



Meeting note

Project name	Lower Thames Crossing
File reference	TR010032
Status	Final
Author	The Planning Inspectorate
Date	28 February 2019
Meeting with	Thurrock Council (TC)
Venue	Teleconference
Meeting objectives	
Circulation	All attendees

Summary of key points discussed and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

Thurrock Council (TC) provided an overview of the level of housing and employment growth expected to be delivered in the Borough and explained the relationship of Highway England's Lower Thames Crossing proposals to the progress of the Local Plan and to the delivery of the expected growth. TC expressed concern over the timing impact the scheme is having on the Council's ability to progress the plan and deliver the number of houses needed. The Inspectorate understood the policy context in which the Council were operating and were aware of the need to ensure that both local plans and road investment processes were supported for delivery.

TC explained the activities to date on the Lower Thames Crossing scheme including the scoping process, the amendment to the red line boundary (resulting in the loss of land which could have accommodated approximately 20,000 housing units) and the more recent statutory consultation. TC expressed concerns about the quality, timing and accessibility of key material for the statutory consultation (eg fundamental traffic modelling information). The Inspectorate asked if the Council had noted the specific issues to Highways England (HE) and requested that HE address the problems and seek corrective actions if necessary.

TC explained that at the moment the discussions have been more informal at a project level in addition to raising the matter in general terms at CEO level. The Inspectorate noted the process whereby, upon submission of an application, the Inspectorate would invite relevant local authorities to submit an Adequacy of Consultation Representation. These representations are based on the relevant legislation and can be informed by relevant guidance, including DCLG Guidance on Pre-application. The Inspectorate explained that adequacy of consultation responses play a key part in assessing whether or not to accept an application for examination. Where relevant Local Authorities express

concerns about the adequacy of consultation this is very carefully considered. Whenever the Inspectorate is contacted with concerns about a developer's pre-application consultation it is common practice (as set out in MHCLG's pre-application guidance) to ask for this to be taken up with the developer, and potentially also making the relevant local authority aware. As such the Inspectorate generally encourages early feedback to an applicant on the adequacy of their consultation.

TC provided an overview of working arrangements with HE's project team for Lower Thames Crossing as well as latterly some wider engagement with HE on strategic planning matters. The Council noted working arrangements with other statutory bodies and relevant authorities including the Stakeholder Advisory Panel and a meeting of the affected local authorities.

TC reported that a shared concern amongst the majority of relevant local authorities was that they wished to receive information on which they could provide technical input in a timely manner. The Inspectorate noted approaches used in other cases for sharing information, managing effective engagement and agreeing structured working relationships, for example memorandums of understanding or terms of engagement.

TC noted that the red line boundary of the scheme had changed since a formal Scoping Opinion had been issued in December 2017. The Inspectorate explained that the EIA scoping process is not a mandatory one for applicants. An Environmental Statement must be prepared in accordance with the most recently made Scoping Opinion so long as the application is not materially different. However, The Inspectorate noted that the legislation does not stipulate that an Applicant needs to request a further scoping opinion in the event that a material change occurs, just that the scope may no longer be applicable.