



Meeting note

File reference	TR010032
Status	FINAL
Author	Robert Ranger
Date	23 October 2017
Meeting with	Highways England
Venue	Temple Quay House
Attendees	The Applicant Tim Wright – DCO & Planning Manager (Lower Thames Crossing Technical Partner) Caroline Soubry-Smith – Environment Manager (Lower Thames Crossing Technical Partner) Malcolm Orford – Head of Consents (Lower Thames Crossing Technical Partner) Charlotte Brewster – DCO Lead (Lower Thames Crossing Highways England) Nicholas Coombes - DCO and Statutory Process Manager (Highways England) The Planning Inspectorate (the Inspectorate) Gail Boyle – Senior EIA and Land Rights Advisor Gareth Leigh – Infrastructure Planning Lead Richard Price – Case Manager Robert Ranger – Case Manager
Meeting objectives	Project update meeting
Circulation	All

Summary of key points discussed and advice given

The Planning Inspectorate explained the duties placed upon it under section 51 of the Planning Act 2008 (as amended) (the PA2008). A note of the meeting would be taken recording the key points discussed and any advice issued by the Planning Inspectorate. The note would be published on the Planning Inspectorate's website. Any advice issued by the Planning Inspectorate would not constitute legal advice upon which the Applicant, or others, could rely.

Project Update

Highways England explained that design work had continued following the Preferred Route Announcement. Design changes proposed at this stage include:

- M25 – New junction design to cross under the M25 to reduce the visual impact.
- Widening of a section of the M25 to improve traffic flow.
- Ockendon – Realignment to avoid going across the landfill.
- A13 and A128 – Redesign of the junction with the A13 to reduce congestion. This allows Highways England to remove the A128 junction from the proposed design.
- New junction near Tilbury – A new junction near east Tilbury and link road to Tilbury to improve traffic flow and provide an alternative route for HGVs.
- A226 junction – Removal of this junction to reduce the traffic impact on local roads.
- A2 – New junction design and widening of A2 to M2, junction 1 to reduce congestion and improve traffic flow.

The Inspectorate asked whether the shape file supplied in advance of scoping represented the revised design. HE confirmed that it did.

In response to a question from the Inspectorate, HE confirmed that they are working with the Port of London Authority as a statutory consultee, and that they are engaging with the Pre-application consultation being carried out by Port of Tilbury London Limited.

The Proposed Development crosses under the River Thames by means of two bored tunnels. The potential for re-use and soil conditioning would be explored further, as well as potential options for excavated material disposal and re-use. Methods of transport of the excavated material are all under consideration but may be by road, river or rail. River transport would be by barges which could require new infrastructure in the River Thames such as a jetty or potentially re-use of an existing jetty and rail transport.

The Inspectorate asked if the connection to Tilbury was stakeholder driven, and if Highways England were in contact with Thurrock Council regarding their emerging local plan. Highways England confirmed that it was driven both by feedback from the Port of Tilbury, Thurrock Council, local residents and others, and by traffic modelling. Highways England explained that they were in dialogue with Thurrock Council, who were open objectors to the Proposed Development but engaging on design development.

Highways England outlined activities that they would be undertaking to publicise the design changes.

The Inspectorate noted that the publicity exercise coincided with the submission of the Scoping Report upon which they would be undertaking statutory consultation with technical consultees. They asked whether any steps were being taken by Highways England to avoid confusion amongst consultees. Highways England confirmed that they were not undertaking consultation, but publicity, and that they had made clear in their publicity materials that, whilst they would share the Scoping Report with technical consultees, the formal consultation was being undertaken by the Inspectorate. The Inspectorate explained that, as with late responses, responses not made to them cannot be included, but would be published and would not be ignored.

Highways England explained that the revisions to the Proposed Development take the works into Brentwood and close to the border with Medway. Because of its proximity, HE proposes to treat Medway as a host authority. It intends to treat Dartford similarly

as a result of the project's likely impacts on that local authority's area. The Inspectorate advised that HE explain clearly in its application and in its consultation material how and why any local authorities have been treated differently from the conventional statuses prescribed by s43 of the PA2008. If the application is accepted for examination, the Inspectorate will engage with local authorities in accordance with the PA2008.

Highways England set out the structure of their Scoping Report. They will be following the 2017 Environmental Impact Assessment (EIA) Regulations. There are no topics scoped out at this stage. Highways England asked when, following submission of the Scoping Report, a feedback meeting might be helpful. It was agreed that the second week in January 2018 would be a suitable time for a teleconference.

Highways England noted that their design and construction planning was still being developed, and asked how this would interact with the new statutory emphasis on Scoping Opinions. The Inspectorate advised that the new EIA Regulations did not, in their opinion, have the effect of preventing applicants from taking new information into account and evolving their projects.

The Inspectorate highlighted that Advice Note 3 had recently been updated, and Advice Note 7 would soon be updated in light of the 2017 EIA Regulations and a new approach to scoping by The Inspectorate. The other advice notes are also in a programme of review to take into account the new Regulations.

The Inspectorate referred Highways England to National Grid's 'Guide to the application' document, which was produced for the examination of the Richborough Connection Project. This is available on the Inspectorate's website as a 'good practice' document.

The Inspectorate explained that a new format of scoping report is being introduced that is more streamlined and allows for easier navigation of the issues. Highways scoping reports now contain additional advice on the approach to Associated Development.

HE noted recent NIPA¹ publications on flexibility in Development Consent Orders (DCOs). The Inspectorate highlighted advice in Advice Note 9 on the Rochdale Envelope and the advice in the forthcoming revision to Advice Note 7, which sets out some questions applicants may wish to ask themselves to ensure they are certain enough about their Proposed Development to allow for an effective EIA screening and scoping process. Less certainty in the description of the Proposed Development leads to a wider scope and a need to ensure that the worst case has been assessed. Flexibility is possible in DCO applications but applicants should be prepared to explain their choices and why they require any flexibility during the examination.

The Inspectorate asked whether Highways England were engaging with London Resort and the A2 Bean and Ebbsfleet Junctions project team. Highways England explained that they were engaging with the London Resort at a strategic level, who are contributing to their traffic modelling. Highways England anticipate only a small impact on their project from London Resort. Highways England is working very closely internally with the A2 Bean and Ebbsfleet Junctions scheme.

¹ National Infrastructure Planning Association

Specific decisions/ follow up required

- Highways England and the Inspectorate to make arrangements for teleconference post-Scoping Opinion, circa second week in January 2018.