under section 37 of the Planning Act 2008 on 31 October 2022.

1.1.2 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached and where agreement has not been reached.

1.1.3 ~~This final~~ version of the SoCG ~~has been~~ submitted at Examination Deadline ~~9A~~.

## 1.2 Emergency Services and Safety Partners Steering Group

1.2.1 Kent Police is a member of the Emergency Services and Safety Partners Steering Group (ESSP SG). The ESSP SG have a SoCG which includes matters raised by the ESSP SG as a collective. Where matters are solely related to Kent Police, they have not been incorporated into the ESSP SG SoCG. An ~~final~~ version of the ESSP SG has ~~also~~ been submitted at Deadline ~~9A~~.

## 1.3 Principal Areas of Disagreement

1.3.1 On 19 December 2022, the Examining Authority made some early procedural decisions to assist the Applicant, potential Interested Parties and themselves to prepare for the Examination of the application.

1.3.2 One of these procedural decisions requested was to use a tracker recording Principal Areas of Disagreement in Summary (PADS). This tracker is known as the PADS Tracker.

1.3.3 The PADS Tracker provides a record of principal matters of disagreement emerging from the SoCG and will be updated alongside the SoCG as appropriate throughout the Examination with the expectation that a revised PADS Tracker should be submitted at every Examination deadline.

1.3.4 Kent Police do not have a PADS Tracker.

## 1.4 Terminology

1.4.1 In the ~~final position on~~ matters table in Section 2 of this SoCG, "Matter Not Agreed" indicates agreement on the matter could not be reached following significant engagement. "Matter Agreed" indicates where the issue has now been resolved.

**Deleted:** between the Applicant and Kent Police

**Deleted:** . Where matters are yet to be agreed, the parties will continue to work proactively to reach agreement and will update the SoCG to reflect areas of further agreement

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**Deleted:** 1 and was a named SoCG requested by the Examining Authority in the Rule 6 letter published on 25 April 2023. This is the updated version submitted at Deadline 6

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**Deleted:** as there are no disagreed matters at this time. All other matters are either agreed or remain under discussion and are reflected in Table 2.1.

**Deleted:** , and "Matter Under Discussion" where these points will be the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the parties.

**Deleted:** In this SoCG, there are no "Matters Not Agreed".

## 2 Matters

### 2.1 Final position on matters

2.1.1 A summary of engagement undertaken between the Applicant and Kent Police is summarised in Table A.1 in Appendix A.

2.1.2 The outcome of discussions to date are presented in Table 2.1 which details and presents the matters which have been agreed or not agreed between (1) the Applicant and (2) Kent Police.

2.1.3 In the column 'Item No' in Table 2.1, 'DL6' indicates a matter entered into the SoCG during Examination at/around that deadline.

2.1.4 At Examination Deadline 9A there are four matters in total, of which four are agreed. There are no matters not agreed.

2.1.5 Since the previous version of this SoCG was submitted at Deadline 6 the following matters have moved from 'Matter Under Discussion' to 'Matter Agreed':

a. 2.1.1 – Emergency response plans

b. 2.1.2 – Compliance and speed enforcement during construction

c. 2.1.3 – Compliance and Speed enforcement during construction

d. 2.1.4 – Designing for safety and security

This is the final Statement of Common Ground between the Applicant and Kent Police.

**Deleted:** Movement of outstanding matters following submission of the DCO application, continued discussions

**Deleted:** have taken place

**Deleted:** . These discussions are

**Deleted:** Appendix A.

**Deleted:** ,

**Deleted:** , or are under discussion

**Deleted:** At Examination Deadline 1 there were three matters in total of which none were agreed, and three remained under discussion. At Deadline 6 there are four matters; all remain under discussion.

**Deleted:** As part of the ongoing engagement, Kent Police have raised one new matter which covers Designing for Safety and Security (item no. 2.1.4) which Kent Police requested to align with the Applicant's SoCG with Essex Police.

**Deleted:** Rule 6' indicates a matter entered in the SoCG as a result of a request in the Rule 6 letter, 'RRN'

**Deleted:** as a result of content in the Relevant Representation, 'RRE' indicates an existing SoCG matter that was also raised in the Relevant Representation and 'DL6' indicates a new matter added

**Deleted:** In the 'Item No.' column, 'Rule 6' indicates a matter entered in the SoCG as a result of a request in the Rule 6 letter, 'RRN' indicates a matter entered into the SoCG as a result of content in the Relevant Representation, 'RRE' indicates an existing SoCG matter that was also raised in the Relevant Representation and 'DLX' indicates a new matter added during Examination at/around that deadline.

**Table 2.1 Final Positions on Matters**

Topic	Item No.	Kent Police Comment	The Applicant's Response	Application Document Reference	Status
<b>Construction</b>					
Emergency Response Plans	2.1.1	Given that the Project have consulted on the option of driving one Tunnel Boring Machine (TBM), a situation where a bore from South to North creates the question of whether there are adequate emergency response provisions on the South side of the river.	<p>The Applicant does not anticipate any significant change if the option of driving one TBM is considered, as all logistics will come from the north and through the first drive. Once the TBM arrives at the South Portal and works are occurring there – e.g. the TBM turnaround and/or the second drive – it may be sensible to access emergency arrangements from the south. However, the Applicant notes that there were always significant works in the south, i.e. the earthworks, the cutting, the South Portal and the South Portal Tunnel Services Building, so there is always a potential need.</p> <p>Members of the Applicant's construction and operation team including, the Tunnels Construction Lead, met with Kent Police on 3 August 2023 to discuss this matter further. The Applicant provided an update on the proposals to look at options to use one or two TBMs, as well as an overview of how detailed Emergency Procedures will be developed once the tunnel contractor has been appointed.</p> <p><u>With regard to emergency response, the CoCP requires in para 6.9.1 the Contractors to</u></p>	<u>ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3 ES Appendix 2.2 (9)]</u>	Matter Agreed,

Deleted: Under Discussion

Deleted: N/A

Topic	Item No.	Kent Police Comment	The Applicant's Response	Application Document Reference	Status
			<p><u>prepare emergency preparedness procedures for each worksite. The CoCP (para 6.9.1) requires consultation with the emergency services in development of these procedures. The CoCP (para 6.9.2) also requires these procedures be reviewed quarterly, or where there is a change in procedure.</u></p> <p><u>As the requirement for emergency preparedness procedures are required by the CoCP, this requirement is secured under Requirement 4(2) of the DCO.</u></p>		
<b>Design – Road, Tunnels, Utilities</b>					
Compliance and Speed Enforcement during Construction	2.1.2	<p>National Highways should install Average Speed Check Cameras past the construction site to encompass both slip off and slip on roads. The suggested location of the cameras is between A2 Pepper Hill eastbound to M2 junction 2 Medway Bridge and return. Kent Police will provide the back-office function.</p> <p>To maintain road safety measures and to ensure benefits are maximised, it is suggested that National Highways install Average Speed Check Cameras past the construction site on the M2 between J3 and J4. Kent Police will function the Speed Check facility.</p>	<p><u>As noted in Table 2.3 of the outline Traffic Management Plan for Construction, the Traffic Management Plan will at a minimum address enforced speed reduction through cameras. This will be discussed in more detail at the Traffic Management Forums, of which, as noted in Table 2.1 of the oTMPfC, Kent Police are a member, Kent Police's involvement in this group will ensure they are consulted on the use of cameras.</u></p>	<p><u>oTMPfC Document Reference 7.14 (9).</u></p>	<p>Matter Agreed.</p>

**Deleted:** The meeting concluded by confirming that a follow up meeting would take place once the contractor has been appointed.

**Deleted:** The Applicant has committed

**Deleted:** Under Discussion

**Deleted:** oTMPfC [\[REP5-056\]](#)

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**Deleted:** ), Section 5.6, to liaise with the

**Deleted:** as to the most appropriate compliance and enforcement measures; this includes providing infrastructure (i.e. average speed cameras) where deemed necessary, as per recent discussions, to enable

**Deleted:** Police to actively monitor and enforce speeds. ¶  
 ¶  
 As noted in the Deadline 3 submission of the oTMPfC, the emergency services listed in Table 2.1 (traffic forum members) now provide a definition of the services

**Deleted:** paragraph 2.3.4 which includes Kent Police. Matters to be covered in the Traffic Management Forum are shown in Table 2.3. ...



Topic	Item No.	Kent Police Comment	The Applicant's Response	Application Document Reference	Status
Compliance and Speed Enforcement during Construction	2.1.3	Considering the prevention of crime and to enhance community safety, Kent Police believe that National Highways should contribute to the costs of installing Automated Number Plate Recognition (ANPR) system on newly designed roads.	The Applicant has engaged with Kent Police over the location of existing <u>ANPR cameras</u> (some of which require relocation). <u>The Applicant will continue to consult with Kent Police to agree ANPR requirements during the detailed design stage in accordance with the Design Manual for Roads and Bridges TD131, 'Guidance for the Development and Review of ANPR Infrastructure' published by the Home Office and the existing 'Automatic Number Plate Recognition (ANPR) – Installation, Maintenance and Use on the Strategic Road Network' agreement between the Applicant, National Police Chiefs' Council and the Home Office.</u>	N/A	Matter <u>Agreed</u>
Designing for Safety and Security	2.1.4 DL6	Research has identified that specific crime types can potentially be 'designed out' and minimised, which consequently will prevent the need for future bespoke situational crime prevention measures. Embedding the concept of 'safety and security' throughout all proposals will ensure the longevity of the scheme, achieve sustainability aims and mitigate the opportunity for crime.  Kent Police acknowledge the requirements regarding ensuring security standards and Crime Prevention Through Environmental	Risk and security are key considerations within the design process. The Project has embedded the concept of 'safety and security' within design. These considerations will be taken forward to the detailed design stage. The Project will liaise with Kent Police through engagement with the Designing Out Crime Officers. It is a requirement of DMRB CD 352 that emergency services shall be consulted through the Tunnel Design and Safety Consultation Group (TDSCG) on such issues as emergency services telecommunications equipment.	<u>Stakeholder Actions and Commitments Register [Document Reference 7.21 (7)]</u>	Matter <u>Agreed</u>

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**Deleted:** will continue this engagement to ensure ANPR equipment can be deployed where required.

**Deleted:** Under Discussion

Topic	Item No.	Kent Police Comment	The Applicant's Response	Application Document Reference	Status
		Design (CPTED) practices are adhered to throughout the lifecycle of the project.	<p>The Applicant appreciates that some concerns have been raised about the TDSCG and how it would operate in practice <u>and has met</u> with Kent Police on <u>several occasions</u>, to assuage <u>these</u> concerns. <u>In order to address these matters, the Applicant has developed terms of reference for the group. The Applicant has also given reference to the TDSCG in the Stakeholder Actions and Commitments Register:</u></p> <p><u>"Key elements of the detailed design in relation to safety and operational effectiveness shall be subject to consultation through a Tunnel Design and Safety Consultation Group (TDSCG). Topics of consultation through the TDSCG shall include, but not be limited to, the matters identified in the agreed terms of reference (which reflect Appendix A2 of Design Manual for Roads and Bridges (DMRB) CD 352). Details of information presented to the TDSCG, along with any feedback and comments received (which shall be assessed and incorporated into the detailed design as far as reasonably practicable), shall be formally recorded into a finalised safety consultation document (as defined in DMRB CG 300)."</u></p>		

- Deleted:** . The Applicant discussed this
- Deleted:** This matter is agreed in principle but suggested to remain a 'Matter under discussion' until Kent Police Designing Out Crime Officers are able to discuss/agree this point with the Applicant.
- Deleted:** 14 September 2023 and is actively pursuing a solution...
- Deleted:** the
- Deleted:** that have been raised. This may include
- Deleted:** instance
- Deleted:** development of Terms

**Deleted:** Reference.

## Appendix A Engagement activity

**Table A.1 Engagement activities between the Applicant and Kent Police since the DCO application was submitted on 31 October 2022**

Date	Overview of Engagement Activities
12 January 2023	Meeting with the representative of the emergency services to update on DCO submission, next steps and to request ESSPSG feedback on the current SoCG draft.
20 January 2023	Catch-up meeting with ESSPSG Chair regarding engagement with emergency services stakeholders on an individual basis.
8 February 2023	Meeting with Kent Police to discuss emergency response times.
9 February 2023	Catch-up meeting with ESSPSG Chair regarding engagement with emergency services stakeholders on an individual basis.
16 March 2023	Meeting with the representative of the emergency services to request status of SoCG feedback and update on the Applicant's response times modelling work.
24 April 2023	Meeting with Kent Police to understand their individual issues on the Project.
11 May 2023	Meeting with the representative of the emergency services to update on the contents of the Rule 6 letter and the Applicant's intention to progress with police SoCGs as requested by the Examining Authority.
22 May 2023	Meeting with Kent Police to refine issues for the SoCG as per the Rule 6 instruction.
8 June 2023	Meeting with the representative of the emergency services to update on SoCG progress in line with the Rule 6 letter instruction and Procedural Decision Notices.
3 August 2023	Meeting to discuss 2.1.1 (Tunnel Boring Machine)
14 August 2023	Meeting with Designing Out Crime Officers to discuss Security and Partners Working Group
30 August 2023	Meeting with Kent Police to discuss southern RVP
14 September 2023	Walkthrough of ESSP SG's written response to the Applicant's roadmap
2 October 2023	Walkthrough of ESSP SG's written response to the Applicant's roadmap (part 2)
<a href="#">17 October 2023</a>	<a href="#">Meeting at Essex Police HQ with Kent and Essex Police to discuss Protestor Management</a>
<a href="#">16 November 2023</a>	<a href="#">Meeting to discuss process for closing out final SoCG</a>
<a href="#">22 November 2023</a>	<a href="#">Meeting to discuss southern RVP</a>
<a href="#">30 November 2023</a>	<a href="#">Follow up meeting from 22 November 2023 to discuss southern RVP</a>
<a href="#">8 December 2023</a>	<a href="#">Meeting to discuss protestor management</a>

## Appendix B Glossary

Term	Abbreviation	Explanation
Automated Number Plate Recognition	ANPR	Automated Number Plate Recognition is a technology that reads vehicle registration plates to create vehicle location data.
Code of Construction Practice	CoCP	Code of Construction Practice (CoCP) is a written code of standards and procedures that developers and contractors must adhere to.
Development Consent Order	DCO	Means of obtaining permission for developments categorised as Nationally Significant Infrastructure Projects (NSIP) under the Planning Act 2008.
Design Manual for Roads and Bridges	DMRB	The Design Manual for Roads and Bridges contains information about current standards, advice notes and other published documents relating to the design, assessment and operation of trunk roads, including motorways. The DMRB has been prepared for trunk roads and motorways.
Secretary of State	SoS	The Secretary of State has overall responsibility for the policies of the Department for Transport.
Statement of Common Ground	SoCG	A Statement of Common Ground is a written statement containing factual information about the proposal which is the subject of the appeal that the appellant reasonably considers will not be disputed by the local planning authority.
Tunnel Design and Safety Consultation Group	TDSCG	The initial group of Emergency Services stakeholders that were engaged with, this group was superseded by the ESSPG.
Emergency Services and Safety Partnership Steering Group	ESSP SG	The group of emergency services and Local Councils that formed the regular engagement group

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Registered office Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ

National Highways Company Limited registered in England and Wales number 09346363