

Meeting note

Project name	Lower Thames Crossing
File reference	TR010032
Status	Final
Author	The Planning Inspectorate
Date	22 September 2022 – Part two
Meeting with	Applicant, Essex County Council (ECC), Gravesham Borough Council (GBC), London Borough of Havering (LBH), Kent County Council (KCC), Medway Council (MC) and Thurrock Council (TC)
Venue	Stantec offices, Farringdon
Meeting objectives	To explore current positions of local authorities in relation to the adequacy of consultation and to understand primary areas of disagreement ahead of re-submission of the LTC application programmed for Autumn 2022.
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.

Purpose of the Meeting

The Inspectorate explained that the meeting is part of an enhanced pre-application process, addressing the main concerns and points of contention between the Applicant (National Highways (NH)) and Local Authorities (LAs), in hope of mobilising future discussions. Should the application be accepted for examination the aim is that an enhanced pre-application will facilitate the efficiency of the examination process.

An earlier session had been held between the Inspectorate and LAs. The Applicant then joined for a further session.

Consideration of Issues Arising in relation to Adequacy of Consultation

The Inspectorate provided a summary of the issues relating to Adequacy of Consultation (AoC) for the Applicant to respond. See Tripartite meeting notes part one for the LA summaries which set out the issues in relation to the adequacy of consultation in full.

The Applicant acknowledged that some local authorities considered that at times engagement has not been as interactive as it could have been. The Applicant stated that it had listened to concerns relating to how the public could better understand how they were impacted and had made steps to improve. The Applicant explained it had held more rounds of consultations than originally planned and they considered the community impacts consultation was particularly helpful in helping communities to understand how they will be

impacted by the scheme. The Applicant confirmed that they will not be sharing draft versions of the draft Development Consent Order (dDCO) and control plan documents until they are in a more finalised form, as they believe that issuing draft documents at this stage may hinder, as opposed to enhance, understanding. Documents and assessment results will, therefore, be shared once they are completed and submitted to the Inspectorate.

The Inspectorate advised the Applicant, if the application is accepted for examination, they are encouraged to utilise the pre-examination period to build upon relationships with the LAs and act upon the feedback they have received.

In response, the Applicant set out its intention to hold pre-submission briefings to allow for ease of navigating through post-submission activities. TC expressed its view that a lack of open collaboration has resulted in a lack of trust between the Applicant and themselves. KCC expressed general concern over early access to the Examination documentation and viability of the examination due to what they considered to be a lack of information provided during the pre-application period.

There was a discussion regarding the continuation of funding via Planning Performance Agreements (PPAs) and the statutory role of LAs. ECC noted that there are only two statutory functions of LAs beyond the pre-application stage: AoC responses and Local Impact Reports (LIRs), the rest are discretionary.

The Applicant stated that it intends to hold a series of briefings with the LAs relating to the environmental issues, detailing what changes have been made and the changes in legislation which have impacts the application. The LAs raised their view that, historically, engagement in such briefings had been limited as there was insufficient opportunity to take in the information and respond. The Applicant took on board GBC's request to have post-briefing workshops to make the briefing more meaningful and support a greater general understanding of the relevant environmental matters. The Inspectorate support this position, advising that the briefings should adopt a format which are mutually beneficial for the Applicant and for the relevant LAs

GBC expressed concern over the digestibility of the submission documents and the importance of language especially for general members of the public. The Applicant agreed to look into the clarity of the submission and language used.

Consideration of Primary Areas of Disagreement

The Inspectorate provided a brief summary of the primary areas of disagreement; local road impacts, non-motorised users (NMUs/WCHs) and public transport, the wider role of planning growth, workforce impacts and air quality noise and health impacts and invited the Applicant to respond. See Tripartite meeting part one for the LA summaries which set out the primary areas of disagreement in full.

In regard to local road impacts, the Applicant confirmed that the construction and operation plans set out the reasonable worst-case scenario which in their view accommodate for any adverse impacts however, acknowledging the scale of the proposed development, the Applicant stated that the dDCO and control plan documents proposed a framework to reduce the impacts on the local communities.

The Applicant advised that public transport could use the tunnel, and that specific provision of a dedicated bus lane was unnecessary as the scheme plans to provide free flowing

connectivity. The Applicant explained that it does not deem a desire exists to support NMU/WCH provision through the tunnels, although provision has been made across the wider project area. A request was made by TC for the Applicant to provide evidence for why there is no demand for active travel through the LTC tunnels, especially when considering the policy position on active travel. KCC expressed concern as to why the onus is put on LAs to mitigate the adverse impacts on public transport and active travel when NH have designated funds for such matters.

There was discussion regarding the interaction between NH role as developer of the scheme and the LAs obligations to bring forward their local plans and managing the complex interactions between these processes. The Applicant recognised this concern and stated that it would continue to work with LA to support them as they develop their local plans. The Inspectorate suggested the Applicant may want to consider a greater presence of their planning team when meeting with LAs going forward as it would likely aid discussions and considerations of sub-regional growth and local planning.

The Applicant advised that their plan was to try work to deliver much of the workforce from local communities, and had put in place a Skills, Education and Employment strategy to address this.

The Applicant advised that they had set out the air quality and noise impacts at consultation, providing local authorities and the community sufficient information to develop suitable representations on the proposals.

Statements of Common Ground

The Inspectorate advised for all topics that were discussed to be included in Statements of Common Ground (SoCG). The Inspectorate explained that the SoCG should be an ongoing and iterative document, it should be clear which matters are agreed and which matters will remain uncommon ground. The SoCG should complement the LIR and Written representations.

The Applicant explained it is in the process of deriving a statement of commonality matrix to aid in visualising points of contention.