



PORT OF  
**TILBURY**  
LONDON

PORT OF TILBURY LONDON LTD

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Robert Ranger  
Case Manager  
The Planning Inspectorate  
National Infrastructure  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

20 March 2018

Your ref: TR030003  
Our ref: PoTLL/T2/EX/34

Dear Mr Ranger,

## Planning Act 2008

### Draft Port of Tilbury (Expansion) Order "Tilbury2"

#### Deadline 1 submission

Further to the Examining Authority's letter of 26 February 2018 issued pursuant to Rule 8 of the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) (the Rule 8 Letter), and the issuing of the Examining Authority's First Written Questions, please find enclosed with this letter Port of Tilbury London Ltd's (PoTLL) submissions for Deadline 1.

#### 1. Submission documents

1.1 The following documents are included in this submission and are submitted pursuant to:

- the Examination timetable;
- ongoing stakeholder negotiations;
- PoTLL's responses to the First Written Questions; and
- PoTLL's responses to the agenda items from the 21st February 2018 Issue Specific Hearing on the draft Development Consent Order.

Document Title	Document Reference
Revision 1 of the draft Development Consent Order - Clean	PoTLL/T2/EX/35
Revision 1 of the draft Development Consent Order – Track Changes	PoTLL/T2/EX/36
Explanation of Changes made to draft Development Consent Order	PoTLL/T2/EX/37
Construction Environmental Management Plan v1 - Clean	PoTLL/T2/EX/38



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Construction Environmental Management Plan v1- Track Changes	PoTLL/T2/EX/39
Operational Management Plan v1 - Clean	PoTLL/T2/EX/40
Operational Management Plan v1- Track Changes	PoTLL/T2/EX/41
Landscape and Ecological Management Plan v2 - Clean	PoTLL/T2/EX/42
Landscape and Ecological Management Plan v2 - Track Changes	PoTLL/T2/EX/43
Revised Sheet 3 of Works Plans	PoTLL/T2/EX/44
Revised Limits of Dredging Plan	PoTLL/T2/EX/45
Flood Risk Assessment Addendum	PoTLL/T2/EX/46
Not used	PoTLL/T2/EX/47
Summary of Case made at ISH DCO Hearing 21 February	PoTLL/T2/EX/48
Response to the Examining Authority's First Written Questions (including appendices)	PoTLL/T2/EX/49
Environmental Statement Non Technical Summary v2 - Clean	PoTLL/T2/EX/50
Environmental Statement Non Technical Summary v2 - Track Changes	PoTLL/T2/EX/51
Mitigation Route Map v1 - Clean	PoTLL/T2/EX/52
Mitigation Route Map v1 - Track Changes	PoTLL/T2/EX/53
Statements of Common Ground Update Report for Deadline 1 (appending the Statements of Common Ground)	PoTLL/T2/EX/54
Written Scheme of Investigation for Terrestrial Archaeological Mitigation v2 - Clean	PoTLL/T2/EX/55
Written Scheme of Investigation for Terrestrial Archaeological Mitigation v2 - Track Changes	PoTLL/T2/EX/56

1.2 I would particularly highlight that the appendices to the First Written Questions include a number of plans requested by the Examining Authority in its questions. Some of these plans refer on their scales to A0, but I can confirm that they are able to be printed at A3 to be able to be understood.

## 2. **Ecological Mitigation and Compensation Plan**

2.1 As set out in our response to the Examining Authority's Rule 6 letter (PoTLL/T2/EX/31), PoTLL's intention was to submit a draft of the Ecological Mitigation and Compensation Plan ('EMCP') at Deadline 1, including details of the proposed off-site compensation site(s).

- 2.2 However, various elements still in a state of flux have meant that this is likely to be less helpful to the Examination than a more fulsome and definitive submission at Deadline 2.
- 2.3 The delays experienced in reaching a conclusion on off-site compensation have in large part been due to difficult negotiations with a third party who raised their expectations as regards financial remuneration as the project passed the date of submission, and then passed the date of commencement of the Examination.
- 2.4 Further, as those negotiations have been subject to a Non-Disclosure Agreement (NDA), it has not been possible to give either the Examining Authority or key stakeholders such as Natural England meaningful details about the site concerned in order to assist in their inputs to the Examination process.
- 2.5 However, PoTLL has now managed to secure in-principle agreement with a wholly different landowner for use of a circa 48ha of land at Paglesham, South Essex, for creation of some 30-37ha of coastal grazing marsh habitats, up to 5-6ha of scrub habitat and 10 or more hectares of ungrazed or lightly grazed grassland habitat suitable for the receipt of translocated reptiles. A letter from the owners of the land confirming this agreement is attached.
- 2.6 Parts of this land may also be suitable for receipt of new or translocated brownfield substrates or for additional wetland habitat creation. These matters are subject to ongoing discussion with the landowner and subject to further investigative studies.
- 2.7 In parallel, further site(s), including locations closer to Tilbury 2 and Thurrock are continuing to be explored by PoTLL for delivery of the brownfield and/or other components of the off-site compensation plan. As the site at Paglesham is not subject to an NDA, it has been discussed directly with Natural England ('NE') at a meeting on 16th March alongside an early draft of the EMCP. Other options for receipt of translocated Lytag substrate and other resources are also being explored in discussion with NE.
- 2.8 Final details of the scheme for off-site compensation at Paglesham, and any other scheme(s) for off-site compensation, will be provided to NE and to the Examining Authority in a future iteration of the EMCP, along with final details of protected species translocation methodology, phasing, on-site habitat creation and off-site habitat management.
- 2.9 PoTLL is acutely aware of the urgency of providing this information to the Examination and therefore undertakes to provide at Deadline 2 a draft of the EMCP that is as complete as possible.

### **3. Accompanied Site Inspection**

- 3.1 Further to the discussions held at the Preliminary Meeting in respect of the Accompanied Site Inspection, and in response to the related request in the Rule 8 letter, I have set out below our suggested timetable for the Accompanied Site Inspections on 16 and 17 April:

## Thurrock, 16 April

Time	Location
09.15am	Pick up from Tilbury Station
09.15am – 09.45am	Visit to Asda Roundabout (parking at Asda) ( <i>traffic impact</i> )
09.45am - 10.30am	Safety Briefing and Introduction to existing Port
10.30am-12.30pm	Accompanied inspection of the existing Port of Tilbury facility and operation; boat transport on river from Port of Tilbury to Tilbury2 and drop off at Cruise Terminal
12.30pm-1.30pm	Walk out to Tilbury2 along riverside path, followed by site visit to Tilbury Fort
1.30pm	Return to Cruise Terminal for Lunch - attendees to bring their own packed lunch.
2.00pm-4.30pm	Vehicle/Walking tour of:  Fort Road (including Hyundai car compound) Common land including watercourse crossings) Fort Road bridge (including view of Tilbury2) Tilbury2 - all areas of development and mitigation
4.30pm-5.00pm	Drive through Tilbury Town to visit key noise and air quality receptors – Dock Road, London Road and Sandhurst Road
5.00pm	Return to Tilbury Station

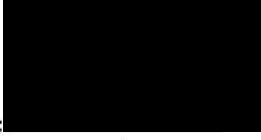
## Gravesham, 17 April

Time	Location
9.30am	Pick up from Gravesham Station
9.30am – 10am	Walk along Gravesend Riverside to The Shore (noise receptor to existing Port)
10am – 10.30am	Walk back along Gravesend Riverside towards New Tavern Fort
10.30am - 11.30am	New Tavern Fort ( <i>key heritage receptor</i> ) and promenade adjacent to Gravesend Sailing Club/Gravesham Canal Basin Regeneration Site ( <i>key noise/visual receptor</i> )
11.30am-1.00pm	Walk back along Gravesend Riverside, and up High Street to Gravesham Station

- 3.2 In relation to lunch on 16 April, I can confirm that a separate room will be provided at the Cruise Terminal in which the Examining Authority will be able to eat their lunch.
- 3.3 We acknowledge that Interested Parties may suggest other locations to be visited by the Examining Authority, and we consider that there is sufficient flexibility within our suggested timetable to facilitate this if necessary.

If you have any questions on any of these matters, please do not hesitate to contact our legal advisers on [matthew.fox@pinsentmasons.com](mailto:matthew.fox@pinsentmasons.com) or [robbie.owen@pinsentmasons.com](mailto:robbie.owen@pinsentmasons.com).

Yours sincerely



PETER WARD  
COMMERCIAL DIRECTOR  
PORT OF TILBURY LONDON LIMITED

Mr P Ward,  
Commercial Director,  
Port of Tilbury London Ltd.,  
Leslie Ford House,  
Port of Tilbury,  
Tilbury,  
Essex. RM18 7EH.

15 March 2018

Dear Mr Ward,

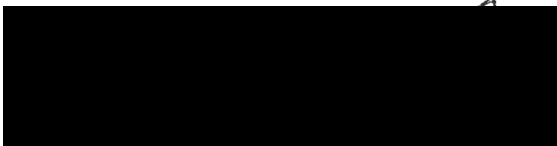
**Tilbury2 DCO - Ecological Mitigation Site Paglesham Essex**

Port of Tilbury London Limited, the applicants for the Tilbury2 development, have reached agreement with Caleb Rayner Limited in respect of the site shown on the attached plan.

The site will be used for ecological compensation, including (but not limited to) delivery of coastal and flood plain grazing marsh habitats, the long-term management of such habitats and the receipt of reptiles translocated from the Tilbury2 site.

In principle an agreement has been reached between the parties to conclude formal documentation to cover a period of 25 years from the date of the grant of an implementable Development Consent Order (DCO) pursuant to the Planning Act 2008 and any other planning permission required.

Yours Sincerely,

A large black rectangular redaction box covering the signature area of the letter.

**DEBORAH RAYNER**  
For and on behalf of Caleb Rayner Ltd.