

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

The Examining Authority's Agenda on the Applicant's draft development Consent Order (dDCO) 28th June 2018

Thurrock Council (TC) written response to agenda items

Deadline 5 – 6th July 2018

Q No.	Part of DCO	Question	TC response
3.8.4.	Art 10: Construction and maintenance of new, altered or diverted streets	With reference to the Applicant's and TC's response at deadline 4 [REP4-020, REP4-005] to ExA's SWQs [PD-010], Q2.8.8 ... i. Would the Applicant and TC update the Examination on their discussions with regard to Art 10, highlighting any areas still to be resolved?	i. This matter is still under discussion. TC recommends an amendment to Article 10 to include a maintenance period for structures for no less than 24 months from completion.
3.8.5.	Art 11: Classification of roads	With reference to the Applicant's and TC's responses at deadline 4 [REP4-020, REP4-005] to ExA's SWQs [PD-010], Q2.8.9 ... i. Would the Applicant and TC update the Examination on their discussions with regard to the classification of roads, highlighting any areas still to be resolved?	i. This matter is still under review in light of the updated information within the draft DCO (revision 3) which was uploaded to the National Infrastructure Planning web-site on 19 th June 2018.
3.8.11.	Art 32(2): Temporary use of land for carrying out the authorised development – Notice Period	With reference to the Applicant's, TC's, HE's and PLA's responses at deadline 4 [REP4-020, REP4-005, REP4-002, REP4-007] to ExA's SWQs [PD-010], Q2.8.21 ... i. Re item i, would the Applicant, TC and HE update the Examination on their positions on the notice period and related matters?	i. This matter is still under discussion. TC query whether the Protective Provisions override Article 32. TC also seeks clarification with regard to timescales of highways works.

3.8.12.	Art 33: Temporary use of land for maintaining the authorised development	With reference to the Applicant's, TC's, HE's and PLA's responses at deadline 4 [REP4-020, REP4-005, REP4-002, REP4-007] to ExA's SWQs [PD-010], Q2.8.22 ... i. Re item i, would the Applicant, TC and HE update the Examination on their positions on this matter?	i. TC is content with Article 33 as drafted, although TC seeks clarification regarding Protective Provisions and timescales of highways works.
3.8.16.	Art 52: Traffic Regulation Measures	With reference to TC's and HE's responses at deadline 4 [REP4-005, REP4- 002] to ExA's SWQs [PD-010], Q2.8.33 ... i. Would the Applicant, TC and HE update the Examination on their positions re traffic regulation measures?	i. This matter is still under discussion. TC echoes the concerns made by HE at the Hearing.
3.8.18.	Schedule 1: Authorised development	With reference to the Applicant's response at deadline 4 [REP4-020] to ExA's SWQs [PD-010], Q2.8.35, the Applicant's response is noted, but ... iii. Re item viii, which asked why Ancillary Works (a) to (d) are needed given Arts 8 and 10, would TC and HE state their positions on this point?	iii. TC is content with the section on Ancillary Works to safeguard any element of the scheme that is not covered in the main works.
3.8.22.	Schedule 2:	With reference to Schedule 2 Part 2, Procedure for	i. TC has reviewed Requirements 13 and 14

	<p>Requirements</p> <p>R13 Interpretation and R14 Applications made under requirements</p>	<p>discharge of requirements ...</p> <p>i. Is TC content that appeals against s61 notices should be dealt with by the bespoke procedure in Requirements 13 and 14 in the dDCO, rather than the way in which they would normally be dealt with?</p>	<p>of the dDCO in respect of appeals against s61 notices and is content with the procedures detailed within the Requirements.</p> <p>At the Hearing TC was asked to confirm whether it was content with Schedule 2, Requirement 10 (Noise monitoring and mitigation). TC can confirm that it is satisfied with this Requirement, subject to TC sign-off of the re-assessment (as detailed in the TC response to question ref. 3.16.5 of the ISH agenda on outstanding environmental, planning policy and socio-economic issues 27th June 2018).</p>
3.8.23.	<p>Schedule 3:</p> <p>Classification of roads etc</p>	<p>With reference to the Applicant's and TC's responses at deadline 4 [REP4-020, REP4-005] to ExA's SWQs [PD-010], Q2.8.43 ...</p> <p>i. Would the Applicant and TC update the Examination on the status of Schedule 3, highlighting any areas still to be resolved?</p>	<p>i. This matter is still under review in light of the updated information within the draft DCO (revision 3) which was uploaded to the National Infrastructure Planning web-site on 19th June 2018.</p>
3.8.24.	<p>Schedule 4:</p> <p>Permanent Stopping up of Highways and Private Means of Access and</p>	<p>With reference to the Applicant's, TC's and HE's responses at deadline 4 [REP4-020, REP4-005, REP4-002] to ExA's SWQs [PD-010], Q2.8.44 ...</p> <p>i. Would the Applicant, TC and HE update the</p>	<p>i. TC is content with the Schedule as written.</p>

	Provision of New Highways and Private Means of Access	Examination on the status of Schedule 4, highlighting any areas still to be resolved?	
3.8.25.	Schedule 7: Port premises byelaws	<p>With reference to the Applicant's and Port of London Authority (PLA)'s responses at deadline 4 [REP4-020, REP4-007] to ExA's SWQs [PD-010], Q2.8.45 ...</p> <p>i. Under item ii, the Applicant states that the byelaws have been drafted specifically in relation to Tilbury2. Does TC have any comment?</p>	ii. TC has no comments on the wording of Schedule 7 (Port Premises Byelaws).
3.8.26.	Schedule 8: Traffic Regulation Measures etc	<p>With reference to the Applicant's, TC's and HE's responses at deadline 4 [REP4-020, REP4-005, REP4-002] to ExA's SWQs [PD-010], Q2.8.46 ...</p> <p>i. Would the Applicant, TC and HE update the Examination on the status of Schedule 8, highlighting any areas still to be resolved?</p>	i. This matter is still under review in light of the updated information within the draft DCO (revision 3) which was uploaded to the National Infrastructure Planning web-site on 19th June 2018. TC notes that the proposed changes to the ASDA roundabout will need to be included in this Schedule
3.8.28	Schedule 10: Protective Provisions	<p>With reference to the Applicant's, CGL's, EA's, HE's, NG's, NR's, PLA's, RWE's and TC's responses at deadline 4 [REP4-020, REP4-010, REP4-001, REP4-002, REP4-012, REP4-006, REP4-007, REP4-004, REP4-005] to ExA's SWQs [PD-010] ...</p>	i. With reference to Schedule 10, Part 5 of the dDCO (For the Protection of Thurrock Council as Drainage Board) TC shared comments and suggestions on the draft wording with the Applicant on 22 nd May 2018. TC's written response to the Ex.A's

		<p>i. Re Q2.8.48, would the Applicant, AW, CGL, EA, HE, NG, NR, PLA, RWE and TC state their positions regarding the protective provisions?</p>	<p>SWQs (ref. REP4-005) confirmed at paragraph 2.8.48 that comments had been provided to the Applicant. TC notes that Revision 3 of the dDCO does not incorporate changes to Schedule 10, Part 5 in relation to any of TCs comments. TC would like to be informed that the Applicant has noted these comments and to provide clarification or acknowledgement as appropriate. This may not necessarily require further changes to Schedule 10, Part 5 but to date there has been no recognition from the Applicant noting the submitted comments.</p> <p>With reference to Schedule 10, Part 7 (For the Protection of Thurrock Council as Highway Authority) TC provided comments on the drafting to the Applicant on 11th May 2018. As above, this matter is still under review.</p>
<p>Additional item raised by TC at the Hearing</p>			
	<p>Schedule 2, Requirement 7 (Highway Works)</p>		<p>At the Hearing TC requested a change to Requirement 7 to include provision for the Port access road to be completed prior to the opening for use of Work nos. 3 and 8. . Whilst TC acknowledges that this may be considered as a new issue, the matter was discussed in pre-app and TC recollects that the Applicant did specify that the road link</p>

			works would always be programmed prior to operation of the site, as Fort Road is unsuitable for the high number of vehicle movements.
--	--	--	---------------------------------------------------------------------------------------------------------------------------------------