



## Meeting note

<b>Project name</b>	Lower Thames Crossing
<b>File reference</b>	TR010032
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	15 June 2021
<b>Meeting with</b>	Thurrock Council (TC), Gravesham Borough Council (GBC), London Borough of Havering (LBH) and Kent County Council (KCC)
<b>Venue</b>	Microsoft Teams
<b>Meeting objectives</b>	Discussion with certain local authorities following the withdrawal of the first application and ahead of the anticipated consultation.
<b>Circulation</b>	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.

The local authority representatives provided an overview of activities undertaken since the previous meeting with the Inspectorate on 15 December 2020. They indicated where key personnel had changed and whether the local government elections earlier in the year had resulted in any changes.

The local authorities gave their insights into practice and communications with the Applicant over the recent months and outlined some of their topics of concern. The discussion noted the key areas of concern for each local authority represented and the local authorities subsequently provided a note of issues (see attached).

The local authorities outlined the time line to the anticipated consultation period and indicated that they would continue to work with the Applicant to request technical information and an indication of whether their previous comments had led to changes to the application, assessments, approaches or documentation.

The usefulness and attendance of further meetings were discussed.

## COLLECTIVE LA 'NOTE OF ISSUES' (23 June 2021)

### Foreword

This note is intended to follow up from recently held discussions with officers and technical representatives from all directly affected local authorities. We have set out below a summary of thoughts on appropriate feedback along with a number of queries that were raised with PINS on 15 June 2021. Our collective key priorities are indicated by bold text.

Overall, we recognise that there have been some welcome changes in the approach taken by HE. However, we await convincing evidence that this progress will translate into reasonable resolution on key outstanding matters, especially given the very limited timescale now available prior to consultation in mid-July. It is of upmost concern that critical matters regarding the design of LTC north of the river continue to receive inadequate attention. It is evident that the HE focus since withdrawal of DCOv1 has been on issues that do not affect their basic scheme design. HE have repeatedly failed to recognise that LTC must perform an important local function, providing necessary connectivity to the north of the river to complement that to the south. In this context we consider the DCO timetable and proposed consultation periods to be premature. More time must be given to let common sense prevail and for a scheme to be brought forward that optimises its ability to deliver on its strategic objectives and represent best value.

Please note the respective official position is of each Council that then guides the commentary below is, as follows:

Thurrock – opposition

Gravesham BC – opposition

LB Havering – opposition

Kent CC – support

Essex CC - support

### OVERALL POSITIVES

- **Since December a much more open/transparent sharing of technical documents, e.g. DCOv1**
- **Many technical meetings held to try to resolve key issues (SoCG matters), especially covering construction traffic, legacy, Thurrock's Hatch Report on Mitigation Measures and Wider Network matters**
- **Positive engagement on Skills and Employment matters**
- **Progress with Emergency/Safety Services funding to determine specific requirements via the ESSPSG**
- **Some funding support for Health & Equalities Impact Assessment (HEqIA) QA Review, but the work will depend on HE responses within its revised HEqIA**
- **Positive changes to some of the utility relocation and wider network proposals (and no funding commitments yet) south of the river, but not yet confirmed in writing**
- Limited, but some advance sharing of new consultation documents
- Agreed many consultation approach comments – although proof will be in the delivery
- Agreed further financial support on specific items through the PPA

### GENERAL CROSS-LOCAL AUTHORITY QUERIES

#### TECHNICAL ENGAGEMENT & ISSUES RESOLUTION

- **Senior meetings are being held, but often lack of or delayed definitive follow-up by the wider team, despite many technical meetings being held. Furthermore, such meetings are having a limited effect in changing issues related to the scheme**
- **Still many significant issues outstanding on SoCG Logs despite meetings and the numbers of issues are growing. As an example, Thurrock's sent 4pp email (Mid-May) setting out key issues and there has been slow progress on their resolution, despite much discussion and many**

meetings, with a reluctance to resolve some straightforward issues, often due to lack of an organisational 'problem solving' approach.

- Lack of establishing any 'Senior Forum' (for escalation/acceleration, resolution and decision), after around 4 weeks (now established to begin on 29 June for Thurrock) – further Senior Fora are required with each LA
- Resolution of some issues requires a more robust approach to the mechanisms needed to secure mitigation and other measures, i.e. a reluctance to countenance legally binding requirements, obligations, Agreements or independent monitoring and verification of CoCP, Travel Plans, wider network improvements, etc
- Three previous consultations – no clear explanation of how LA comments have been dealt with and no YSWD document until mid-July. No clarity on whether design criticisms/comments have been dealt with in DCOV2.

#### TECHNICAL DOCUMENTS COMMENTS & DESIGN

- Delays in issuing key technical documents – PCTP and MHP. Often approach is insufficient in commitment or depth to sufficiently justify selected scheme design or mitigation taking into account comments made
- Specific provision for emergency services and safety measures that can be secured in the DCO is currently lacking in the DCOv1 and those measures and requirements are currently being addressed via the ESSPSG in discussions with HE
- The HEqIA QA Review, signed off by 9 LAs and now shared with HE, outlines some 20 key recommendations, where there are deficiencies in the DCOv1 of the HEqIA
- Long lead time to respond to technical comments and often no responses or the enquiry is just referred to the 40-50 DCOv1 documents
- No clarity on how technical comments have been dealt with in Consultation technical documents. It is not clear where proposed changes are clarified, as limited feedback from previously issued consultation comments (Stat Con, Supp Con and D-Con) and very few significant changes to the scheme since DCOv1
- Decarbonisation and Climate Impacts of LTC – lack of provision in current LTC scope to mitigate
- Lack of clarity between legacy and what is actually being proposed as compensation and mitigation (and legacy needs to be properly funded, not dependent on Designated Funds though that does need the project to be funded) and very little improved mitigation in many topic areas
- Project has been tweaked, e.g. utility corridors, but it has not changed in overall terms

#### TRANSPORT/TRAFFIC

- Lack of overt and definitive support for necessary major wider network measures (Thurrock – A13 trunking and EFS, A13 key junction mitigation improvements, Asda Roundabout, future LTC junctions; LBH – Gallows Corner improvement support being rejected) and how measures will be both secured and delivered. HE may be competing for internal funding to deliver some agreed wider network schemes, which may not have an adequate business case – so where is the commitment?
- Lack of consideration of sustainable transport provision and future-proofing, especially commitment to river transport for construction, future bus provision or EV/Hydrogen vehicle provision
- Delay in issuing traffic model to local authorities, which will impact ability for proper informed response to summer consultation
- Very slow progress on receiving or analysing traffic modelling results or feedback queries and concerns about scheme design and wider transport effects
- Lack of likely adequate construction traffic impacts mitigation

#### DCO LEGAL

- M25 J28 – powers for LAs to discharge Requirements rejected. Should the approach for LTC be different as it is now a separate directorate within HE?

- **JR for UK Holocaust Memorial – decision relating to Government separating conflicting functions. How are the potentially conflicting functions of HE and DfT separated, especially in relation to the discharge of Requirements?**
- What is the 'Associated Development' of the LTC project and why has it not been included in Schedule 1?

#### DCO TIMETABLE

- **Consultation is 8 weeks over the summer period, which is likely to restrict public attendance or involvement – should it be longer by an additional 2 weeks, given the recent extension of Government lockdown completion until 19 July and accounting for the addition of further technical documents?**
- **Unsure of usefulness of YSWD until received in mid-July, in particular**
- **Ambitious timetable for DCOv2 submission (more likely to be at least Spring 2022). Consultation to mid-September, proposed resubmission in late-November 2021, so concerns have been raised as to how HE intend to incorporate adequately comments into scheme within these timescales**
- SoCG 'resolution' technical meetings likely to take place during the consultation period now, due to compressed DCOv2 programme, putting further pressure on resources at Councils

#### SPECIFIC KEY ISSUES – NORTH of RIVER

- **Other LAs have confirmed that the proposals north of the river are not satisfactory**
- **Long lead time to respond to Thurrock technical comments, e.g. DCO issued 23 April (just received 22 June), A13 Technical Paper took 6 months and Transport Issues Review (issued 3 March and limited response yet) and CTMP (Issued on 30 April, but only recently discussed)**
- **Lack of progress on achieving resolution to LBH concerns with regards to local residents discount**
- Limited 'real' progress on achieving commitment to Thurrock's Hatch mitigation measures, despite some 15-20 hours of meetings
- Concern remains to the extent to which sub-regional growth has been taken into account in traffic modelling and through wider planning policy documentation

#### SPECIFIC KEY ISSUES – SOUTH of RIVER

- **Major concern remains the failure to properly account for the levels of development expected by the MHCLG standard methodology**
- **South of the river loss of services (Esso – Cobham South) and failure to address traveller issue**
- **Construction material is showing (as expected) significant local impacts, e.g. access to CA2/CA3 required use of the Marling Cross junction regardless of whether coming from east or west and exit is eastbound only, so a U turn is needed somewhere if going west. The FCTP and OMHP are not helpful in determining such impacts.**
- **Lack for formal changes to documents or confirmation of changes/comments being dealt with adequately**