

PLANNING ACT 2008
INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

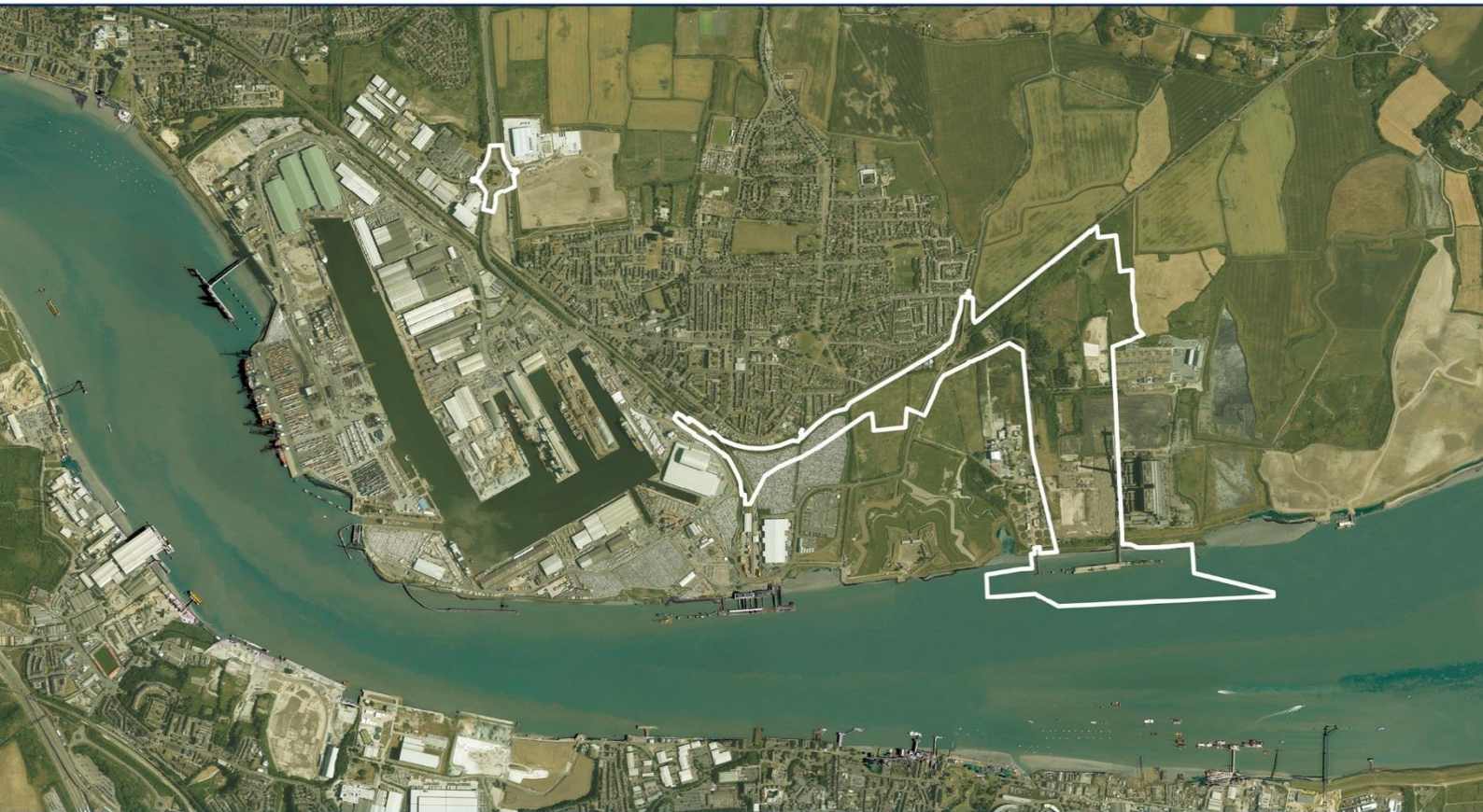
PROPOSED PORT TERMINAL AT
FORMER TILBURY POWER STATION

TILBURY2

TRO30003

STATEMENTS OF COMMON GROUND
UPDATE REPORT FOR DEADLINE 5

DOCUMENT REF : PoTLL/T2/EX/138



PORT OF TILBURY

**PROPOSED PORT TERMINAL AT FORMER TILBURY POWER STATION
'TILBURY2'**

STATEMENTS OF COMMON GROUND UP-DATE REPORT

FOR DEADLINE 5

Revision	Date	Description of new version
1.0	5/07/18	Final Issue to ExA

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TILBURY2 PROJECT TEAM
PORT OF TILBURY LONDON LIMITED
Leslie Ford House
Port of Tilbury
Tilbury
Essex
RM18 7EH

www.tilbury2.co.uk

1.0 PURPOSE OF THIS DOCUMENT

- 1.1 This SoCG Update Report is provided at Deadline 5 (6th July 2018) pursuant to the DCO application by Port of London Tilbury Limited (PoTLL - “the Applicant”) to construct a new port terminal known as Tilbury2. The Tilbury2 application was accepted on 21 November 2017 by the Planning Inspectorate on behalf of the Secretary of State. The examination commenced on 20 February 2018.
- 1.2 This report and the Statements of Common Ground (SoCGs) appended hereto are submitted in response to the Examining Authority’s (ExA) ‘Rule 6’ letter of 22 January 2018, which requested that the Applicant prepare a number of SoCGs with various stakeholders. This request was reiterated and built upon in the ExA’s ‘Rule 8’ letter dated 26 February 2018, with Annex B to that letter identifying a number of additional Interested Persons with whom SoCGs should be produced. This letter also confirmed that updates of the SoCGs should be provided at a number of future deadlines in the Examination Timetable including Deadline 1 (already provided [REP1-021]) and Deadline 3 (already provided [REP3-028]).
- 1.3 As well as the Update Reports submitted at Deadline 1 and Deadline 3, a further Update Report was submitted one week before the recent Issue Specific Hearings on 18 June 2018 (“Deadline 4.5”) to ensure that the ExA was fully informed as to the latest discussions between PoTLL and the various stakeholders in advance of the ISHs. Updated SoCGs with Environment Agency, Historic England and Highways England were then submitted on 22 June 2018.

2.0 CURRENT STATUS OF SOCGS AND DISCUSSIONS WITH STAKEHOLDERS

2.1 PoTLL continue to engage in active dialogue with all stakeholders and much progress has been made to agree outstanding issues. Appended to this report are SoCGs with Thurrock Council and Gravesham Borough Council. Other SoCGs are being revised and will be submitted to the Examination as soon as they are available.

2.2 Table 1 below shows the current status of each SoCG.

TABLE 1 : STATEMENTS OF COMMON GROUND : UPDATE AS OF 5 JULY 2018

Document Reference	Stakeholder	Comments
SOCG001	Thurrock Council	<p>An updated SoCG submitted at this deadline.</p> <p>Since the SoCG submitted at D4.5 a number of matters have been agreed, namely</p> <ul style="list-style-type: none"> - the Framework Travel Plan and Sustainable Distribution Plan; - the 'colour palette' related to buildings not specifically identified in Requirement 3; - Clause 1 of Requirement 10 on noise re-assessment and monitoring establishing that the re-assessment will be provided to Thurrock Council. - the content of the latest iteration of the EMCP <p>The package of highways works at the ASDA roundabout have been agreed in principle with details under discussion.</p> <p>Aside from the details of the highways mitigation package, the only matters still under discussion with TC are the detailed drafting the S106 and dDCO.</p>
SOCG002	Gravesham Borough Council	<p>An updated SoCG submitted at this deadline.</p> <p>This has been updated to reflect the additional noise monitoring at Mark Lane has been undertaken and agreed.</p> <p>It also highlights that the OMP and Requirement 10 have been amended by PoTLL and provided to GBC for comment. Although the noise monitoring and mitigation scheme is noted as not agreed, PoTLL have made clear that they are still prepared to enter into further dialogue with GBC.</p>

Document Reference	Stakeholder	Comments
SOCG003	Essex County Council	<p>The only outstanding issue for ECC is the impact of the proposals on Junction 30 of the M25, on which ECC defer to Highways England. PoTLL have kept ECC informed as to the progress of these discussions.</p> <p>This SoCG has not therefore changed since Deadline 4.5 and is not submitted at this deadline. On the assumption that PoTLL reach agreement on Junction 30 with HE, this SoCG can be re-issued with all matters agreed.</p>
SOCG004	Environment Agency	<p>Discussions with the EA are continuing, particularly with regard to the Protective Provisions. Drafts of these have been exchanged and the parties are moving towards agreement.</p> <p>PoTLL are also seeking views of the EA on the updated EMCP.</p> <p>The MoU on the Thames Barrier is with the EA for final signing.</p> <p>Discussions are progressing and an updated SoCG will be submitted shortly.</p>
SOCG005	Natural England	<p>Following the submission of the revised EMCP and in the light of the responses on this from NE at the ISH on Ecology, a further iteration of the SoCG has been sent to NE. Discussions are progressing on the EMCP and HRA and an updated SoCG will be submitted shortly.</p>
SOCG006	Historic England	<p>An updated SoCG has been provided to Historic England and their response is awaited.</p> <p>The 'colour palette' which has now been agreed with TC has been shared with Historic England for any further comment.</p> <p>Discussions are also continuing with respect to the Marine WSI.</p>
SOCG007	Port of London Authority	<p>Following PLA's Deadline 4 responses and the submission by PoTLL at Deadline 4.5, significant progress has been made regarding outstanding issues with the PLA.</p> <p>Once agreed, a final SoCG will be submitted.</p>
SOCG008	Marine Management Organisation	<p>An updated SoCG was submitted at Deadline 4.5.</p> <p>Discussions are continuing regarding the detail of the DML and progress is being made. However, MMO have advised that they wish to agree the final DML before agreeing to the final SoCG.</p>

Document Reference	Stakeholder	Comments
SOCG009	Highways England	<p>An updated SoCG was submitted to the ExA on 20 June 2018. Since the ISH discussions have continued. A meeting was held on 5 July 2018 at which good progress was made on the outstanding issues relating to Junction 30 of the M25. Further information has also been provided to HE in relation to the proposed package of works at the ASDA roundabout.</p> <p>A revised SoCG will be submitted shortly.</p>
SOCG010	Cole Family and Common Land Conservator	An SoCG will not be needed. Discussions regarding acquisition are progressing.
SOCG011	Gothard Family	An SoCG will not be needed. Discussions regarding acquisition are progressing.
SOCG012	Network Rail	Discussions are continuing with NR and a number of recent meetings have been held. The only matters on the protective provisions on which the parties are not yet agreed are whether they should include (as Network Rail is seeking) provision requiring Network Rail's consent for the exercise of the powers of appropriation and operation and maintenance. In the case of consent to exercise the power of operation and maintenance it is understood agreement is likely to be reached. A draft SoCG was sent to NR on 2 July 2018 to reflect the position, but NR has declined to progress it.
SOCG013	Kent County Council	The final version of the SoCG was submitted at Deadline 4.5. All matters with KCC are agreed.
SOCG014	Buglife	Following the issue of the EMCP Buglife's representations in response at the ISH on Ecology, a further draft of the SoCG has been provided. This will be submitted shortly once a response from Buglife has been received. .
SOCG015	English Heritage	Discussions are continuing with EH regarding the S106 Fort Contribution; PoTLL have requested a number of clarifications and EH are presently considering these. An updated draft SoCG was provided to EH on 2 July 2018 and a response is awaited.
SOCG016	London Gateway Port Limited	Final version submitted at Deadline 4.5. All matters are agreed.
SOCG017	Public Health England	Final version submitted at Deadline 4.5. All matters are agreed.
SOCG018	London Resort Company Holdings	Final version submitted at Deadline 4.5. All matters are agreed.

Document Reference	Stakeholder	Comments
SOCG19	Cadent Gas Limited	Agreement has been reached as reflected in the SoCG which is appended.
SOCG20	National Grid Electricity Transmission plc	Agreement has been reached as reflected in the SoCG which is appended.

APPENDICES

Appendix 1 SOCG001 Statement of Common Ground with Thurrock Council

PLANNING ACT 2008
INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES
2010

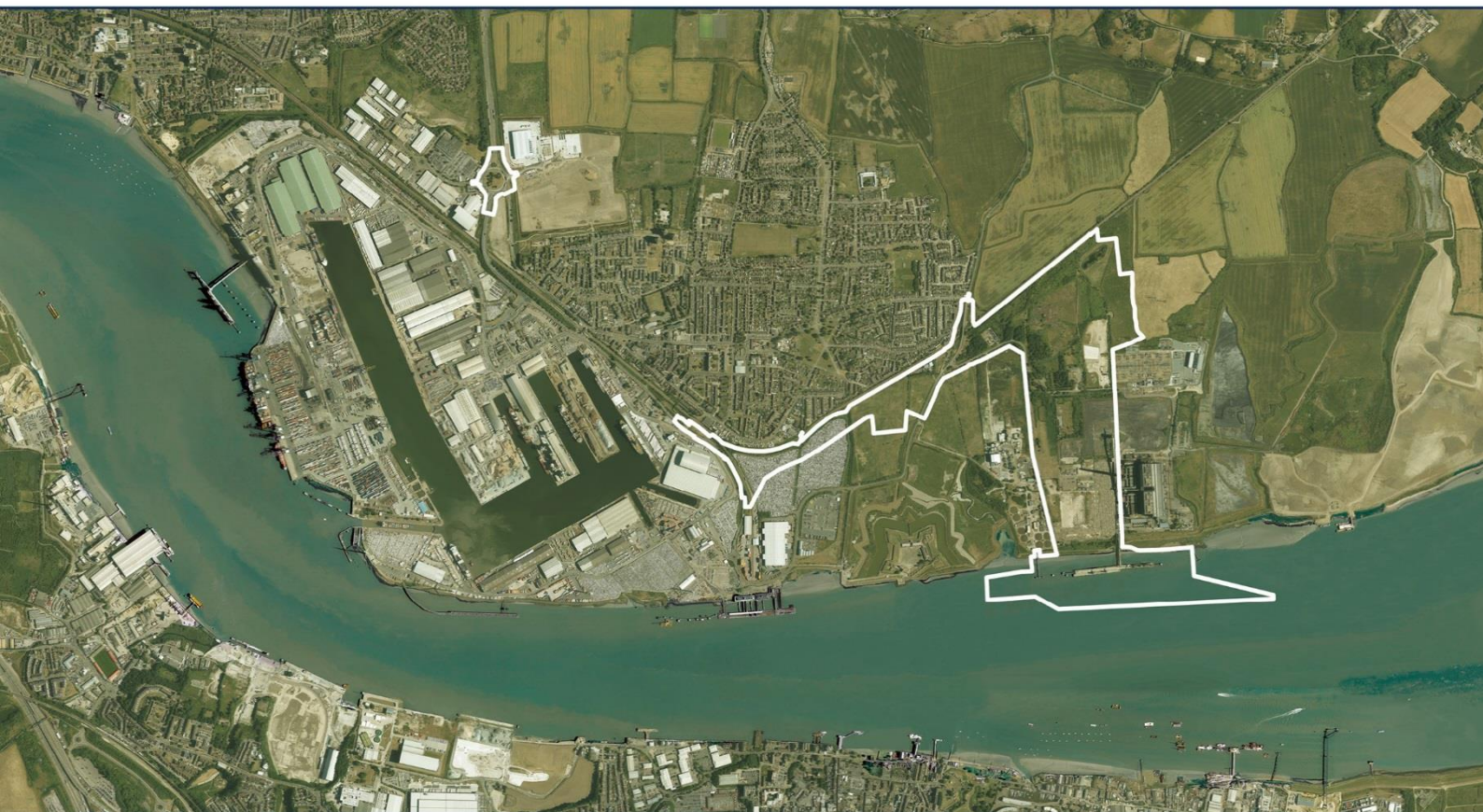
PROPOSED PORT TERMINAL AT
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STATEMENT OF COMMON GROUND
BETWEEN PORT OF TILBURY LONDON LIMITED AND THURROCK
COUNCIL

DOCUMENT REF : SOCG001



PORT OF TILBURY

**PROPOSED PORT TERMINAL AT FORMER TILBURY POWER STATION
'TILBURY2'**

STATEMENT OF COMMON GROUND

**BETWEEN PORT OF TILBURY LONDON LIMITED AND
THURROCK COUNCIL**

Revision	Date	Description of new version
1.0	13/12/17	Partial Draft including planning, socio-economics, ecology, archaeology, Built Heritage,
2.0	29/01/18	Second draft with updated sections
3.0	6/02/18	Third draft taking on board comments by TC and discussion at meeting on 3/02/18
4.0	13/02/18	Fourth draft with changes agreed reflecting position on 13/02/18
5.0	19/03/18	Fifth Draft with changes reflecting position at Deadline 1
6.0	20/03/18	Signed by PoTLL and TC for Deadline 1
7.0	24/04/17	Draft with changes reflecting position at Deadline 3
8.0	18/06/18	For submission prior to June ISHs
9.0	05/07/18	Signed by PoTLL and TC for Deadline 5

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TILBURY2 PROJECT TEAM
PORT OF TILBURY LONDON LIMITED
Leslie Ford House
Port of Tilbury
Tilbury
Essex
RM18 7EH

www.tilbury2.co.uk

1.0 INTRODUCTION

Purpose of this document

- 1.1 This Statement of Common Ground ("SoCG") has been prepared in relation to the application by Port of Tilbury London Limited ("PoTLL") under section 37 of the Planning Act 2008 ("the Act") for an order granting development consent ("DCO") for the construction, operation and maintenance of a new port terminal and associated facilities in Tilbury, Essex known as 'Tilbury2' ("the proposals").
- 1.2 The aim of this SoCG between PoTLL and Thurrock Council ("TC") is to provide a clear record of engagement between the parties, including of the issues discussed between the parties and the current status of those discussions. The SoCG can be used as evidence of engagement for the purposes of the examination into the DCO application.

Structure of this Statement of Common Ground

- 1.3 This structure of this SoCG is as follows:

Section 1 – Introduction

Section 2 – Consultation to date

Section 3 – Summary of topics covered by the SoCG

Section 4 – List of matters agreed

Section 5 – List of matters under discussion

Section 6 – List of matters not agreed

Overview of the proposals

- 1.4 Port of Tilbury London Limited ("PoTLL") is proposing a new port terminal on the north bank of the River Thames at Tilbury, a short distance to the east of its existing Port. The proposed port terminal will be constructed on land that formed the western part of the now redundant Tilbury Power Station and is bounded to the west by a waste water treatment works and to the east by the Tilbury B power station that is presently being demolished.
- 1.5 The proposed main uses on the site will be a Roll-on/Roll-off (RoRo) terminal and a Construction Materials and Aggregates terminal (the "CMAT"), and associated infrastructure including rail and road facilities and revisions to the existing marine infrastructure. An 'infrastructure corridor' is proposed that will accommodate road and rail links to the existing rail and road network. The CMAT will include stockpiling of construction materials and some processing of aggregates for the production of asphalt and concrete products.
- 1.6 It will require works including, but not limited to:

- creation of hard surfaced pavements;
- improvement of and extensions to the existing river jetty including creation of a new RoRo berth;
- associated dredging of berth pockets around the proposed and extended jetty and dredging of the approaches to these berth pockets;
- new and improved conveyors;
- erection of welfare buildings;
- erection of a single 10,200 sqm. warehouse
- a number of storage and production structures associated with the CMAT;
- the construction of a new link road from Ferry Road to Fort Road; and
- formation of a rail spur and sidings.

1.7 The proposed volumes of import/export of RoRo units for the terminal exceed the threshold of 250,000 units stated in the Planning Act 2008 for throughput per annum. The Tilbury2 project therefore constitutes a Nationally Significant Infrastructure Project (NSIP).

1.8 The application essentially seeks a DCO to approve an operational port and to allow PoTLL to benefit from its permitted development rights within the boundaries of the new port. The application seeks to establish a 'Rochdale Envelope' of development based upon the description within the DCO. In this context, the DCO will contain a framework through which environmental impacts will be controlled and managed.

Introduction to Thurrock Council

1.9 Thurrock Council is the host authority for the Tilbury2 proposals and has the following roles .

- A key partner and service provider promoting economic development, regeneration, infrastructure delivery, new development and tourism;
- The planning authority with responsibility for determining planning applications and preparing and reviewing the statutory development plan; as part of this function the Council has responsibility for the following matters : housing and economic growth, ecology (and the wider green grid), cultural heritage and landscape;
- The highway and transportation authority, with responsibility for the delivery of the Thurrock Local Transport Plan;

- Waste Planning Authority;
- Local Lead Flood Authority;
- Environmental Health Advisor with responsibility for noise and air quality;
and
- Contaminated land adviser with responsibility for ground conditions and hydrogeology

2.0 CONSULTATION TO DATE

2.1 This section provides a summary of the engagement between PoTLL and Thurrock Council that has taken place to date.

Pre-application meetings directly with Thurrock Council

Date	Activity
26 July 2016	Meeting between PoTLL and TC Planning to provide overview of Tilbury2 project and planning process
08 November 2016	Meeting between PoTLL and TC Planning to provide overview of wider Vision for Tilbury and how it relates to Tilbury2 scheme in preparation for meeting with Members Update on environmental work Presentation of surface access proposals
08 December 2016	Update meeting between PoTLL and TC Planning to review presentation to Members
05 January 2017	Presentation by PoTLL to Overview and Scrutiny Committee on their plans for the Tilbury2 site and the wider vision to improve the area around the Port
06 February 2017	Meeting between PoTLL and TC Planning. Update on the scheme Discussion on NSIP process Discussion on consultation arrangements
17 February 2017	Briefing of the CEO for Thurrock Council on the T2 project
07 April 2017	NSIP Training session for officers
18 April 2017	Meeting between PoTLL and TC Planning Summary of existing Port operations; Detail of the DCO process; Proposed Development; Infrastructure Corridor; Summary of the proposed Scoping Note; and Suggestion to hold joint meeting with Highways England.
04 May 2017	Discussion between Helen Horrocks (Thurrock Council Public Health) and Charlotte Clark (ARUP) to discuss Health Impact Assessment

11 May 2017	Meeting between PoTLL and TC Planning, Highways and Environmental Health; to discuss noise and AQ
16 May 2017	Discussion between Maria Payne (Health Intelligence Thurrock Council) and Charlotte Clark (ARUP) on Health Impact Assessment
26 May 2017	Meeting between PoTLL and TC Planning, PROW officer and landscape adviser on rights of way and socio-economic impacts
12 June 2017	Meeting between PoTLL and TC Planning, pollution officer, heritage adviser to discuss landscape and visual impact; heritage and waste issues.
14 June 2017	Meeting between PoTLL and TC Highways, Essex Highways, and Highways England to discuss proposals, baseline and modelling
18 July 2017	Follow up meeting between PoTLL and TC Highways, Essex Highways, and Highways England to discuss proposals, baseline and modelling
01 August 2017	Meeting between PoTLL and TC Planning General update Active travel study S106 agreement
15 August 2017	Meeting between PoTLL and LLFA to discuss proposals, drainage strategy, flood wall interaction and flood risk generally.
23 August 2017	Heritage meeting with PoTLL and TC, Historic England and English Heritage to discuss potential improvements to Tilbury Fort..
31 August 2017	Meeting between PoTLL and TC Planning:- Active travel study S106 agreement
07 September 2017	A teleconference between PoTLL (Atkins) and Thurrock Council (Richard Hatter) to discuss the waste and materials elements of the Environmental Statement.
13 September 2017	Meeting between PoTLL and TC Highways, and Highways England to discuss development traffic impact; ASDA roundabout mitigation; Travel Plan (Sustainable Distribution); Link Road; and Active Travel Measures;

03 October 2017	Teleconference between PoTLL (Bioscan) and TC and ECC to discuss ecology surveys
12 October 2017	Meeting between PoTLL and TC Highways and Highways England impact at A126 Marshfoot Road Interchange; ASDA roundabout; Link Road; and Active Travel Measures;

Pre-application heritage meetings with ECC Place Services acting for Thurrock Council

12 th June 2017	PoTLL's Built Heritage consultant at CgMs Ltd met with Thurrock Council (Matt Gallagher and Nicolas Page, Place Services) to discuss built heritage and landscape and visual impact considerations. This meeting was held to update the Council on the proposals and outline the baseline assessment undertake to date. This included discussing the identified viewpoint locations.
14 th August 2017	Thurrock Council (Nicolas Page, Place Services) provided a response on the PEIR [this was issued to PoTLL's planning consultants at Vincent and Gorbing on 18 th August 2017].
18 th August 2017	PoTLL's Built Heritage consultant at CgMs Ltd emailed Thurrock Council (Nicolas Page, Place Services) a full set of the wireline
23 rd August 2017	PoTLL's Built Heritage consultant at CgMs Ltd met with Thurrock Council (Matt Gallagher and Nicolas Page, Place Services), Historic England and English Heritage to discuss potential improvements to Tilbury Fort.
25 th September 2017 and 2 nd October 2017	PoTLL's Built Heritage consultant at CgMs Ltd emailed Thurrock Council (Matt Gallagher and Nicolas Page, Place Services) a selection of the Draft ES documents including the Built Heritage Assessment (September 2017) (sent 25 th September 2017) and Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement (sent 2 nd October 2017).

13 th and 16 th October 2017	Thurrock Council (Nicolas Page, Place Services) provided an email response on the draft submission documents (ES Chapter 12 and Draft Built Heritage Assessment).
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Post-application

Date	Activity
15 December 2017	Discussion between Sarah Horrocks (Atkins, on behalf of PoTLL) and Dean Page (TC) regarding air quality assessment and clarification regarding PM10 outputs
13 December 2017	Meeting between PoTLL and TC Highways to discuss Transport Assessment ASDA roundabout; Link Road; and Active Travel Measures
4 January 2018	Meeting between PoTLL and TC Economic Development officer to discuss economic impact assessment
18 January 2018	Meeting held between PoTLL and TC and ECC to discuss Waste issues
2 February 2018	Meeting held between PoTLL and TC with focus on Landscape and ecological issues
14 March 2018	Meeting between PoTLL and Thurrock Council to discuss Active Travel Study
17 April 2018	Conference call between PoTLL and TC to discuss ecological issues
24 May 2018	Meeting between PoTLL and TC to discuss TRMs

19 February 2018	Weekly conference calls to discuss outstanding matters
28 February 2018	
5 March 2018	
12 March 2018	
19 March 2018	
26 March 2018	
9 April 2018	
23 April 2018	
8 May 2018	
21 May 2018	
4 June 2018	
11 June 2018	
18 June 2018	
26 June 2018	

Post application heritage meetings with ECC Place Services acting for Thurrock Council

14 th November 2017	DCO Application documentation (Archaeology and Cultural Heritage ES Chapter and supporting Technical Appendices) were sent to Richard Havis and Nicolas Page, Essex County Council Places Services post-submission
12 th December 2017	POTLL's archaeological and built heritage consultants at CgMs Ltd met with Richard Havis and Nicolas Page, Place Services, Essex County Council to discuss the SoCG
23 rd January 2018	PoTLL, and CgMs Ltd met with Historic England, the Principal Historic Environment Consultant, Essex County Council and Historic Building Consultant, Essex County Council to discuss the first draft of the Historic England Statement of Common Ground

13 th February 2018	Telephone call between CgMs Ltd and Richard Havis, Place Services regarding comments received from Pace Services relating to Terrestrial Archaeology
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- 2.2 The parties continue to actively engage on those matters which are not yet agreed. A further iteration of this SoCG will be submitted into the examination in due course to document the progress that is expected to be made.

3.0 SUMMARY OF TOPICS COVERED BY THE SOCG

3.1 The following topics discussed between PoTLL and TC are commented on further in this SoCG:

- General support for the scheme given overall economic implications
- Development Plan compliance
- Land side Transport
- Impact on the Tilbury-Gravesend Ferry
- Noise
- Air Quality
- Economic Impacts and Skills and Employment Strategy
- Landscape and Visual Amenity
- Terrestrial Ecology
- Cultural Heritage
- Health
- Hydrogeology and Ground Conditions
- Waste
- Water Resources and Flood Risk
- Cumulative Assessment Projects
- S106 Agreement
- Operational Management Plan
- Community Operational Engagement Plan
- Construction Environment Management Plan

4.0 LIST OF MATTERS AGREED

Ref	Description of matter	Details of agreement
4.1 General Support for the Scheme		
4.1.1	Importance of the future of the Port of Tilbury to the growth of Thurrock as part of the sub-region and region.	It is agreed that the proposals are of crucial importance in securing on-going economic growth of Thurrock and will contribute significantly to sub-regional and regional economic success. Paragraph 3.10 of the adopted development plan (considered in more detail below) notes that an expanded Port of Tilbury will be one of the UK's leading ports, providing employment, investment and facilities that benefit Thurrock as well as the sub-region.
4.2 Development Plan Compliance		
4.2.1	Overall compliance with economic and regeneration objectives of the development plan.	It is agreed that the proposals accords with the economic and regeneration objectives of the development plan. Tilbury is identified as a Regeneration Area and key location for employment in the Borough, providing additional jobs in logistics, port and riverside industries (paragraph 3.34). Tilbury is also defined as a Key Strategic Economic Hub by Spatial Policy CSSP2 (Sustainable Employment Growth). This Core Strategy policy identifies Tilbury's core economic sectors as including port and logistics related facilities. Support for Port facilities is also embraced in Thematic Policy CSTP17 (Strategic Freight Movement and Access to Ports). The proposal is also consistent with Thematic Policy CSTP28 (River Thames) which prioritises riverside development sites for uses that require access to the river frontage. This policy also safeguards existing and promotes new jetties for the transport of goods and materials.

4.2.2	Land use designations	It is agreed that the site is covered by a number of designations including 'white land' (absent any site specific designation), primary employment, and local wildlife sites. A small area in the northeast corner of the main site is designated as Green Belt. It is agreed that none of the land within the Order limits is designated as proposed or existing Open Space or Public Open Space within the development plan.
4.2.3	Green Belt	It is agreed that the alignment of the proposed railway line through part of the Green Belt comprises necessary transport infrastructure which would be compatible with paragraph 90 of the NPPF. Although comprising 'inappropriate development' the intrusion of part of the CMAT site into the Green Belt will cause limited harm to the Green Belt in practice. The Council agree with the analysis in Planning Policy Compliance Statement (Document Reference 6.2.1.A) at paras. 4.154 – 4.159. It is agreed that the combination of the overall need for a port development of national significance combined with the engineering, operational and socio-economic considerations, as well as the limited harm to the Green Belt are factors which clearly outweigh harm such that it is considered that very special circumstances exist for development to take place in the Green Belt.
4.3 Transport		
4.3.1	Scope of Assessments	It is agreed that the Scope of the assessments as set out in the Transport Assessment and the Traffic and Transport Chapter of the ES is appropriate.
4.3.2	Traffic Generation	It is agreed that the estimates of traffic generation as set out in the Transport Assessment (Document Reference

		6.2.13A) are robust and based upon worst case assumptions.
4.3.3	Traffic Distribution	It is agreed the distribution of traffic as set out in the Transport Assessment (Document Reference 6.2.13A) provides a reasonable estimate for assessment purposes.
4.3.4	Traffic modelling	It is agreed that the methodology and software used for undertaking traffic modelling as set out in the Transport Assessment (Document Reference 6.2.13A) is appropriate and provides a reasonable prediction of the impacts.
4.3.5	Tilbury – Gravesend Ferry	It is agreed that the proposals will have no adverse impact on the Tilbury -Gravesend Ferry and have the potential to introduce additional patronage.
4.3.6	Infrastructure Corridor Link Road Design	<p>Following further discussions it is agreed that the highway and access proposals in the infrastructure corridor are fit for purpose subject to the agreement to the relevant Protective Provisions in the DCO.</p> <p>At set out in TC's LIR (para. 7.8.9 – 7.8.14) it was considered by the local highways authority that the design of the junction between Ferry Road and the new link road should be reviewed and upgraded to a signalised junction, with Toucan crossing facilities, due to the traffic impact at this junction and the cycle path which crosses the road at this point.</p> <p>Since Deadline 1 further discussions on the details of the Active Travel measures have taken place with amendments agreed to respond to the concerns of TC, with a meeting held on 14 March 2018. At this meeting discussions included the location of the Toucan crossing and the form of the junction between St Andrews Road/Ferry</p>

		<p>Road and Link Road - it was agreed that a Toucan crossing will be placed on St Andrews Rd between the Hairpin bridge and Ferry Road but form of the St Andrews Road/Ferry Road and Link Road junction was acceptable..</p>
4.3.7	S106 active travel measures	<p>The Active Travel Measures to be included in the S106 are now agreed.</p> <p>Following further discussions since Deadline 1 a number of amendments have been agreed. These include</p> <ul style="list-style-type: none"> - relocation of the proposed Toucan crossing on St Andrews Road - inclusion of footpath FP146 between Bill Melroy Creek and Fort Road in the enhancement proposals - enhancement to the crossing of the FP146 across the flood defence at Bill Melroy Creek - provision a shared pedestrian/cycling facility from the Fort Road railway bridge north to Brennen Road to allow for an improved cycle link with improvements being planned by TC. <p>Following further discussions with TC and Highways England additional measures in respect of the Active Travel Strategy have been agreed in respect of lighting and security improvements at the footpath which crosses underneath St Andrew's Road south of the ASDA roundabout.</p>
4.3.8	Sustainable Distribution Plan	<p>It is agreed that the Sustainable Distribution Plan submitted at Deadline 5 provides a suitable framework for preparation of future</p>

		full Sustainable Distribution Plans in consultation with TC
4.3.9	Framework Travel Plan	It is agreed that the Framework Travel Plan submitted at Deadline 5 provides a suitable framework for the preparation of future full Travel Plans in consultation with TC
4.3.10	Lower Thames Crossing (LTC)	<p>It is agreed that Tilbury2 does not rely on the delivery of the Lower Thames Crossing.</p> <p>It is agreed that the quantitative cumulative impact of the proposals with the LTC within Thurrock requires impacts to be quantitatively modelled and mitigated for and responsibility for this assessment should not fall between the two projects. It is agreed that as LTC has identified Tilbury2 as a cumulative project within its scoping report, this means that the LTC project will carry out this exercise.</p> <p>It is further agreed that as there is no traffic modelling for the LTC available at present it would be impossible for PoTLL to model the impact of Tilbury2 on traffic in Thurrock were the LTC be constructed, and it is therefore appropriate for this not to have been included within the ES and for it not to be carried out during the Examination process.</p>
4.4 Noise		
4.4.1	Method of assessment	It is agreed that the standards and guidance used in the Environmental Statement (ES) (document reference 6.1) are appropriate for predicting and assessing noise and vibration impacts from the proposed scheme.
4.4.2	Thresholds for significance and mitigation	It is agreed that the thresholds for significance and mitigation measures expressed in the ES are appropriate for assessing the noise impacts of the scheme.

		It is agreed that the Policy Significance Criteria with respect to effect thresholds, LOAEL and SOAEL, are acceptable and these are summarised in Table 17.16 for both construction and operational phases.
4.4.3	Baseline Conditions	It is agreed that the identified receptors in the ES are representative of all of the nearest sensitive receptors to the Tilbury2 site and the infrastructure corridor. It is also agreed that the baseline measurements are representative of typical conditions at those receptors.
4.4.4	Construction Assessment	It is agreed that the plant and equipment used in the calculations in the ES provide for the assessment of a reasonable worst case including the assumptions for operating periods and mitigation measures.
4.4.5	Road Traffic Assessment	It is agreed that the noise assessments are based on reasonable traffic forecasts.
4.4.6	Railway Traffic Assessment	It is agreed that the operational noise assessment within the ES is based on a realistic worst case assessment of train types, flows and speeds.
4.4.7	Operational Assessment	It is agreed that the source noise data set out in the ES is representative of the operations described in the assessment and the acoustic penalties that have been taken into account for these sources are appropriate for the application design.
4.4.8	Operational assessment	It is agreed that the assessment of operational impacts within the ES is sufficient.
4.4.9	Operational Mitigation	The approach to operational mitigation set out in the noise ES chapter is agreed. It is in particular agreed that Requirement 9 which requires the proposed noise barriers

		<p>to be constructed prior to operation is acceptable.</p> <p>Receptor based mitigation : TC had concerns that it is not defined who would become eligible / receive an assessment and the geographical boundaries of this and how any receptor based mitigation would be funded.</p> <p>PoTLL have explained that R10(3) requires that no part of Work Nos. 1 to 8 can be brought into operational use until a written noise monitoring and mitigation scheme for the operation of those works based on the results of the noise reassessment is agreed with the relevant Local Planning Authority and Gravesham Borough Council and is implemented in accordance with the terms of the agreed written scheme.</p> <p>Through this scheme TC have the power to approve the nature and temporal length of monitoring and the trigger point at which PoTLL will be required to make an offer of mitigation to an affected receptor during such monitoring. PoTLL have confirmed that there will be no artificial boundary to the geographical extent of the scheme and that any receptor based mitigation would be funded by PoTLL.</p> <p>Following further discussions regarding R10 at the suggestion of TC it has been agreed that R 10(1) will amended to indicate that the re-assessment will be provided to TC for consideration.</p>
4.4.10	CEMP and OMP	<p>It is agreed that the Construction Environment Management Plan (CEMP) covers the necessary environmental issues that need to controlled as part of the mitigation of environmental impacts during construction.</p>

		<p>In particular it is agreed that employing s60 and s61 of the Control of Pollution Act 1974 as set out in the CEMP is an appropriate mechanism for controlling noise issues.</p> <p>It is agreed that the Operational Management Plan (OMP) lays out an appropriate basis for control of future operation of the Port.</p>
4.5 Air Quality		
4.5.1	Study Area	<p>It is agreed that the assessment considers the most relevant locations for public exposure in relation to the impacts generated by the proposals, and all modelled receptors in this assessment are appropriate.</p>
4.5.2	Baseline	<p>It is agreed that the ES chapter accurately identifies the current and future baseline air quality conditions in the area.</p>
4.5.3	Methodology	<p>It is agreed that the assessment methodology and significance criteria described in the ES provides an appropriate basis for the assessment of atmospheric emissions and air quality, in particular the modelling of transport emissions.</p> <p>It is agreed that the model used in the Environmental Statement is appropriate, and it is used in accordance with the criteria laid out in the Defra TG(16) Technical Guidance.</p> <p>It is agreed that the assessment represents a worst case scenario, and the model verification process is robust, and limits any uncertainties associated with the model.</p>

4.5.4	Assessment of effects	<p>It is agreed that all the modelled results fall either below or well below the relevant air quality objectives for NO₂, PM₁₀, and PM_{2.5}.</p> <p>While slight to moderate impacts were modelled for NO₂ at some “worst case” receptor locations, it is agreed that these results are not significant, as the air quality objective of 40 µg/m³ for annual mean NO₂ is met at all locations</p> <p>It is agreed that the PM₁₀ and PM_{2.5} impacts are negligible at all receptors and concentrations are all below the air quality objectives.</p> <p>It is agreed that the operation of the proposals will not have significant adverse long-term effects on air quality at the closest residential receptors.</p>
4.5.5	Mitigation	<p>It is agreed that the Construction Environment Management Plan (CEMP) covers the necessary environmental issues that need to be controlled as part of the mitigation of environmental impacts during construction.</p> <p>It is agreed that the Operational Management Plan (OMP) lays out an appropriate basis for control of future operation of the Port.</p>
4.5.6	Shore Power	<p>TC agree with PoTLL that the approach of the proposals to providing the infrastructure to facilitate the future use of shore power should vessels become equipped to use this and should electrical power capacity become available, will future proof the site in this regard. TC and PoTLL agree that it would not be reasonable to impose any</p>

		<p>further controls in this regard through the DCO.</p> <p>Both parties note that paragraph 7.4 of the Operational Management Plan refers to this matter.</p>
4.6 Socio-Economic Impacts		
4.6.1	Appropriate recognition of policies and legislation	It is agreed that Table 7.1 of the ES and its application throughout the assessment provide a sound framework for the impact assessment, referencing Council strategies and evidence where relevant.
4.6.2	Appropriate methodology	It is agreed that the methodology used in the ES is appropriate and robust.
4.6.3	Appropriate baseline	It is agreed that the baseline expressed in the ES provides sufficient and robust context for the impact assessment, referencing Council strategies and evidence where relevant.
4.6.4	Identification and estimation of impacts	It is agreed that the scope and extent of the impact assessment in the ES together provide the necessary information to Thurrock Council to inform their view on the impacts of Tilbury2, referencing other technical evidence where relevant to the assessment.
4.6.5	Identification and assessment of cumulative impacts	It is agreed that the scope and content of the cumulative assessment provide the necessary information to Thurrock to inform their view on the cumulative impacts of Tilbury2 with other developments.
4.6.6	Appropriate (both embedded and further) mitigation	It is agreed that the mitigation measures proposed within the ES are appropriate and proportionate.

4.6.7	Overall assessment	It is agreed that there is nothing of significance within the impact assessment and the conclusions reached that is challenged or disagreed with.
4.6.8	Overall effect	It is agreed that Tilbury2 is likely to have a positive socio-economic effect for Thurrock, forming a clear narrative across different geographic scales.
4.7 Skills and Employment Strategy		
4.7.1	Approach	It is agreed that the key principles, and overall approach to the SES are robust, proportionate and appropriate to the development proposals.
4.7.2	Content of the SES	The content and wording of the SES is agreed between Thurrock and PoTLL as a vehicle for maximising the job and skills opportunities to the area.
4.8 Landscape and Visual Amenity		
4.8.1	Methodology Concern over one omitted viewpoint.	It is agreed that the LVIA has been carried out using appropriate methodology. All viewpoints are agreed as acceptable except one. TC consider that there should have been an additional viewpoint from south of West Tilbury. PoTLL provided additional information showing visibility from West Tilbury church and this was considered a satisfactory clarification of the visibility of the proposals from this location.
4.8.2	Baseline	It is agreed that the ES properly portrays the existing and future landscape baseline

4.8.3	Predicted Effects	It is agreed that the ES properly portrays the predicted effects of the development
4.8.4	Infrastructure Corridor Landscape proposals	PoTLL have provided further details on the effectiveness of the landscape proposals alongside the Infrastructure Corridor (submitted to the ExA as Appendix E to POTLL/T2/EX/49). It is agreed that these proposals can provide an effective visual screen and through additional detailed design this can be achieved this whilst respecting the local landscape character and minimising adverse effects on the setting of Tilbury Fort
4.8.5	Wider landscape improvements	<p>The parties have discussed and considered wider landscape improvements suggested by TC in their answer to SWQ 2.15.1.</p> <p>It is agreed that the suggested landscape improvements would be outside the DCO boundary. Therefore PoTLL and TC have therefore considered the suggestions made against the tests for the acceptability of planning obligations as set out in Para 204 of the NPPF, namely that they should be necessary to make the development acceptable in planning terms, directly related to the development; and fairly and reasonably related in scale and kind to the development.</p> <p>It is agreed that in the overall planning balance, whilst TC may consider the improvements desirable, they are not necessary to make the development acceptable and would not therefore pass the first test of para. 204. TC and PoTLL also agreed that the Members of the TC's planning committee supported the Tilbury2 proposals without such a development consent obligation being proposed.</p> <p>Outside of the DCO process PoTLL continue to positively engage with local initiatives of the Council and others to</p>

		improve the local environment and would work with TC in this regard in the future.
4.9 Terrestrial Ecology		
4.9.1	Assessment of ecological value	It is agreed that the ecological value of the area is well-understood and significant detail has already been provided within the ES. The surveys that have been undertaken are considered appropriate and deal with all the plants, animals and habitats likely to be affected in an appropriate level of detail.
4.9.2	LoWS boundaries	It is agreed that the revised draft LoWS boundaries are correctly shown in the ES.
4.9.3	Past records for dormouse and a residential record for great crested newt, which are in doubt.	It is agreed that these records are likely to be erroneous; confirmed by further survey work in 2017. It is agreed that both species can now be assumed to be absent.
4.9.4	Water vole	It is agreed that water vole translocation will be required. The population can be wholly retained on site. Standard capture and translocation techniques are agreed to be applicable as set out in the draft Ecological Mitigation and Compensation Plan (EMCP) and as indicated in the Letter of No Impediment (LONI) issued by NE
4.9.5	Reptiles	It is agreed that reptile translocation will be required. A proportion of the population can be retained on site. Standard capture and translocation techniques are agreed to be applicable, as set out in the draft Ecological Mitigation and Compensation Plan (EMCP).
4.9.6	Bats and badger	It is agreed that an artificial badger sett and replacement roosts will be provided on-site to compensate for losses of the existing badger setts and pipistrelle roost. Standard licensed mitigation techniques will apply, as

		set out in the draft Ecological Mitigation and Compensation Plan (EMCP) and as indicated in the LONI issued by NE.
4.9.7	Successional processes	It is agreed that the site is subject to successional processes, which can be expected to accelerate further in the short-medium term. As a result of these processes, there is likely to be continuing decline in the condition of early successional habitats and their associated invertebrate interest.
4.9.8	Ecological compensation: on-site delivery	It is agreed that the principles of the on-site mitigation as set out within the Construction Environmental Management Plan (CEMP), Landscape and Ecology Management Plan (LEMP) and draft EMCP are appropriate.
4.9.9	Ecological compensation: location and extent of off-site delivery area. Compensation site should be found within Thurrock if at all possible.	It is agreed that off-site compensation is also necessary given the scale of the proposals. The aim is for off-site compensation to be located as close to Tilbury2 as practicable. However, options for a compensation site within Thurrock are limited and thus if a site is secured outside of the Borough it is agreed that it is an appropriate aim for it to be located in an ecologically compatible area of similar ecological/geographical character (i.e. coastal fringe if possible).
4.9.10	Recommendation that Defra metric should be used in calculating biodiversity offsets.	It is agreed that the Defra metric is suitable to be employed in defining the extent and nature of off-site compensation.
4.9.11	Cumulative effects of the loss of important Open Mosaic Habitat and other unmanaged sites in the vicinity likely to be	It is agreed that Open Mosaic Habitat creation and retention will form part of the Tilbury2 proposals with some off-site creation necessary, as set out in the EMCP.

	particularly significant for invertebrates.	
4.9.12	Ecological Mitigation and Compensation Plan (EMCP)	<p>A draft EMCP (as enshrined at Schedule 2, Part 1, S5 of the draft DCO) has been provided by PoTLL to TC.</p> <p>It is agreed that the contents in respect of protected species mitigation (for eels and nesting birds, in addition to protected species referred to at 4.9.4-4.9.6 above), INNS management, and the principles of on- and off-site habitat creation are acceptable.</p> <p>A further iteration of the EMCP identifying the invertebrate off-site compensation site at Mucking was provided to TC on 19 June 2018. The provision of the invertebrate compensation site at Mucking Landfill is within the borough of Thurrock is welcomed by TC. It is agreed that the general approach should result in a significant area of appropriate habitat for invertebrates, particularly when linked to the previous LDP compensation site. The methodology that has been adopted has worked well in previous mitigation schemes within the borough. TC considers the developing approach set out in the latest iteration of the EMCP will help to achieve a significant area of OMHPDL within the borough which can be managed as required in the long term by an appropriate conservation body. It is recognised that more detailed information will be provided in later iterations. This will include the Biodiversity Offsetting Calculations using the Essex/Defra metric.</p>
4.9.13	HRA report considering possible effects on Thames Estuary & Marshes	A Stage 1 HRA report has been produced which concludes no likely significant effect on nearby SPAs/Ramsar Sites/SSSIs (or on features of qualifying interest) during construction and operation. A Stage 2 HRA

	SPA/Ramsar Site/SSSI	report has also been produced which sets out a greater level of detail, and concludes no adverse effect on integrity. The conclusions of these reports are agreed.
4.10 Archaeology		
4.10.1	Study Area	It is agreed that the study area used to inform the assessment of the Project on Terrestrial Archaeology (see Table 12.4 of Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement) is appropriate.
4.10.2	Methodology	It is agreed that the approach adopted in Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement (12.63-12.77 and matrices in Tables 12.5, 12.6 and 12.7) is appropriate to assess the magnitude and range of impacts from the proposed project on archaeological receptors.
4.10.3	Baseline Environment	It is agreed that the Terrestrial archaeological baseline environment has been adequately described in the Environmental Statement and supporting Technical Appendices 12A.
4.10.4	Mitigation	It is agreed that the measures presented in paragraphs 12.217-12.222 and Table 12.15 a and b of Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement and as set out in Appendix 12D: Terrestrial WSI are sufficient to minimise impacts to terrestrial archaeology during the construction and operation of the proposed project.
4.10.5	Impact Assessment	It is agreed that as detailed design is not yet finalised the realistic worst case impact from the proposed development on terrestrial archaeology has been suitably assessed on a precautionary conservative basis in the Environmental Statement and supporting Technical Appendices.

		<p>It is agreed that the direct impact on potential archaeological assets preserved within the buried peat deposits will be from piling only and the realistic worst case impact from piling will sit within or close to Historic England's acceptable zone of disturbance (Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement paragraphs 12.156-12.158 and 12.160 and Technical Appendix 12A).</p> <p>It is agreed that indirect impacts on potential archaeological assets preserved within buried peat deposits have been suitably assessed in Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement paragraphs 12.156-12.158 and 12.160 and Technical Appendix 12A.</p> <p>It is agreed that, in accordance with the outcome of the assessment presented in Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement, the residual impacts on potential terrestrial archaeological assets at the surface of the upper alluvial sequence during construction and operation will be neutral, assuming that the measures presented in Table 12.15a and b of Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement and the Terrestrial WSI are implemented.</p>
4.10.6	Cumulative Impact Assessment	It is agreed that Chapter 12 paragraph 12.243 has given attention to what cumulative impacts might occur and that any potential adverse cumulative effects on the archaeological resource should be mitigated through the delivery of approved mitigation strategies
4.10.7	Draft Development Consent Order	It is agreed that the draft DCO Schedule 1 paragraph 6 sets out the requirement that the authorised development must be carried out in accordance with the Terrestrial Written Scheme of Investigation (WSI). It is

		<p>agreed that this requirement is necessary to ensure that all archaeological work is conducted with the appropriate level of specialist expertise under and in accordance with a scheme approved by the local planning authority.</p> <p>It is agreed that the WSI pursuant to Schedule 1 paragraph 6 of the draft DCO provides the appropriate mechanisms by which mitigation (a summary of which is provided in Table 12.15 a and b of ES chapter) is to be agreed prior to the construction of the project to safeguard against any adverse effect on archaeological receptors.</p> <p>It is agreed that details of specific mitigation measures and their implementation, summarised in paragraphs 12.217-12.222 of Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement are set out in Technical Appendix 12D the Terrestrial Written Scheme of Investigation.</p>
4.11 Built Heritage		
4.11.1	Study Area	<p>It is agreed that the study area of 2km from the Site boundary for the built heritage assessment is appropriate.</p> <p>It is further agreed that the inclusion of Coalhouse Fort (Scheduled Monument), Cliffe Fort (Scheduled Monument) and Shornemead Fort (non-designated heritage asset) which lie beyond the 2km search radius is appropriate.</p> <p>This is detailed in Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement (para. 12.61 and 12.62), Appendix 12.B Built Heritage Assessment (Document Reference 6.2 12.B) (page 28 – 29) and shown in Figures 12.1 and 12.2 (Document Reference 6.3 Figure 12.1 and 6.3 Figure 12.2).</p>
4.11.2	Methodology	<p>The approach to assessing the significance and settings of the identified built heritage assets, and the potential impacts of the proposals upon their significance, is outlined</p>

		<p>in Technical Appendix 12.B Built Heritage Assessment (Document Reference 6.2 12.B) (page 28 – 31) and paragraphs 12.63 – 12.69 of Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement. The assessment has been informed by industry-standard guidelines including the English Heritage/Historic England guidance, ‘<i>Historic Environment Good Practice Advice in Planning: Note 3: The Setting of Heritage Assets</i>’ (2015), and ‘<i>Conservation Principles, Policies and Guidance</i>’ (English Heritage 2008). It is agreed that this approach is appropriate.</p> <p>It is agreed that the use of tables and matrices within Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement (Table 12.5, 12.6 and 12.7) have been used as supporting material to the detailed assessment of setting included within the Technical Appendix 12.B Built Heritage Assessment (Document Reference 6.2 12.B).</p> <p>It is agreed that the wireline images of the proposals (Document Reference 6.2 9.F) illustrate the potential maximum visual parameters of the scheme and are appropriate for the purpose of assessing potential impacts on the settings of built heritage assets,</p> <p>It is agreed that the indicative visual effect from the top deck of a cruise liner (Document Reference 6.2 9.H) is appropriate.</p> <p>PoTLL have provided additional information showing visibility from West Tilbury church and a wireline view from inside Tilbury Fort Chapel to St James Church. It is agreed that this demonstrates that inter-visibility of these two assets will remain even in the worst case scenario of the Rochdale envelope.</p>
4.11.3	Baseline Environment	It is agreed that there are no designated or non-designated built heritage assets within the Site boundary..

4.11.4	Impact Assessment	<p>The Applicant has provided a detailed assessment of the potential impacts of the proposals on the settings of surrounding heritage assets. This is contained within Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement and Technical Appendix 12.B Built Heritage Assessment (Document Reference 6.2 12.B).</p> <p>It is agreed that the proposals will result in less than substantial harm to heritage significance in NPS terms.</p> <p>The magnitude of the residual impacts on the settings of the identified built heritage assets assessed in the built heritage assessment are agreed. This ascribes 'Moderate Adverse' impact on both Tilbury Fort and the Officers Barracks and 'Minor Adverse' impacts on the remaining Thurrock heritage assets described within the assessment.</p>
4.11.5	Mitigation	<p>The Applicant has proposed further mitigation and enhancements in paragraphs 12.228-12.236 of Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement.</p> <p>Embedded mitigation measures presented in paragraphs 12.144-12.150 and 12.152 of Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement. It is agreed that these will assist in minimising or reducing the impact of the proposals on the setting of Tilbury Fort.</p> <p>Further detailed discussions have been held on the following.</p> <p>Landscape mitigation : PoTLL provided a technical note to detail of the effectiveness of the proposed landscape mitigation along the infrastructure corridor (Appendix E to Document Reference PoTLL/T2/EX/49). It is agreed that this demonstrates that the proposed landscape measures located along the</p>

		<p>infrastructure corridor provide appropriate and effective mitigation for the landscape and heritage impacts on the setting of Tilbury Fort.</p> <p>External finishes : as additional mitigation, PoTLL have proposed a schedule of finishes using colours found in the surrounding landscape that would be used to ensure that building colours are chosen to minimise their impact on the landscape. It is agreed that this approach is considered acceptable and is an appropriate mitigation measure</p> <p>The Requirement 3 Colour Palette as submitted by PoTLL at Deadline 5 has now been agreed.</p> <p>Operational lighting : it is agreed that the preliminary lighting strategy and the requirement on PoTLL (R12) to provide a detailed strategy for approval of TC and GBC consistent with that strategy and the impact assessment in the ES will provide effective mitigation for the impact of operational lighting on heritage assets.</p> <p>Stacking heights : In response to the TC suggestion that consideration be given to the use of a height restriction zone adjacent to the western boundary (as suggested in their answer to First Written Question 1.13.5 [Rep 1-02]), TC and PoTLL have discussed stacking heights within the RoRo terminal further. It is agreed that the stacking heights of containers will in operation vary across the site and the portrayal and upper limit of 6 high containers across the whole site provides a worst case scenario for assessment purposes..</p> <p>The further discussions considered the starting point for assessment and any need for mitigation in the site specific circumstance. TC and PoTLL agreed that the proposals will result in less than substantial harm to heritage significance in NPS terms (see item 4.11.4 above in this SoCG) with the mitigation as proposed. It is also agreed that the</p>
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		Members of TC's planning committee supported the Tilbury2 proposals without a requirement to reduce stacking heights below the Rochdale envelope proposed in the application (i.e. six containers across the RoRo terminal as a worst case.
4.11.5	Cumulative Effects Assessment	It is agreed that the cumulative effect of the Tilbury Energy Centre and Lower Thames Crossing with Tilbury2 could result in a major effect on the setting of Tilbury Fort. It is agreed that further mitigation to minimise this effect will fall to the promoters of those future schemes, once designs and embedded mitigation for each has been developed.
4.12 Hydrogeology and Ground Conditions		
4.12.1	Ground Investigation	It is agreed that an additional ground investigation (including soil, groundwater and gas monitoring), will be undertaken at a later stage as part of the detailed design.
4.12.2	Principal Receptor	It is agreed that the principal receptor from Tilbury2 would be controlled waters, including the Chalk Principal Aquifer underling the Tilbury site.
4.12.3	Piling Risk Assessment	It is agreed that a piling risk assessment will be undertaken at a later stage, once piling design is sufficiently detailed to determine a construction method which is protective of groundwater.
4.12.4	Assessment of Effects	It is agreed that the effects of the proposals on the hydrogeology and ground conditions in relation to physical effects, effects on geology and effects associated with ground contamination and waste assessment have been satisfactorily considered within the ES.
4.12.5	Methodology	It is agreed that the methodology utilised in the ES addresses the known existing ground conditions and potential impacts of

		the proposed development on ground contamination.
4.12.6	Mitigation Measures	It is agreed that the proposed approach to mitigating potential and existing contamination during the construction and operation of the new port (through the CEMP and OMP) is satisfactory.
4.13 Waste		
4.13.1	Methodology within the Environmental Statement to determine significance of waste arisings from the proposals	<p>It was been agreed by all parties that further assessment of the capacity in Thurrock would be required to be undertaken. It is also agreed that using a sequential approach the capacity data within Essex is also relevant in order to determine the significance of the impact of the quantity of waste predicted to be produced during construction/demolition.</p> <p>The assessment of waste capacity in Thurrock has been undertaken and the methodology and the conclusions of this have been agreed. The assessment has been submitted to the ExA as Appendix E to PoTLL's response to Written Representations [PoTLL/T2/EX/60].</p>
4.13.2	Significance of waste arisings	It is agreed that the worst case scenario tonnage of waste to be produced by the proposals is likely to have a moderate impact on waste infrastructure within Thurrock.
4.13.3	Destination of waste	It is agreed that the destination of the waste produced is an issue for the contractors involved with the construction of the proposals in the development and given transport costs and the worst case scenario tonnage this is likely to be to available capacity within Thurrock.
4.14 Water Resources and Flood Risk		

4.14.1	Assessment of Flood Risk	<p>It is agreed that the application comprehensively assesses the risk of surface water flooding associated with the proposals.</p> <p>Once the requirements for the CMAT area are known the design will be undertaken by the operator to the principles set out in section 6.4.3 of the drainage strategy and subject to approval by the LLFA via their protective provisions.</p>
4.14.2	Culverting of existing watercourses	<p>It is agreed that the size of culverts should not reduce the cross-sectional area of the watercourse and it has been agreed the proposals will look to make the size of proposed culverts larger than existing culverts on the network.</p> <p>The final design of culverts in ordinary watercourses would be subject to LLFA via their protective provisions</p>
4.14.3	Surface water discharge into ordinary watercourses	<p>It is agreed that flows higher than those stated in the drainage strategy (Q1 greenfield run-off rate) could be discharged if it could be demonstrated that there was no increased flood risk</p> <p>Approval of this discharge will be controlled through the operation of the 'Discharge of Water' article in the DCO</p>
4.14.4	Water Quality - Administration and General Storage area	<p>It is agreed that the measure set out in section 6.4.2 of the drainage strategy are acceptable.</p> <p>This includes the use of pre-fabricated buildings which will be pre-</p>

		fitted with green roofs and the use of porous paving.
4.14.5	Water Quality - Infrastructure Corridor	<p>Although the existing design is compliant with DMRB, it is agreed that further mitigation is provided to comply with CIRIA 753. Based on the concept design it is agreed that Micro Pollutant Filters are provided to meet this requirements.</p> <p>The final drainage design and Water Quality provisions are subject to detailed design. Any Water Quality provisions will also needs to be agreed with the local highways authority, as the system will be adopted.</p>
4.14.6	Water Quality Refuelling system	It is agreed that the measures set out in section 6.4.2 of the drainage strategy are acceptable. These state that the refuelling area will consist of concrete hardstanding and will be drained using a traditional piped drainage system, which will pass through a Full Retention Oil Interceptors to BS EN 85820, and will be constructed and maintained in accordance with the Control of Pollution (Oil Storage) (England) Regulations 2001.
4.14.7	Water Quality - RoRo Terminal	<p>For the RoRo Terminal area, PoTLL propose to maintain and widen the existing ditches around the perimeter of the site. These will offer some mitigation in respect of water quality. Oil separators are also proposed which will offer mitigation against the level of Hydrocarbons.</p> <p>Whilst it is agreed that this does not provide the full mitigation that TC as the LLFA would like to see against CIRIA (the construction industry</p>

		<p>research and information association) C753 SuDS Manual recommendations, TC appreciate the difficulties associated with delivering an acceptable strategy for this area, and acknowledges that SUD systems have been included elsewhere within the scheme.</p> <p>It is agreed that PoTLL have undertaken a detailed review of other potential measures and explained why these are not considered practical and/or cost effective.</p> <p>It is agreed that PoTLL are implementing such measures that are reasonably possible and on balance TC does not wish to object to the scheme on this basis.</p>
4.15 Cumulative Assessment Projects		
4.15.1	List of projects identified	It is agreed that the list of projects identified is appropriate for the purposes of Cumulative Effects Assessment
4.15.2	Assessment of Cumulative Projects	It is agreed that the assessment of cumulative impacts contained within the Environmental Statement is fit for purpose.
4.15.3	Potential Tilbury Energy Centre	<p>PoTLL have undertaken a high level, proportionate, qualitative Cumulative Effects Assessment of Tilbury2 with Tilbury Energy Centre (TEC) [Rep3-027]. It is agreed that this is fit for purpose.</p> <p>It is agreed that the promotor of TEC has identified Tilbury2 as a cumulative project and that the TEC ES will undertake this assessment and identify any further mitigation that may</p>

		be required as a result of cumulative effects arising.
4.15.4	Lower Thames Crossing	<p>It is agreed that access to Tilbury2 does not rely on the delivery of the Lower Thames Crossing.</p> <p>PoTLL have undertaken a high level, proportionate, qualitative Cumulative Effects Assessment of Tilbury2 with Lower Thames Crossing (LTC) [Rep3-027]. It is agreed that this is fit for purpose.</p> <p>It is agreed that the promotor of LTC has identified Tilbury2 as a cumulative project and that the LTC ES will undertake this assessment and identify any further mitigation that may be required as a result of cumulative effects arising.</p>
4.16 Operational Management Plan (Document reference 6.10)		
4.16.1	Minimising operational environmental impacts	It is agreed that the Operational Management Plan will minimise environmental effects of the proposals during operation and is fit for purpose.
4.17 Community Operational Engagement Plan (Document Reference 5.4)		
4.17.1	Keeping the community informed and ensuring open communication between the community and PoTLL	It is agreed that the Community Operational Engagement Plan is fit for purpose and will help keep the local community informed during operation and sets out how any complaints can be voiced and dealt with.
4.18 Construction Environment Management Plan (Document Reference 6.9)		

4.18.1	Ensuring that the impact of the proposals during construction is minimised	It is agreed that the Construction Environment Management Plan (CEMP) covers the necessary environmental issues that need to be controlled as part of the mitigation of environmental impacts during construction. It is agreed that it is fit for purpose.
4.19 S106 Agreement		
4.19.1	Heads of Terms of the S106 agreement	<p>The Heads of Terms of the S106 are agreed, to include</p> <ul style="list-style-type: none"> - implementation of the Active Travel Strategy - Implementation of the Skills and Employment Plan - Heritage contribution to be paid to TC for transfer to English Heritage in respect of Tilbury Fort - Heritage contribution to be paid to TC for transfer to GBC for heritage interpretation on the south side of the River Thames.
4.20 Public Health		
4.20.1	Methodology	It is agreed that methodology underlying the Health Assessment is satisfactory and that the key health effects of Tilbury2 have been identified.
4.20.2	Lighting	It is agreed that in respect of health issues, the mitigation for lighting impacts are acceptable.
4.20.3	Air Quality	It is agreed that the methodology underlying the assessment of health effects of air quality is acceptable.
4.20.4	Noise and vibration	It is agreed that in respect of the residual health impacts from noise

		<p>and vibration, that there will be a process of agreement with TC on a written noise monitoring and mitigation scheme, based on the results of a noise reassessment.</p> <p>Through this scheme TC is required to approve the nature and temporal length of monitoring and the trigger point at which PoTLL will be required to make an offer of mitigation to an affected receptor during such monitoring if, after all of the measures in the Operational Management Plan designed to reduce noise, there remains a residual effect.</p>
4.20.5	Promoting physical activity	It is agreed that in respect of health issues, the mitigation for physical activity impacts through the Active Travel Study are acceptable.
4.20.6	Neighbourhood quality – visual impact/landscape	It has been identified that there will be residual health effects for neighbourhood quality/visual amenity. It has been agreed that outside of the DCO process PoTLL will continue to positively engage with local initiatives of the Council and others to improve the local environment and would work with TC in this regard in the future.
4.20.7	Cumulative Health Impacts	It is agreed that the Cumulative Assessment is satisfactory with regard to highlighting at a high level the possible health effects, in so far as can reasonably be assessed from the information available to date. It is expected that the Tilbury2 development should be taken into account in future nationally significant infrastructure projects assessments, and particularly the proposed Tilbury Energy Centre and the proposed Lower Thames Crossing.

5.0 LIST OF MATTERS UNDER DISCUSSION



Ref	Description of stakeholder position	Current issue
5.1	Land side Transport	
5.1.1	Mitigation at ASDA roundabout	<p>PoTLL and TC (together with Highways England) have agreed in principle a package of mitigation measures at the ASDA roundabout, subject to further information on safety audit and modelling. The measure principally agreed are with regard to changes in junction geometry, enhanced facilities for pedestrians and cyclists (including improved signage) and changes to the speed limits on the approaches to and on the roundabout itself.</p> <p>Discussions are continuing regarding the details of the proposed package including:-</p> <ul style="list-style-type: none"> • discussions with the police force regarding the proposed changes in speed limits. • Additional modelling with regards to these mitigation measures, and; • inclusion of secure by design measures for the cycleway under the A1089 St. Andrews road bridge into the Active Travel Measures.
5.1.2	Development Consent Order	TC and PoTLL are discussing further the DCO and in particular the protective provisions for the Highways Authority.

5.13 S106 Agreement		
5.13.1	Drafting of the S106 Agreement	Discussions are on-going to finalise the detailed drafting of the S106 agreement.

6.0 LIST OF MATTERS NOT AGREED

6.1 None.

7.0 AGREEMENT

Signed	
Name	Matthew Gallagher
Position	Principal Planning Officer
Organisation	Thurrock Council
Date	5 July 2018
Signed	
Name	Peter Ward
Position	Commercial Director
Organisation	Port of Tilbury London Limited
Date	5 July 2018

Appendix 2 SOCG002 Statement of Common Ground with Gravesham Borough Council

PLANNING ACT 2008
INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

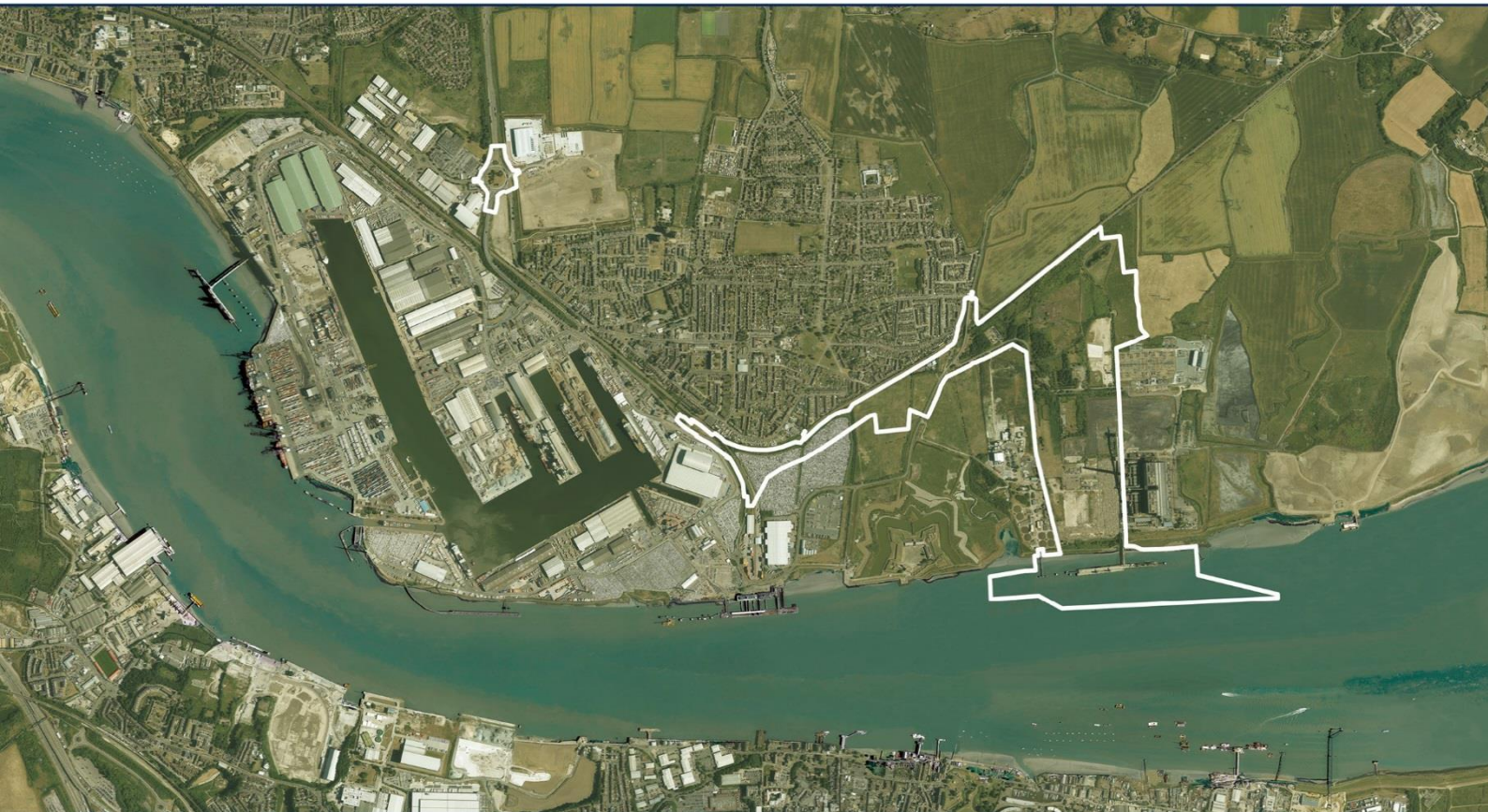
PROPOSED PORT TERMINAL AT
FORMER TILBURY POWER STATION

TILBURY2

TRO30003

STATEMENT OF COMMON GROUND
BETWEEN PORT OF TILBURY LONDON LIMITED AND
GRAVESHAM BOROUGH COUNCIL

DOCUMENT REF : SOCG002



PORT OF TILBURY

**PROPOSED PORT TERMINAL AT FORMER TILBURY POWER STATION
'TILBURY2'**

STATEMENT OF COMMON GROUND

**BETWEEN PORT OF TILBURY LONDON LIMITED AND
GRAVESHAM BOROUGH COUNCIL**

Revision	Date	Description of new version
1.0	30 January 2018	First composite draft following sections on noise and heritage sent separately.
2.0	9 February 2018	Second draft exchanged following meeting on 9 February 2018
3.0	30 April 2018	Third draft following on-going discussions and ISHs
4.0	14 June 2018	Fourth Draft for submission prior to the June ISHs
5.0	5 July 2018	Fifth draft for submission at Deadline 5

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TILBURY2 PROJECT TEAM
PORT OF TILBURY LONDON LIMITED
Leslie Ford House
Port of Tilbury
Tilbury
Essex
RM18 7EH

www.tilbury2.co.uk

1.0 INTRODUCTION

Purpose of this document

- 1.1 This Statement of Common Ground ("SoCG") has been prepared in relation to the application by Port of Tilbury London Limited ("PoTLL") under section 37 of the Planning Act 2008 ("the Act") for an order granting development consent ("DCO") for the construction, operation and maintenance of a new port terminal and associated facilities in Tilbury, Essex known as 'Tilbury2' ("the proposals").
- 1.2 The aim of this SoCG between PoTLL and Gravesham Borough Council ("GBC") is to provide a clear record of engagement between the parties, including of the issues discussed between the parties and the current status of those discussions. The SoCG can be used as evidence of engagement for the purposes of the examination into the DCO application.

Structure of this Statement of Common Ground

- 1.3 This structure of this SoCG is as follows:

Section 1 – Introduction

Section 2 – Consultation to date

Section 3 – Summary of topics covered by the SoCG

Section 4 – List of matters agreed

Section 5 – List of matters under discussion

Section 6 – List of matters not agreed

Overview of the proposals

- 1.4 Port of Tilbury London Limited ("PoTLL") is proposing a new port terminal on the north bank of the River Thames at Tilbury, a short distance to the east of its existing Port. The proposed port terminal will be constructed on land that formed the western part of the now redundant Tilbury Power Station and is bounded to the west by a waste water treatment works and to the east by the Tilbury B power station that is presently being demolished.
- 1.5 The proposed main uses on the site will be a Roll-on/Roll-off (RoRo) terminal and a Construction Materials and Aggregates terminal (the "CMAT"), and associated infrastructure including rail and road facilities and revisions to the existing marine infrastructure. An 'infrastructure corridor' is proposed that will accommodate road and rail links to the existing rail and road network. The CMAT will include stockpiling of construction materials and some processing of aggregates for the production of asphalt and concrete products.
- 1.6 It will require works including, but not limited to:

- creation of hard surfaced pavements;
- improvement of and extensions to the existing river jetty including creation of a new RoRo berth;
- associated dredging of berth pockets around the proposed and extended jetty and dredging of the approaches to these berth pockets;
- new and improved conveyors;
- erection of welfare buildings;
- erection of a single 10,200 sqm. warehouse
- a number of storage and production structures associated with the CMAT;
- the construction of a new link road from Ferry Road to Fort Road; and
- formation of a rail spur and sidings.

1.7 The proposed volumes of import/export of RoRo units for the terminal exceed the threshold of 250,000 units stated in the Planning Act 2008 for throughput per annum. The Tilbury2 project therefore constitutes a Nationally Significant Infrastructure Project (NSIP).

1.8 The application essentially seeks a DCO to approve an operational port and to allow PoTLL to benefit from its permitted development rights within the boundaries of the new port. The application seeks to establish a 'Rochdale Envelope' of development based upon the description within the DCO. In this context, the DCO will contain a framework through which environmental impacts will be controlled and managed.

Introduction to Gravesham Borough Council

1.9 Gravesham Borough Council is a neighbouring local authority within the definition of the Duty to Co-operate under the Planning & Compulsory Purchase Act 2004. Tilbury2 is a strategic cross-boundary matter and GBC wish to engage with this process as an interested party.

1.10 Gravesham Borough Council has the following relevant roles and functions:-

- A key partner and service provider promoting economic development, regeneration, infrastructure delivery, new development and tourism;
- The planning authority with responsibility for determining planning applications and preparing and reviewing the statutory development plan within its administrative area; as part of this function the Council has responsibility for the following matters : regeneration, cultural heritage, landscape and ecology.

- Environmental Health Advisor with responsibility for noise and air quality.

2.0 CONSULTATION TO DATE

2.1 This section provides a summary of the engagement between PoTLL and Gravesham Borough Council that has taken place to date.

Pre-application

Date	Activity
27 February 2017	PoTLL provide Gravesham Borough Council with a draft of their Scoping Report
17 March 2017	Gravesham Borough Council provide written response to the draft Scoping Report to PoTLL
4 April 2017	PoTLL provide a written response to GBC's Scoping response
4 April 2017	Wendy Lane of Gravesham Borough Council attends a workshop with PoTLL and PINS at which the proposals and the NSIPs planning process are outlined
28 July 2017	Response of Gravesham Borough Council to S42 statutory consultation
18 August 2017	Telephone conference call held with Wendy Lane of GBC, Peter Ward (PoTLL) and Martin Friend (V&G).
18 August 2017	PoTLL's Built Heritage consultant at CgMs Ltd emailed Gravesham Borough Council (Allan Cox, Geoff Baker and Wendy Lane) a full set of the draft wirelines.
4 September 2017	PoTLL's heritage consultants meet with GBC Heritage Advisers to review response to PEIR.
30 th August 2017	PoTLL's Built Heritage consultant at CgMs Ltd emailed Gravesham Borough Council (Allan Cox, Geoff Baker and Wendy Lane) a revised set of the draft wirelines which included labels for Tilbury Fort, as per Gravesham Borough Council's (Allan Cox) email request on 21 st August 2017.

22 September 2017	<p>The following documents were sent to GBC for comment:-</p> <p>Draft Works Plans; Draft General Arrangement Plans; Draft Engineering Section Drawings and Plans; Draft Chapters 1-6 of the Environmental Statement; Draft Masterplanning Statement.</p>
25 th September 2017 and 2 nd October 2017	<p>PoTLL's Built Heritage consultant at CgMs Ltd emailed Gravesham Borough Council (Allan Cox, Geoff Baker and Wendy Lane) a selection of the Draft ES documents including the Built Heritage Assessment (September 2017) (sent 25th September 2017) and Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement (sent 2nd October 2017).</p>
26 th September 2017	<p>PoTLL's Built Heritage consultant at CgMs Ltd emailed Gravesham Borough Council (Allan Cox, Geoff Baker and Wendy Lane) further Draft ES documents, including the Noise and Vibration Chapter, Air Quality Chapter and Landscape and Visual Impact Assessment documents, following a telephone discussion with Allan Cox.</p>
12 th September	<p>Gravesham Borough Council (Allan Cox) provided PoTLL's Built Heritage consultant at CgMs Ltd with further comments following the meeting on the 4th September 2017.</p>
2 October 2017	<p>The following documents were sent to GBC for comment:-</p> <p>Draft DCO (including deemed marine licence); draft elements of the ES namely;</p> <p>Chapter 9 – Landscape and Visual Assessment;</p> <p>Chapter 11 – Marine Ecology</p> <p>Chapter 12 – Archaeology and Historic Environment;</p> <p>Chapter 16 – Water resources and flood risk</p> <p>Chapter 17 – Noise and Vibration</p>

	Chapter 18 – Air Quality Lighting Strategy CEMP, Operational Management Plan, Draft DCO
9 October 2017	Meeting to discuss noise issues.
13 October 2017	GBC provides a response to the pre-application engagement material
11 th October 2017	Gravesham Borough Council provided draft comments on the draft Built Heritage Assessment (September 2017).
14 th October 2017	Gravesham Borough Council provided informal comments on a selection of the Draft ES documents via email. This included comments on the draft Built Heritage Assessment (September 2017) and ES Chapter 12.
16 th October 2017	PoTLL's Built Heritage consultant at CgMs Ltd provided an email response to Gravesham Borough Council's comments on the draft Built Heritage Assessment (September 2017). Gravesham Borough Council (Geoff Baker and Allan Cox) provided email responses to this.

Post-application

<u>Date</u>	<u>Activity</u>
21 November 2017	Gravesham Borough Council confirmed the locations of the viewpoints from which they require night time views. PoTLL agree to provide night time views from all five locations in an email dated 22 nd November 2017.
2 nd November 2017	PoTLL letter to Gravesham Borough Council with draft DCO for review.
13 th and 14 th November 2017	DCO Application documentation (Archaeology and Cultural Heritage ES Chapter, Technical Appendix 12.B Built Heritage Assessment (October 2017) and

	the final set of wirelines) were sent to Gravesham Borough Council post-submission.
1 December 2017	Following a site visit Gravesham Borough Council (Geoff Baker) confirm in an email to PoTLL's Built Heritage consultant at CgMs Ltd that the Council no longer require an additional viewpoint from West Tilbury Conservation Area.
6 December 2017	PoTLL provide draft SoCG on heritage to GBC
7 December 2017	PoTLL provides draft planning obligation to GBC
14 December 2017	Meeting held to discuss SoCG in relation to Noise and Heritage topics
20 December 2017	Draft noise section of SoCG provided
30 January 2018	Composite Draft SoCG v1 provided
9 February 2018	Meeting held between GBC and PoTLL to discuss SoCG following provision of Aggregate Vessel Noise Assessment and 24/7 Working Note.
9 April 2018	Conference call to discuss SoCG
25 April 2018	Conference call to discuss SoCG
12 June 2018	Meeting held between GBC and PoTLL to discuss SoCG following deadline 4 submissions, focusing on air quality.
Post ISH	Email correspondence on outstanding issues including Mark Lane noise monitoring, S106 agreement and Requirement 10.

- 2.2 The parties continue to actively engage on those matters which are not yet agreed. A further iteration of this SoCG will be submitted into the examination in due course to document the progress that is expected to be made.

3.0 SUMMARY OF TOPICS COVERED BY THE SOCG

3.1 The following topics discussed between PoTLL and Gravesham Borough Council are

- General support for the scheme given overall economic implications
- Cultural Heritage with particular reference to impact on heritage assets in Gravesend
- Noise impacts
- Air Quality

3.2 For the avoidance of doubt, the matters covered in this SoCG are the only matters raised by Gravesham Borough Council that relate to its statutory functions identified above.

4.0 LIST OF MATTERS AGREED

Ref	Description of matter	Details of agreement
4.1 General Support for the Scheme		
4.1.1	Importance of the future of the Port of Tilbury to the sub-region	It is agreed that the Tilbury2 proposals are acceptable and bring benefits in terms of sustainable transport and employment; it is further agreed that the heritage of Gravesend is best appreciated in the context of a working and evolving river.
4.2 Built Heritage		
4.2.1	Study Area	<p>It is agreed that the study area of 2km from the Site boundary for the built heritage assessment is appropriate.</p> <p>It is further agreed that the inclusion of Coalhouse Fort (Scheduled Monument), Cliffe Fort (Scheduled Monument) and Shornemead Fort (non-designated heritage asset) which lie beyond the 2km search radius is appropriate.</p> <p>This is detailed in Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement (para. 12.61 and 12.62), Appendix 12.B Built Heritage Assessment (Document Reference 6.2 12.B) (page 28 – 29) and shown in Figures 12.1 and 12.2 (Document Reference 6.3 Figure 12.1 and 6.3 Figure 12.2).</p> <p>It is agreed that the viewpoint locations as shown within Document Reference 6.3 Figure 9.8 are appropriate in order to aid the assessment of potential impacts on the settings of identified built heritage assets on both the north (Essex) and south (Kent) sides of the River Thames. No viewpoint is required from West Tilbury Conservation Area.</p> <p>The location of night time viewpoints have been agreed.</p>

4.2.2	Methodology	<p>The approach to assessing the significance and settings of the identified built heritage assets, and the potential impacts of the proposals upon their significance, is outlined in Technical Appendix 12.B Built Heritage Assessment (Document Reference 6.2 12.B) (page 28 – 31) and paragraphs 12.63 – 12.69 of Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement. The assessment has been informed by industry-standard guidelines including the English Heritage/Historic England guidance, '<i>Historic Environment Good Practice Advice in Planning: Note 3: The Setting of Heritage Assets</i>' (2015), and '<i>Conservation Principles, Policies and Guidance</i>' (English Heritage 2008). It is agreed that this approach is appropriate.</p> <p>It is agreed that the use of tables and matrices within Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement (Table 12.5, 12.6 and 12.7) have been used as supporting material to the detailed assessment of setting included within the Technical Appendix 12.B Built Heritage Assessment (Document Reference 6.2 12.B).</p> <p>It is agreed that the wireline images of the proposals (Document Reference 6.2 9.F) illustrate the potential maximum visual parameters of the scheme and are appropriate for the purpose of assessing potential impacts on the settings of built heritage assets.</p>
4.2.3	Baseline Environment	<p>It is agreed that the relevant built heritage assets that have the potential to experience significant effects as a result of the proposals have been appropriately identified and assessed within Sections 5.3 – 5.6 of Technical Appendix 12.B Built Heritage Assessment (Document Reference 6.2 12.B) and Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement.</p>
4.2.4	The magnitude of impact on the settings	<p>PoTLL has provided a detailed assessment of the potential impacts of the</p>

	of the identified built heritage assets and the degree of harm.	<p>proposals on the settings of surrounding heritage assets. This is contained within Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement and Technical Appendix 12.B Built Heritage Assessment (Document Reference 6.2 12.B).</p> <p>It is agreed that intensification of the use in the area which would have historically been open marshland, in a baseline without the power station development, will impact on Gravesend as a riverside heritage town and particularly its inter-relationship with Tilbury2 Fort and the downstream forts. This impact does require mitigation (see below). GBC agrees that the harm is less than significant, and within the spectrum of harm, for south of the river, is at the lower end of that spectrum.</p>
4.2.5	Mitigation	<p>It is agreed that the embedded mitigation measures presented in paragraphs 12.144-12.150 and 12.152 of Chapter 12: Archaeology and Cultural Heritage of the Environmental Statement are appropriate to help minimise potential impacts on built heritage assets.</p> <p>It is agreed that the detailed design of the colour and surfacing of the silo and other tall structures, and the waterside lighting strategy will be finalised and approved by Thurrock Council in consultation with Gravesham Borough Council, and that that these are appropriate mitigation measures.</p>
4.2.6	Cumulative Impact Assessment	<p>It is agreed that the Applicant has adequately considered the impacts on built heritage from the project, together with other projects within the Gravesend and Thurrock areas, as identified in detail within Technical Appendix 12.B Built Heritage Assessment (Document Reference 6.2 12.B) (page 82-83).</p>
4.2.7	Draft Development Consent Order	<p>It is agreed that the requirement set out in draft DCO Schedule 2 paragraph 3(3) outlines the maximum heights that each</p>

		building, structure or operation must not exceed.
4.2.8	Lighting	GBC considers that the issue of lighting has been addressed to their satisfaction. This is because of the clarity of likely impact as provided by the night-time visuals and GBC's explicit inclusion in the requirements concerned with the future lighting strategy and the agreement of materials.
4.2.9	S106 Agreement	GBC and PoTLL agree that the S106 DCO Obligation between TC and PoTLL will include a financial contribution to heritage enhancements on the south side of the river (the sum to be determined in future discussions) based on a schedule forming part of the obligation outlining the nature of these enhancements. The agreement will include an obligation on TC to transfer this contribution to GBC. It is agreed that (subject to legal drafting) this will be an acceptable mechanism for both parties and has the support in principle of TC
4.3 Noise		
4.3.1	Method of assessment	It is agreed that the standards and guidance used within the Environmental Statement (ES) are appropriate for predicting and assessing noise and vibration impacts from the proposed scheme.
4.3.2	Thresholds for significance .	<p>It is agreed that the thresholds for significance within the ES are appropriate for assessing the noise impacts of the scheme subject to further discussions regarding practicable mitigation between LOAEL (Lowest Observed Adverse Effect Level) and SOAEL (Significant Observed Adverse Effect Level).</p> <p>It is agreed that impacts over SOAEL must be avoided.</p>

4.3.3	Baseline Conditions	<p>It is agreed that the identified receptors within Gravesham are representative of all of the nearest sensitive receptors to the Tilbury2 site although GBC considers an additional receptor in Mark Lane should be added.</p> <p>It is also agreed that the baseline measurements within the ES are representative of typical conditions at those receptors measured to date.</p> <p>Following further discussions, PoTLL agreed to undertake further baseline assessment of conditions in Mark Lane has been undertaken.</p> <p>The Applicant has carried out noise monitoring at Mark Lane and has shared the results of this with GBC. GBC are satisfied with the methodology used to assess baseline noise at this location and the results of the assessment. It is agreed that this assessment shows that the results at this receptor are no greater than those modelled at other Gravesham receptors in the ES.</p> <p>It is agreed that the monitoring regime that must be agreed by GBC pursuant to Requirement 10 will include monitoring in Mark Lane once Tilbury2 is operational.</p>
4.3.4	Construction Assessment	<p>It is agreed that the list of indicative plant and equipment used in the construction noise calculations in the ES is a reasonable worst case assessment; as are the assumptions for operating periods for that equipment and the mitigation measures that will be applied in respect of their operation.</p>

4.3.5	Road Traffic Assessment	It is agreed that the noise assessments for the infrastructure corridor are based on appropriate traffic forecasts.
4.3.6	Railway Traffic Assessment	It is agreed that the noise assessment for rail traffic on the infrastructure corridor is based on a realistic worst case assessment of train types, flows and speeds.
4.3.7	Operational Assessment	It is agreed that the source noise data in the ES is representative of the operations described in the assessment and acoustic penalties for these sources are appropriate for the level of design as set out in the DCO application.
4.3.8	Operational assessment	It is agreed that the assessment of operational impacts of Tilbury2 within the ES is sufficient.
4.3.9	Operational Mitigation	It is agreed that the approach to operational noise mitigation should be based on the principle of ensuring that noise impacts are mitigated at source wherever possible based on using best practicable means and the mitigation measures set out in the Operational Management Plan, in order to avoid the need for receptor based mitigation controlled by Requirement 10.
4.3.10	Construction Environmental Management Plan (CEMP) – Noise and Vibration	It is agreed that the noise and vibration section of the CEMP is sufficient and contains best practice methods to limit noise impacts during construction.
4.3.11	Operation Environmental Plan (OMP)– Noise and Vibration	It is agreed that the noise and vibration section of the OMP is sufficient and contains best practice methods to limit noise impacts during operation although GBC still has concerns regarding noise control during operation (see Matters Not Agreed).

		<p>PoTLL has agreed to amend the OMP to make it explicit that PoTLL will provide information to GBC regarding the following:-</p> <ul style="list-style-type: none"> • The internal road maintenance scheme (expressed in the OMP as a measure to reduce traffic noise). • Fork lift trucks, front loading shovels and bulk dumper trucks specification to enable to you see that they are low noise where possible. • Specification for plant to demonstrate that they are low noise and have background sensitive alarms that reduce noise. <p>GBC considers that these are helpful measures but still is still concerned regarding noise minimisation (see under not agreed).</p> <p>A further draft of the OMP was provided to GBC on 2 July 2018 and GBC are considering its contents.</p>
4.3.12	Aggregate Vessel Noise Assessment	<p>PoTLL provided a technical note entitled Aggregate Vessel Noise Assessment [as now attached as Appendix 3 to PoTLL's 'Response to Relevant Representations Document' (Document Reference PoTLL/T2/EX/32)].</p> <p>GBC have reviewed this and it is agreed that this provides a robust assessment of the likely effect of vessel noise on Gravesend. The conclusions of the assessment, that noise generated during the stay of an aggregate vessel at Tilbury2 will have a low impact on the acoustic amenity of residential properties in Gravesend is agreed.</p>

4.4	Air Quality	
4.4.1	Effects of air pollutants	It is agreed that Table 18.1 is comprehensive in setting out the effects of Air Pollutants
4.4.2	Parameters for worst case scenario	<p>It is agreed that the ES defines the “reasonably likely worst case scenario” for air quality assessment with GBC being particularly interested in</p> <ul style="list-style-type: none"> - shipping emissions; and - fugitive emissions of dust, particulate matter and odour from the CMAT facilities and aggregate handling areas once operational.
4.4.3	Baseline Data	It is agreed that the ES has used the air quality information currently available in Gravesham and these data (for NO ₂ and PM ₁₀) were used appropriately within the ES.
4.4.4	SoS Scoping opinion and Shipping Emissions	<p>GBC agrees that the SoS Scoping Opinion relating to air quality accepted that no further assessment of operational rail and shipping emissions was necessary.</p> <p>GBC has reviewed the information submitted by the Applicant at Deadline 3, specifically, Appendix 3 to PoTLL’s Summary of Case at ISH of 19th April which included a detailed modelling assessment of shipping emissions of NO_x and PM_{2.5} associated with Tilbury2.</p> <p>The conclusions of the report, which is that the effect of shipping emissions on receptors in Gravesham is negligible and that the assessment considered a “reasonable worst case scenario”, are agreed.</p>
4.4.5	Traffic emissions	GBC agrees that the conclusions drawn in the ES for the road traffic assessment are

		robust. There are no significant air quality impacts of road traffic within the GBC area.
4.4.6	Construction Environmental Management Plan	It is agreed that the CEMP will adequately control air quality impacts during construction
4.4.8	Operational management plan and air quality monitoring	<p>It is agreed that further air quality survey work is not required for the consideration of this DCO.</p> <p>It is agreed that air quality monitoring is currently undertaken in Gravesend by GBC. It is agreed that the Northfleet AQMA monitoring station has not recorded any exceedances of the AQS objectives for PM₁₀ and NO₂ in the last ten years. The current aggregate and bulk handling within the existing port is 1.5 km north east of this monitoring station. The Tilbury2 CMAT will be a similar distance and orientation in relation to Gravesend Town Centre.</p> <p>GBC welcome the monitoring that is proposed in the OMP within Thurrock and it is agreed that this will need to encompass seasonality and ensure a robust three month data set is collected for review purposes pre and post operation of Tilbury2.</p> <p>It is also agreed that monitoring proposed in the OMP will be repeated at 3 years after first operation or earlier if there is a significant change in CMAT facilities. The OMP will be amended to reflect this.</p> <p>It is agreed that the monitoring locations and the method for sharing the results and interpreting the review findings will be agreed with Thurrock Council in discussion with GBC and the OMP will be amended to reflect this.</p>

		<p>Subject to these amendments it is agreed that the use of dust deposition gauges is appropriate and that there is a suitable review process in place through the OMP which allows for additional types of monitoring to be used if dust deposition monitoring is not satisfactory.</p> <p>It is agreed that there is not a significant impact from Tilbury2 on PM_{2.5} concentrations such that would require continuous monitoring either as part of the OMP or LAQM. Whilst it remains GBC's desire for PM_{2.5} monitoring to be undertaken on the southern shore it is agreed that it is not necessary as part of this DCO.</p> <p>A further draft of the OMP was provided to GBC on 2 July 2018 and GBC are considering its contents.</p>
<p>4.5 Cumulative effects</p>		
<p>4.4.1</p>	<p>Lower Thames Crossing</p>	<p>It is agreed that the quantitative cumulative impact of the proposals with the LTC in relation to traffic within Gravesham needs to be modelled and mitigated for and responsibility for this assessment should not fall between the two projects. It is agreed that as LTC has identified Tilbury2 as a cumulative project within its scoping report, this means that the LTC project will carry out this quantitative exercise.</p> <p>It is further agreed that as there is no traffic modelling for the LTC available at present that Highways England have said PoTLL can use (as confirmed by Highways England in their Deadline 3 response to the comments by Essex County Council in respect of FWQ 1.18.6) it would be impossible for PoTLL to model the impact of Tilbury2 on traffic in Gravesham were</p>

		the LTC be constructed, and it is therefore appropriate for this not to have been included within the ES and for it not to be carried out during the Examination process, albeit PoTLL have now carried out a high-level, proportionate and qualitative cumulative effects assessment for Tilbury2 with the LTC and Tilbury Energy Centre.
4.6 Skills and Employment Strategy (SES)		
4.6.1	Wording of SES	Following changes to drafting to make clear that the initiatives in the strategy will include Gravesham and that GBC will participate in the proposed Forum, the document is now agreed.

5.0 LIST OF MATTERS UNDER DISCUSSION

Ref	Matter under discussion	Current issue
5.1	Noise	
5.1.1	Requirement 10 – noise mitigation	A further refinement of Requirement 10 has been provided to GBC and GBC are currently considering their views in this regard.
5.2	Section 106 agreement	
5.2.1	Legal drafting and heritage contribution	<p>Discussions are continuing to ensure GBC are satisfied with the legal drafting of the agreement with Thurrock Council as well as agreeing the heritage contribution sum.</p> <p>GBC have provided information regarding the Gravesend Heritage Contribution and PoTLL have responded requesting some clarification in this regard. Discussions continue with a view to agreeing this contribution.</p>
5.3	Operational Management Plan	
5.3.1	Drafting of OMP in relation to noise and Air Quality	A further draft of the OMP was provided by PoTLL to GBC on 2 July 2018 and GBC are considering their views in this regard.

6.0 MATTERS NOT AGREED


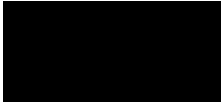
Ref	Description of stakeholder position	Current issue
6.1 NOISE		
6.1.1	GBC are concerned about the proposed 24/7 working of the CMAT	<p>PoTLL have provided a document to GBC explaining the commercial and operational imperative for 24/7 working at Tilbury2 [as now attached as Appendix 2 to PoTLL's 'Response to Relevant Representations Document' (Document Reference AS-049)].</p> <p>GBC have considered this and understand and appreciate this imperative and consider that PoTLL have provided a robust justification in this regard.</p> <p>However, GBC remain concerned about 24/7 working and the impacts on the night time environment in Gravesend.</p>
6.1.2	GBC are concerned about operational mitigation for noise	<p>GBC consider that limiting some operations at night if Lowest Observed Adverse Effect Level (LOAEL) to SOAEL and above is identified through the re-assessment of predicted noise impacts required by Requirement 10 of the DCO as opposed to offering receptor based mitigation as set out in Requirement 10</p> <p>PoTLL cannot agree to such an approach given the constraint this could impose on operations and productivity at the Tilbury2 site.</p> <p>Each party has made representations to the ExA in this regard."</p>

<p>6.1.2</p>	<p>Operational Management Plan – noise</p>	<p>GBC, in its submissions to the ExA in response to SWQs [REP4-013] set out that from a Development Management perspective, if GBC were looking at noise conditions GBC would:</p> <ul style="list-style-type: none"> • Require compliance with a standard • Specify noise limit conditions/design constraints • Specify days/hours restrictions (this is the GBC preference in the hierarchy of avoidance and mitigation) • Prohibit or restrict certain activities <p>PoTLL consider that in respect of the third and fourth bullet points, a requirement to this effect would not meet the tests of para. 206 of the NPPF as such controls are not necessary to make the development acceptable; nor are they considered reasonable given the nature of Port operations and the adverse impacts that would result on productivity and throughput.</p> <p>PoTLL further consider that the first two bullet points will be addressed by R10(3) which requires that no part of Work Nos. 1 to 8 can be brought into operational use until a written noise monitoring and mitigation scheme for the operation of those works based on the results of the noise reassessment is agreed with the relevant Local Planning Authority and Gravesham Borough Council and is implemented in accordance with the terms of the agreed written scheme. Through this scheme GBC has the power to approve the nature and temporal length of monitoring and the trigger point at which PoTLL will be required to make an offer of mitigation to an affected receptor during such monitoring. PoTLL are of the view this is the most practical solution where the exact nature of operations is not defined in detail and a more</p>
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		<p>reasonable way forward than setting an arbitrary noise limit at this stage.</p> <p>That said, as noted above, PoTLL have considered the detailed wording of Requirement 10 and provided an amended version to GBC.</p>
6.2 Air Quality		
6.2.1	<p>Operation – future availability and use of shore power</p>	<p>Each party has made representations regarding shore power at the Issue Specific Hearings and no further discussion is considered necessary.</p> <p>PoTLL will provide necessary infrastructure to ensure shore power can be facilitated in the future once electrical capacity becomes available and ships using Tilbury2 have the ability to receive shore power. Such provision is secured through section 7.4 of the Operational Management Plan (REP1-008). PoTLL consider that their approach complies with para. 5.7.13 of the National Policy Statement for Ports which requires that all proposals should either include reasonable advance provisions (such as ducting and spaces for sub-stations) to allow the possibility of future provision of cold-ironing infrastructure.</p> <p>GBC have suggested to the ExA that some form of trigger should be included within the DCO to ensure the full installation of shore power. PoTLL do not agree that this meets the test for requirements as it is not necessary to make the proposals</p>

		<p>acceptable; nor is it needed to ensure NPS compliance.</p> <p>As a matter separate to the DCO process, recognising GBC's status as an important local stakeholder and GBC's concerns regarding shipping emissions, PoTLL has committed to GBC to maintain a regular dialogue and engagement with GBC on the initiatives, for example shore power, that PoTLL and the industry more widely is pushing forward. PoTLL hopes that such engagement will demonstrate to GBC PoTLL's proactivity on the matter and will ensure that GBC is kept up to date as to the state of technological adaptation within the industry</p>
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7.0 AGREEMENT

Signed	
Name	Wendy Lane
Position	Assistant Director (Planning)
Organisation	Gravesham Borough Council
Date	05/07/18
Signed	
Name	Peter Ward
Position	Commercial Director
Organisation	Port of Tilbury London Limited
Date :	05/07/18

Appendix 3 SOCG019 Statement of Common Ground with Cadent Gas

PLANNING ACT 2008
INFRASTRUCTURE PLANNING
(APPLICATIONS: PRESCRIBED FORMS AND PROCEDURE) REGULATIONS 2009

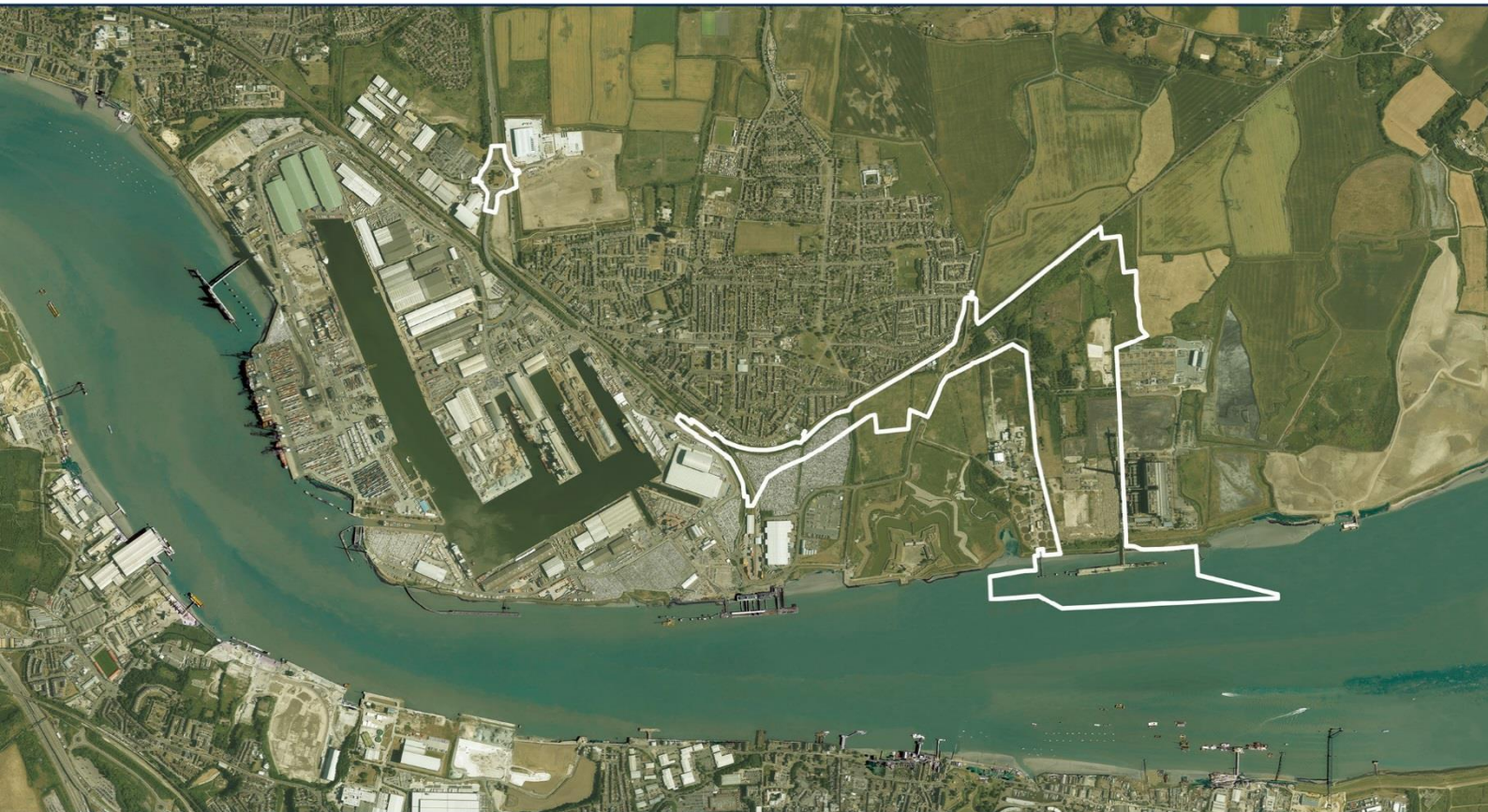
PROPOSED PORT TERMINAL AT
FORMER TILBURY POWER STATION

TILBURY2

TRO30003

STATEMENT OF COMMON GROUND
BETWEEN PORT OF TILBURY LONDON LIMITED
AND CADENT GAS LIMITED

DOCUMENT REF : SOCG019



**STATEMENT OF COMMON GROUND BETWEEN
PORT OF TILBURY LONDON LIMITED AND CADENT GAS LIMITED**

1. INTRODUCTION AND PURPOSE

- 1.1 Application for Development Consent for a proposed port terminal at the former Tilbury Power Station ("the Application") was made by the Port of Tilbury London Limited ("PoTLL") on 31st October 2017 and was accepted for examination by the Planning Inspectorate on 21st November 2017 (reference number:TR03003).
- 1.2 This Statement of Common Ground ("SOCG") has been prepared by PoTLL and Cadent Gas Limited in accordance with the guidance published by the Department of Communities and Local Government.
- 1.3 The purpose of the SOCG is to set out agreed factual information about the Application. It is intended that the SOCG should identify matters on which PoTLL and Cadent agree. As well as identifying matters which are not in dispute, the SOCG may also identify areas where agreement has not been reached. Where relevant, the SOCG will include references to show where these matters are dealt with in the Application, written representations or other documentary evidence.
- 1.4 PoTLL and Cadent are collectively referred to in this SOCG as "the parties". The parties have been, and continue to be, in direct communication in respect of the interface between the proposed port terminal at the former Tilbury power station ("Tilbury2") and Cadent's land ownership interests.
- 1.5 It is envisaged that the SOCG will evolve during the Examination. Subsequent drafts will be agreed and issued.

2. OVERVIEW OF THE PROPOSALS

- 2.1 PoTLL is proposing a new port terminal on the north bank of the River Thames at Tilbury, a short distance to the east of its existing Port. The proposed port terminal will be constructed on land that formed the western part of the now redundant Tilbury Power Station and is bounded to the west by a waste water treatment works and to the east by the Tilbury B power station that is presently being demolished.
- 2.2 The proposed main uses on the site will be a Roll-on/Roll-off (RoRo) terminal and a Construction Materials and Aggregates terminal (the "CMAT"), and associated infrastructure including rail and road facilities and revisions to the existing marine infrastructure. An 'infrastructure corridor' is proposed that will accommodate road and rail links to the existing rail and road network. The CMAT will include stockpiling of construction materials and some processing of aggregates for the production of asphalt and concrete products.
- 2.3 It will require works including, but not limited to:
- creation of hard surfaced pavements;
 - improvement of and extensions to the existing river jetty including creation of a new RoRo berth;
 - associated dredging of berth pockets around the proposed and extended jetty and dredging of the approaches to these berth pockets;
 - new and improved conveyors;

- erection of welfare buildings;
- erection of a single 10,200 sqm. warehouse
- a number of storage and production structures associated with the CMAT;
- the construction of a new link road from Ferry Road to Fort Road; and
- formation of a rail spur and sidings.

2.4 The proposed volumes of import/export of RoRo units for the terminal exceed the threshold of 250,000 units stated in the Planning Act 2008 for throughput per annum. The Tilbury2 project therefore constitutes a Nationally Significant Infrastructure Project.

2.5 The application essentially seeks a DCO to approve an operational port and to allow PoTLL to benefit from its permitted development rights within the boundaries of the new port. The application seeks to establish a 'Rochdale Envelope' of development based upon the description within the DCO. Whilst future use of the site may change it would necessarily be based on the "Not Environmentally Worse Than" approach within the Rochdale Envelope defined by this application, given that any development outside of this would require a separate planning application, as it would fall beyond the scope of permitted development powers.

3. **THE ROLE OF CADENT AND THE APPLICATION**

3.1 Cadent operates the gas distribution networks in north London and central and north west England.. It is a statutory undertaker for the purposes of the Planning Act 2008 and the provisions in the Draft Development Consent Order submitted within the Application ("the draft order").

3.2 The Application includes provisions which would, if granted and subject to the protective provisions, allow PoTLL to acquire land and rights over land containing Cadent's apparatus permanently, to override or extinguish or appropriate Cadent's rights or grant restrictive covenants interfering with such rights and to take powers of temporary possession and survey over land containing Cadent's apparatus.

3.3 Cadent owns apparatus which might be affected by the carrying out of works numbers 9A, 9B and 12 as described in the draft order.

3.4 For the purposes of this SoCG, the term "Authorised Development" has the same meaning as in the draft order.

4. **MATTERS AGREED IN PRINCIPLE**

4.1 This section of the SOCG describes the matters agreed in principle between the parties.

4.2 These matters are:

- that Cadent has no objection in principle to Tilbury2.
- that the draft order should contain appropriately worded protective provisions for the protection of Cadent;

that the draft order should include sufficient land to allow for agreed diversions of Cadent's apparatus and the grant of new land rights required for such alternative apparatus as is required in light of the impacts of the Authorised Development on Cadent's existing apparatus or where these fall outside the Order Land that PoTLL have sufficient property rights to grant any necessary easements for any required diversions.

- 4.3 Agreement has been reached on the form of the protective provisions to be included in the Order. The parties have also agreed that in the event that PoTLL does have to divert Cadent's apparatus lying within the Fort Bridge highway it will create a diversion within land which it already owns. This commitment, along with certain others, will be included in a side agreement, the text of which is agreed. Once the documentation has been executed by the parties then Cadent will withdraw their objection to the Order.

**Appendix 4 SOCG020 Statement of Common Ground National Grid Electricity
Transmission PLC**

PLANNING ACT 2008
INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES
2010

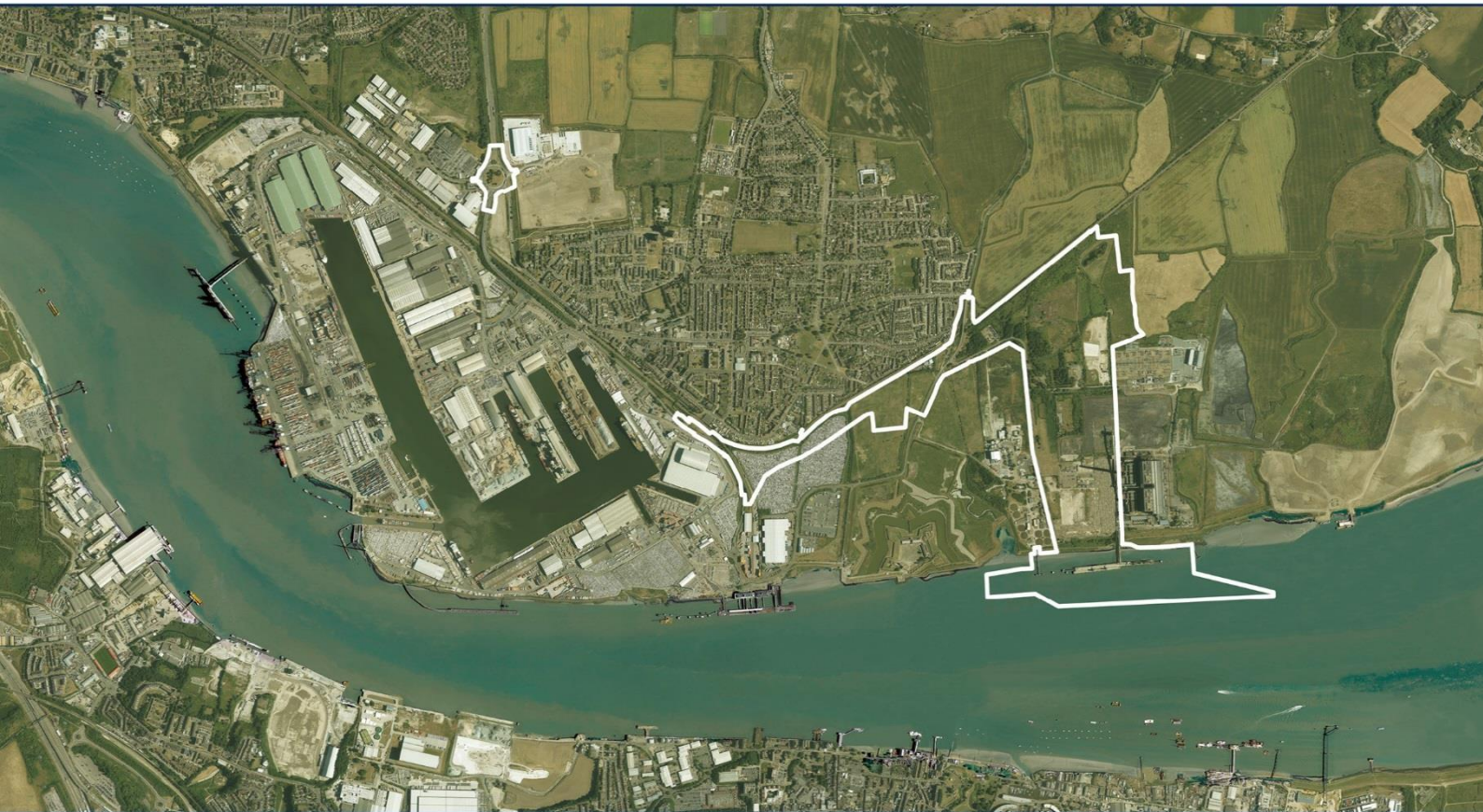
PROPOSED PORT TERMINAL AT
FORMER TILBURY POWER STATION

TILBURY2

TRO30003

STATEMENT OF COMMON GROUND
BETWEEN PORT OF TILBURY LONDON LIMITED AND
NATIONAL GRID ELECTRICITY TRANSMISSION PLC

DOCUMENT REF : SOCG020



PORT OF TILBURY

**PROPOSED PORT TERMINAL AT FORMER TILBURY POWER STATION
'TILBURY2'**

STATEMENT OF COMMON GROUND

**BETWEEN PORT OF TILBURY LONDON LIMITED AND
NATIONAL GRID ELECTRICITY TRANSMISSION PLC**

Revision	Date	Description of new version
1.0	18 June 2018	Draft agreed for submission at Deadline 4.5
2.0	05 July 2018	Final Version Agreed for submission at Deadline 5

STATEMENT OF COMMON GROUND
BETWEEN PORT OF TILBURY LONDON LIMITED
AND NATIONAL GRID ELECTRICITY TRANSMISSION PLC

1. INTRODUCTION AND PURPOSE

- 1.1 Application for Development Consent for a proposed port terminal at the former Tilbury Power Station ("the Application") was made by the Port of Tilbury London Limited ("PoTLL") on 31st October 2017 and was accepted for examination by the Planning Inspectorate on 21st November 2017 (reference number:TR03003).
- 1.2 This Statement of Common Ground ("SOCG") has been prepared by PoTLL and National Grid Electricity Transmission plc ("NGET") in accordance with the guidance published by the Department of Communities and Local Government.
- 1.3 The purpose of the SOCG is to set out agreed factual information about the Application. It is intended that the SOCG should identify matters on which PoTLL and NGET agree. As well as identifying matters which are not in dispute, the SOCG may also identify areas where agreement has not been reached. Where relevant, the SOCG will include references to show where these matters are dealt with in the Application, written representations or other documentary evidence.
- 1.4 PoTLL and NGET have been, and continue to be, in direct communication in respect of the interface between the proposed port terminal at the former Tilbury power station ("Tilbury2") and NGET's land ownership interests.

2. OVERVIEW OF THE PROPOSALS

- 2.1 PoTLL is proposing a new port terminal on the north bank of the River Thames at Tilbury, a short distance to the east of its existing Port. The proposed port terminal will be constructed on land that formed the western part of the now redundant Tilbury Power Station and is bounded to the west by a waste water treatment works and to the east by the Tilbury B power station that is presently being demolished.
- 2.2 The proposed main uses on the site will be a Roll-on/Roll-off ("RoRo") terminal and a Construction Materials and Aggregates Terminal ("CMAT"), and associated infrastructure including rail and road facilities and revisions to the existing marine infrastructure. An 'infrastructure corridor' is proposed that will accommodate road and rail links to the existing rail and road network. The CMAT will include stockpiling of construction materials and some processing of aggregates for the production of asphalt and concrete products.
- 2.3 It will require works including, but not limited to:
- creation of hard surfaced pavements;
 - improvement of and extensions to the existing river jetty including creation of a new RoRo berth;
 - associated dredging of berth pockets around the proposed and extended jetty and dredging of the approaches to these berth pockets;
 - new and improved conveyors;
 - erection of welfare buildings;

- erection of a single 10,200 sqm. warehouse
- a number of storage and production structures associated with the CMAT;
- the construction of a new link road from Ferry Road to Fort Road; and
- formation of a rail spur and sidings.

2.4 The proposed volumes of import/export of RoRo units for the terminal exceed the threshold of 250,000 units stated in the Planning Act 2008 for throughput per annum. The Tilbury2 project therefore constitutes a Nationally Significant Infrastructure Project.

2.5 The application essentially seeks a DCO to approve an operational port and to allow PoTLL to benefit from its permitted development rights within the boundaries of the new port. The application seeks to establish a 'Rochdale Envelope' of development based upon the description within the DCO. Whilst future use of the site may change it would necessarily be based on the "Not Environmentally Worse Than" approach within the Rochdale Envelope defined by this application, given that any development outside of this would require a separate planning application, as it would fall beyond the scope of permitted development powers.

3. THE ROLE OF NGET AND THE APPLICATION

3.1 NGET owns and operates the regulated electricity transmission network in England and Wales. It is a statutory undertaker for the purposes of the Planning Act 2008 and the provisions in the Draft Development Consent Order submitted within the Application ("the draft order").

3.2 The Application includes provisions which would, if granted and subject to the protective provisions, allow PoTLL to acquire land or rights, take powers of temporary possession over land containing NGET's apparatus, stop up private means of access, extinguish private rights over land, appropriate and use sub-soil, override easements and other rights and create restrictive covenants all of which may affect NGET's property rights and access to their Apparatus..

3.3 For the purposes of this SoCG, the term "Authorised Development" has the same meaning as "the authorised development" in the draft order.

4. MATTERS AGREED IN PRINCIPLE

4.1 This section of the SOCG describes the matters agreed in principle between the parties.

4.2 These matters are that NGET has no objection in principle to Tilbury2 subject the provision of 24 hour vehicular and pedestrian access to and from National Grid's Substations.

4.3 [PoTLL and NGET have reached agreement on the form of the Protective Provisions to be included in the Order.](#)

4.4 [PoTLL has agreed that the Fort Road Overbridge shall be constructed with a headroom clearance of not less than 6 metres in order to maintain access to the National Grid Substation by Abnormal Indivisible Load Vehicles including Girded Frame Trailers and Flat Top Trailers. This can be achieved within the current limits of deviation in the draft order. This commitment, along with -others, is to be included in a side agreement, the text of which is agreed. Once the documentation has been executed, National Grid will withdraw their objection to the Order.](#)

