

Application by Port of Tilbury London Limited for an Order Granting Development Consent for a Proposed Port Terminal at the Former Tilbury Power Station ('Tilbury2') Ref: TR030003

The Examining Authority's Agenda for Issue Specific Hearing 19th April 2018

Thurrock Council (TC) written response to agenda items

Deadline 3 – 30th April 2018

<b>Socio-economic Effects</b>		
Ref.	Opportunities / Benefits in Thurrock	
17.1	<p>Thurrock Council (TC) listed a range of opportunities/benefits in its response to ExA's FWQs Q1.17.3 [REP1-092], which asked TC the socio-economic impact of, and opportunities/benefits arising from, the Proposed Development.</p> <p>i. Would the Applicant and TC update the hearing on the current position with their discussions on these matters?</p>	<p>TC response:</p> <p>i. Good progress is being made. The Applicant has a good track record of working with the TC and with other organisations to support skills and employment programmes. The opportunities and benefits listed by TC recognised the strong existing relationship with the Applicant and sought to apply good practice to build a stronger relationship with the Applicants customer and supplier base. All parties are working together towards an agreed position.</p>
Ref.	Employment and Skills Strategy	
17.2	<p>i. TC states that the potential for local socio-economic benefits, to be delivered through the Employment and Skills Strategy, are supported by TC, and that discussions with the Applicant regarding the detailed content of the Strategy are ongoing (re TC's WR [REP1-090]). Would the Applicant and TC update the hearing on the current position with regard to the Employment and Skills Strategy?</p> <p>ii. How will it be secured?</p>	<p>TC response:</p> <p>i. TC supports the development of the Employment and Skills Strategy and recognises that this is the best way to encapsulate all the existing activity and the aspirations for the future. There is a further iteration of the Strategy currently being developed with the Applicant which recognises the importance of maintaining a strong commitment to employment and skills activity and the sharing of good practice with customers and the supply chain.</p> <p>ii. As noted by the written answer to question ref. 0.2 (ISH 19<sup>th</sup> April 2018) the draft Heads of Terms for the s106 agreement between TC and the Applicant include an obligation to implement and promote the objectives of the Employment and Skills Strategy (Appendix A of APP-029)</p>
<b>Traffic and Transportation</b>		
Ref.	Transport Assessment	
18.1	<p>i. Would the Applicant and Thurrock Council (TC) update the</p>	<p>TC response:</p>

	<p>hearing on their discussions on the traffic impact of the Proposed Development on the local highway network in Thurrock and mitigation measures; and the infrastructure corridor link road design, junctions and access arrangements (re Section 5.1 of SoCG Applicant-TC Appendix 1 of SoCG Update Report [REP1-021])?</p>	<p>i. TC is still in discussion with the Applicant with regards to the Active Travel Measures and Port Access Road. Impacts on the local road network are within limits and are considered to be acceptable. The active travel measures submitted by the Applicant W/C 9th April are under review and a response from TC will be provided W/C 23rd April.</p> <p><u>NB</u> – the Statement of Common Ground submitted at Deadline 3 confirms that the active travel measures are now agreed and that the highway and access proposals for the infrastructure corridor are considered fit for purpose.</p>
	<p>v. What is the position regarding the design of, and mitigation measures for, the Asda roundabout (re TC's WR [REP1-090], TC's LIR [REP1-101], Amazon's WR [REP1-024], ECC's response to FWQs [REP1-050])?</p>	<p>TC response:</p> <p>v. TC is still in discussion with Applicant. TC's concern refers to the proposed mitigation measures not being considered suitable and that the measures will prejudice the Thurrock Park Way arm and the Dock Road, Tilbury arm of the Asda roundabout resulting in increased queue lengths. TC also has concern that the pedestrian crossing points will be removed and desire lines from the London Distribution Park developments will be severed, potentially detrimental to highways safety at the roundabout for pedestrians. Pre-application discussions identified that full signalisation is unlikely, due to the spacing between arms, but part signalisation was not investigated. TC notes that the A1089(T) Dock Approach Road / St. Andrew's Road and the Asda junction itself forms part of the strategic road network.</p>
	<p>vi. Would TC, ECC, KCC and HE update the hearing on whether they regard the Construction Environmental Management</p>	<p>TC response:</p> <p>vi. TC is still in discussion with the Applicant. TC</p>

	<p>Plan (CEMP) and Construction Traffic Management Plan (CTMP) as satisfactory for transport purposes?</p>	<p>considers that further information required on HGV routing at key stages of the Port access road construction, such as the new bridge installation over the road and railway spur. TC notes that Fort Road is a HGV route to industrial estates in East Tilbury that avoids sensitive areas such as West Tilbury and residential conurbations.</p>
<p>Ref.</p>	<p>Framework Travel Plan</p>	
<p>18.2</p>	<p>In TC's response to ExA's FWQs Q1.18.6 [REP1-092], TC states that the FTP is for the new site only and suggests that it should extend across the whole of the Port development within the control of the Applicant. TC also proposes a number of other improvements to the FTP including tenant travel plans, annual monitoring of the plan, cycle parking, cyclist and pedestrian and security, and on-site parking.</p> <p>i. Would the Applicant and TC state the latest position on their discussions on the FTP?</p>	<p>TC response:</p> <p>i. As stated at the Hearing, the transport consultants on behalf of the Applicant shared with TC an updated FTP on 17<sup>th</sup> April 2018. TC had an opportunity to review the document before the Hearing, and TC's comments at the time of the Hearing were based on the newest version of the FTP received. Prior to the Hearing, TC made two comments on the FTP, firstly in October 2017 and most recently in March 2018. Upon receipt of the FTP dated 17<sup>th</sup> April 2018, TC believe the FTP has adopted many of TC's comments from October 2017, however the majority of comments submitted in March 2018 remain to be included. The issue of the FTP not extending across the whole Port of Tilbury site remains. However it has been accepted that as the PoTLL will be responsible for ensuring the FTP is undertaken across the port extension, it is acknowledged that their staff would additionally observe the FTP on the existing Port of Tilbury site. TC maintains that the FTP should extend across both sites, and feels it is in the Applicant's gift to ensure it does so, but accepts the legal limitations of the extent of the boundary site within the application. During the hearing, it was felt</p>

that all of the outstanding issues raised by TC could be addressed quickly via discussions between the Applicant and TC. Since then, TC has had discussion with the Applicant's consultant and an updated FTP was submitted to TC on 27<sup>th</sup> April 2018. Following this submission, the following outstanding issues remain:

Car Park Management plan and car sharing spaces – following discussions with the Applicant, it was accepted that it is most likely too early to develop any formal car park management plan, and the setting out of car sharing spaces. However it was requested that a commitment be made within the FTP to develop a car parking management plan which addresses these issues ahead of occupation of the site. This commitment is outstanding from the FTP. It is however noted in para 6.4.2 of the FTP that a car share plan will be prepared and agreed by TC through the Tilbury2 Sustainable Travel Group. TC would like to see a formal commitment towards the development of a car park management plan listed in the FTP.

The FTP states that Tennant Travel Plans (TTP) will be approved by the Tilbury Sustainable Travel Group. TC would like this to be modified so that the TTP is approved by the Sustainable Steering Group, with the TTP Sustainable Travel Coordinator (STC) also being announced to the Sustainable Steering Group. The Steering Group is made up of parties with a wider interest and knowledge of travel plans and TC considers the

		<p>approval of TTP's at this Steering Group level more appropriate.</p> <p>The period of validity of the travel plan continues to remain an issue between the Applicant and TC, however it should be noted the updated FTP has been amended to take into account of TC's request. In essence, TC seeks that the FTP commences upon first occupation, but that lasts for a period of five years starting upon the final occupation of the site. TC would like this statement agreed by the Applicant, and stated in the FTP. Currently, section 8.4 of the FTP addresses the monitoring of the plan. The FTP states that the first staff survey will take place within six months after the first occupation, in agreement with TC. Surveys will then be carried out annually. Paragraph 8.4.5 has been added stating that monitoring will continue for 5 years from the last tenant occupation. TC would like the FTP to explicitly state that the FTP will commence upon first occupation, and remain for a five year period after the final occupation. This will help to bring certainty to the effective lifespan of the travel plan.</p> <p>Finally, the FTP states that the first on-site monitoring survey will take place within 6 months of the first occupation. TC would like all tenants to undertake a staff survey within six months of occupation of their site, before assimilating into the cycle of annual surveys.</p>
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		<p>Following a review of the Framework Travel Plan, TC is pleased with the progress being made, and is confident the remaining outstanding issues can be addressed in liaison with the Applicant.</p>
<p>Ref</p>	<p>Sustainable Distribution Plan (SDP)</p>	
<p>18.3</p>	<p>In TC's response to ExA's FWQs Q1.18.6 [REP1-092], TC states that the SDP could be merged with the FTP, to manage all aspects of sustainable travel and transport under one umbrella, and makes proposals on moving other freight arriving at the port by rail rather than road, and on monitoring of the plan for effectiveness. TC is also concerned that there may be insufficient capacity on the rail network beyond the London-Tilbury-Southend railway line, and there may be insufficient freight parking for HGVs.</p> <p>i. Would the Applicant and TC state the latest position in relation to the SDP?</p>	<p>TC response:</p> <p>i. As per the outcomes of the response to para 18.2 (above), TC considers the issues relating to the SDP can also be quickly and easily addressed. In some regards, there is significant overlap across issues between the FTP and the SDP, and some of these have been addressed. Prior to the hearing TC had not received an updated SDP, however a new version was provided on 22<sup>nd</sup> April 2018, and this was further updated on 27<sup>th</sup> April 2018 following discussions between TC and the Applicant. Within the question asked at the Hearing, TC raised the issue that the SDP should be merged into the FTP. The purpose of this request was made on the basis that operationally when the FTP and SDP are being monitored by the Sustainable Steering Group, working from one single document will prove easier to manage than with multiple documents. It has since been agreed with the Applicant that the two documents will remain separate for now and can be reviewed at a later date and be merged into one document by the Sustainable Steering Group. With regard to concerns of movement of goods by rail, TC took note of the Applicant's evidence at the hearing on 19th April and accepts that worst case scenario modelling has been undertaken. There are concerns regarding rail paths and capacity beyond the London-Tilbury-Southend</p>

		<p>line, but this is a wider issue of national concern and not one that can be addressed or solved by the Applicant. TC is pleased to hear that the Applicant will be working closely with London Gateway to manage rail freight on the line. Finally, regarding the issue of HGV parking on site, discussions with the Applicant have informed the view that there are over 2km of private road capacity within the new port extension and that HGV's can be accommodated in this space when arriving early. The remaining outstanding issues from the SDP relate to the expected length of observance of the SDP. These issues are the same as per the FTP, and again, TC would like to see a formal commitment within the document stating the following: "The SDP will commence following the first occupation of the site, and for a five year period following the final site occupation". As per the FTP, the SDP has been updated with the statement stating the site will be monitored for five years following the final occupation. Beyond this issue, TC believes the SDP can be agreed quickly. TC will continue to welcome discussion with the Applicant.</p>
<b>Contaminated Land and Waste</b>		
Ref.	Waste	
6.1	<p>Is Thurrock Council content with the revised impact assessment for forecast waste produced by the Proposed Development set out in Appendix E of the Applicant's Response to Written Representations, Local Impact Reports, etc at Deadline 2 [REP2-007]?</p>	<p>TC response:          Yes – TC has discussed and agreed the revised impact assessment with the Applicant.</p>
<b>Health / Safety</b>		
Ref.	Active Travel Study – Health Impact	



12.1	<p>In Thurrock Council (TC)'s written representation [REP1-090], under the health section, TC states that further discussion of the detailed content of the Active Travel Study is required to maximise mitigation measures.</p> <p>i. Would the Applicant and TC state the status of their discussions and the resultant mitigation measures?</p>	<p>TC response:</p> <p>i. TC (Public Health) have been working jointly with TC (Highways &amp; Transportation) colleagues and attended the Active Travel Study meeting with the Applicant on 14<sup>th</sup> March 2018 to ensure a joined-up approach which addressed the concerns of all TC teams. As an action from this meeting, the Applicant provided updated Active Travel which includes changes to the provision for cyclists and pedestrians linked to the Tilbury 2 proposals. At present the updated measures has been received by TC and is still under consideration, although the Statement of Common Ground submitted at Deadline 3 notes that active travel measures are agreed in respect of transport considerations (para. 4.3.7).</p>
Ref.	Traffic	
12.2	<p>Ref ES 8.136 [APP-031], the Land Side Transport chapter identifies that most of the roads within the study area will experience an increase in total traffic flow of less than 10% against 2020 baseline flows. Fort Road (south of the site) will experience a 25% increase in traffic flow, which includes a 29.6% increase in the percentage of HGV. These impacts on traffic flow could influence health in the local population by discouraging active travel, physical activity, and the use of open space. The health effect has been assessed as Direct, Negative, Temporary, Minor/Moderate. Would TC state its response to the Applicant's points above concerning the impact on health from the anticipated traffic increases on Fort Road?</p>	<p>TC response:</p> <p>TC (Public Health) notes that the question refers to paragraphs 8.141 and 8.142 of the ES. The ES concludes that there may be a temporary impact relating to discouraging physical activity, active travel and use of open space. TC has considered the points raised and also the prediction that Fort Road (south of the site) would experience no increase in the existing baseline of HGV movements due to the introduction of the new link road and further Active Travel measures currently under discussion, including the 'downgrading' of Fort Road south of the site. Additional active travel measures being currently considered as part of the Active Travel Study would be in place for the operational phase of the development. On balance, the temporary negative</p>

		<p>impact of the construction traffic would not be expected to have an overall detrimental effect on health outcomes, if the Fort Road is, as predicted above, to have an overall reduction of HGV and car movements if the Active Travel measures specified are put into place.</p>
Ref.	Health Impact Assessment	
12.3	<p>i. TC's Local Impact Report dated 20/03/2018 [REP1-101] notes TC Public Health Team's request for the submission of a Health Impact Assessment to accompany the DCO application. Acknowledging the Applicant's submission of Appendix A: Explanatory Information - Health Assessment (Applicant's response to WRs, LIRs etc.), what is the position of TC, Public Health England and the Applicant on the various health issues associated with the proposed development?</p> <p>ii. Do the parties think a Health Impact Assessment is required?</p>	<p>TC response:</p> <p>i. A number of health impact areas have been highlighted in the health chapter of the ES and the associated information submission. It is recognised that there is likely to be a positive health impact from the additional local employment opportunities the proposed development will bring. Employment and income is a known protective factor for health outcomes in particular in reducing health inequalities. The main health impacts identified are noise, active travel and connectivity, employment and neighbourhood amenity and quality. TC has identified some areas for further clarification and discussion and are concluding the Active Travel Study discussions. From the recommendations in the submitted explanatory information, the identified residual noise impact, and residual health effects identified for neighbourhood amenity/quality are under discussion. Cumulative impacts relation to the Lower Thames Crossing and Tilbury Energy Centre may also require further discussion and assessment.</p> <p>ii. TC has recently reviewed the Applicant's explanatory information supplied in response to TC's Local Impact Report. Following further discussion on some resulting queries TC are now sufficiently satisfied that</p>

		<p>the health chapter of the ES and additional information has adequately identified the key health impacts and, subject to addressing some outstanding points identified below, TC no longer require a separate Health Impact Assessment. There are some jointly agreed outstanding points on health impact for clarification and further discussion and these include the identified residual impacts of noise, identified residual impacts of neighbourhood quality (landscape), and how cumulative impacts on health will be assessed.</p>
	<b>Air Quality</b>	
Ref.	Air Quality Common Ground	
1.1	<p>i. Would TC and GBC confirm that the study area, baseline, methodology, assessment of effects (all the modelled results fall either below or well below the relevant air quality objectives for NO<sub>2</sub>, PM 10, and PM 2.5) and mitigation measures (through the CEMP and OMP) are all agreed between the Applicant TC and GBC (re SOCG Update Report [REP1-021], Appendices 1 and 2)?</p> <p>ii. Are all parties content with the provisions for the management of dust during construction via the CEMP, and during operation through the OMP?</p> <p>iii. Do any parties have outstanding issues over air quality?</p>	<p>TC response:</p> <p>i. Thurrock TC confirms that the study area, baseline, methodology, assessment of effects and all modelled results fall either below or well below the relevant air quality objectives for NO<sub>2</sub>, PM10 and PM2.5. Mitigation measures (through the CEMP and OMP) are all agreed between the Applicant and TC.</p> <p>ii. TC, are content with the provisions for management of dust during construction via the CEMP, and during operation through the OMP.</p> <p>iii. TC has no outstanding issues over air quality.</p>
Ref.	Use of Shore Power for Powering Moored Vessels	
	<p>i. The Applicant responds to Interested Parties' calls for shore power to be considered for moored vessels, and states that there are constraints due to ships' ability to take shore power, and due to electrical capacity being extremely limited due to the National Grid infrastructure locally (re Applicant's response to ExA's FWQs Q1.1.1 and Q1.1.3 [REP1-016]). The Applicant also states that it will provide the infrastructure</p>	<p>TC response:</p> <p>iii. Paragraph 4.5.6 of the Statement of Common Ground submitted at Deadline 3 sets out TC's position in relation to shore power and air quality.</p>

	<p>to ensure that shore power can be accommodated at the Tilbury2 site in the future should the vessel profile change. Would the Applicant state what infrastructure it will provide so that shore power can be accommodated, and what provisions will be made to ensure sufficient electrical capacity?</p> <p>ii. Would NGET comment on the sufficiency of electrical capacity?</p> <p>iii. Would TC and GBC comment on this matter?</p>	
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