

Minutes of the Meeting of the Lower Thames Crossing Task Force held on 10 December 2018 at 6.00 pm

Present: Councillors Peter Smith (Chair), Gerard Rice (Vice-Chair), Andrew Jefferies, Sue Shinnick, John Allen, Luke Spillman, Tom Kelly and Jane Potheary

Apologies: Peter Ward, Business Representative

In attendance: Gareth Burton, Senior Communications Officer
Steve Cox, Corporate Director Place
Anna Eastgate, Assistant Director Lower Thames Crossing
Helen Forster, Strategic Lead Public Health
Mat Kiely, Transportation Development Manager
Luke Tyson, Business Manager
Natalie Warren, Community Development and Equalities Manager
Lucy Tricker, Democratic Services Officer

Laura Blake, Thames Crossing Action Group Representative
Linda Mulley, Resident Representative
Westley Mercer, Thurrock Business Board Representative
John Speakman, Business Representative

Dermot Scanlon, Peter Brett Associates

Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

35. Apologies for Absence

Peter Ward, Thurrock Business Representative sent his apologies, and John Speakman acted as his substitute.

36. Minutes

The minutes of the Lower Thames Crossing Task Force meeting held on 12 November 2018 were approved as a correct record.

37. Items of Urgent Business

There were no items of urgent business.

38. Declaration of Interests

There were no interests declared.

39. Statutory Consultation Response

The Corporate Director Place began by stating Appendix A in the agenda would be going to an extraordinary meeting of Full Council on 11 December 2018, and comments made at the Task Force would be captured and summarised. He added that both business and resident representatives had been invited to speak on the item. The Assistant Director Lower Thames Crossing (LTC) stated that the response fell into two parts, the first being the Council's response as a Local Authority, and the second being the Council's response as a landowner. She listed the recommendations made in the report and stated there was a minor error at point 5.3.1 which would be rectified through a delegated decision. She elaborated that the Council's response fell into three categories: an 'in-principle opposition'; the inadequacy of consultation; and the substantial changes which would have to be mitigated against. She highlighted point 3.6 which summarised the consultation response and 3.7 which summarised the landowner response. The Assistant Director LTC then stated that the Council had few direct land parcels which would fall under the compulsory land acquisition category, with only one residential property and few agricultural holdings; but had a substantial amount which fell under the Part 1 Compensation category. These were land parcels which could claim compensation for some form of pollution, up to one year after the road had been opened. She finally drew the Committee's attention to Preliminary Environmental Information Report (PEIR) that considered the environmental effects of the LTC and informed the final Environmental Assessment.

Councillor Spillman began by questioning the methodology of the PEIR and shared his concerns that the data used for the report might be flawed. The Assistant Director LTC replied that information contained in the PEIR was not as detailed or up-to-date as the Council would have liked, and this was compounded by the fact the red line boundary had been increased by 68%. Councillor Spillman also shared his concerns that specific numbers of toxins were not included in the PEIR, and the effects of these toxins such as increased rates of death or COPD were not discussed. The Assistant Director LTC responded that Highways England (HE) were undertaking a full Health Impact Assessment (HIA) which was currently ongoing and this would show what health mitigation would be needed. The HIA would then be scrutinised by an examination board, and the Council could then ask specific questions. The Strategic Lead Public Health added that she had attended a meeting with HE at the end of November, which had included other Directors of Public Health from Kent and Southend to discuss the ongoing HIA, and provide local information. She felt that as this would be a monthly meeting it would provide quality assurance that the HIA would be detailed. Councillor Allen asked how far along work was on the HIA and when the findings would be made public. The Assistant Director LTC replied that the Council had produced a scoping document for HE, and had taking them through the assurance processes. She added that work had formally began at the meeting at the end of November,

but as it ran in parallel with the scheme, findings would not be published until Development Consent Order (DCO) submission which would probably be twelve months from now. The Resident Representative asked when the Council and public would be able to challenge the HIA. The Assistant Director LTC replied that HE can be challenged during the examination phase, as topic-specific hearings would be conducted, during which interested parties could question and challenge the submission. The Assistant Director LTC confirmed that when a draft HIA was produced in June/July 2019, it would be brought before the Task Force.

The Vice-Chair continued the discussion around design mitigation and the fact the LTC would come within 500 yards of communities such as Chadwell St Mary, Orsett, and Stifford Clays. He stated that he had spoken with HE who had said tunnels around those areas would be too expensive. He added that as monies for the road would now be coming from the public purse, design mitigation should be reconsidered. He added that options for the route to be moved further East, to places such as the A130, A12, A120 and M11, should be considered as the current route would build-up traffic on the M25 to an even greater extent. Councillor Allen then referenced the report and asked what options testing had taken place regarding traffic modelling and the proposed Rest and Service Area. The Assistant Director LTC stated that HE had undertaken insufficient traffic modelling, but the January meeting of the Task Force would include a report on traffic assessment and modelling. The Corporate Director Place added that HE had considered other locations for the Rest and Service Area, but wanted options to include out-of-borough sites too. Councillor Allen added that as the Tilbury Link Road had been removed, and the A1089 was only currently two lanes, the demand at the Asda roundabout would increase, particularly with the expansion of the Amazon warehouse. The Assistant Director LTC stated that the Council's transport team was working with HE on this issue, and the outcome of this would be presented to the Task Force in January. She commented that the Council needed more time to understand the traffic models, but wanted to submit the consultation response within the deadline. The Chair clarified that HE had not allowed extra time for the Council's response and the deadline remained 20 December 2018.

The Thames Crossing Action Group (TCAG) Representative asked what other options had been available for the Rest and Service Area, as South Ockendon had been ruled out because of the viaduct and marshes; and Kent had been ruled out due to the closeness of the services on the A2. The Corporate Director Place answered that other options were detailed in the report, but that HE should be looking beyond the three that had been shortlisted. The Thurrock Business Representative stated that the Port of Tilbury consultation response was currently being produced, but he felt disappointed that HE had removed the Tilbury Link Road. The Chair asked when the Port of Tilbury's response would be made public, to which the Business Representative replied that it would be submitted by the deadline, and HE would make public through their usual channels.

The Resident Representative drew the Committee's attention to 6.2.1 of the

report and asked if construction vehicles would be subject to the same pollution restrictions as road vehicles, particularly as construction would last 5-6 years. The Transportation Development Manager answered that the Council would seek legal advice, as often construction vehicles used red or pink diesel, and fell under different legislation. He stated that HE had made a commitment to using alternative and cleaner construction vehicles, but the Council would look at ways to limit and mitigate pollution. The Thurrock Business Board Representative clarified that there were no pollution restrictions on construction vehicles, but the Council could go back to HE to ask for the same restrictions as were applied in London, which included older vehicles meeting the new Euro 6 Standard. The Chair then commented that as much construction traffic should travel via the waterway as possible.

Councillor Spillman asked what the Council's strongest arguments were in opposing the LTC, and what chance the Council had in having their views upheld. The Assistant Director LTC answered that from a statutory perspective, HE only had to meet the requirements of a National Policy Statement which she felt was a low-bar for such a large scheme. She added that at this phase of the scheme there was a presumption of development as long as HE produced a policy compliant scheme. She felt the strongest points of the consultation response were the need for cut and cover, a more thorough options test for the Rest and Service Area and the height of the viaduct. She added that the A13 junction was very complicated as increased accessibility, would increase the need for roads at height at the Orsett Cock roundabout which would also be undesirable.

Councillor Allen discussed what would occur to the spoil from the construction phase. The Assistant Director LTC replied that HE would be able to take spoil without submitting any additional planning applications, and this could be used for beneficial projects such as turning old mineral deposits into open space. She also reiterated that HE had made a commitment to reconnect public rights of way.

Councillor Pothecary began a discussion on the Gammon Fields traveller site, and asked where the new proposed site would be and what it was currently used for. The Assistant Director LTC stated that officers and HE attended a meeting with the travellers accompanied by the HE mobile event unit. She felt that detailed conversations had taken place between officers and travellers, and officers now better understood the relationships between families and the close knit communities. She stated the main themes of that meeting had been the travellers opposition to the proposed site; concern over the construction; and concern over the National Grid electricity pylons that were directly above the proposed site. She commented that HE had not undertaken a detailed study of the proposed site, which had been identified as agricultural land. She added that the proposed site was an irregular shape as it was bounded by the contouring works for the A1089/LTC slip road. Councillor Spillman asked if there were any precedents of relocating a traveller's site. The Assistant Director LTC replied that travellers living around the Olympic Park had been relocated, and last week she had visited Hackney travellers who had been moved to discuss issues and problems.

Councillor Allen then commented that as the LTC was a toll road, HE should get it right by design for example, by including cut and cover. The TCAG Representative asked how close or realistic it was to push the scheme outside the realm of 'value for money'. The Assistant Director LTC stated that the LTC had a high value for money rating of 3.1, and would only be considered as not value for money when that score fell below 1. She then stated that even though the Chancellor had announced there would be no more private contracts, the value for money rating would still be closer to 2. She mentioned that as the contracts were now public, the government would not be able to reclaim VAT from these, so would need to find an extra £2billion for the scheme. Councillor Spillman developed this by asking how much extra expense the Council could cause the project. The Assistant Director LTC replied that the only way the Council could push the scheme outside its cost envelope would be to ask for tunnels for the length of the route. She stated that the LTC fell into the Road Investment Strategy 2 which was running from 2021 until 2026, and had a budget of £28billion. She added that half of this budget would be used for the LTC and Stonehenge project. She commented that HE could be judicially reviewed, but Lancashire Council had tried a similar tact on a similar project and this had been refused by appeal in the first instance.

The Resident Representative then discussed point 1.3.2 of the report and the nature of the DCO process, including the northern portal. The Assistant Director LTC answered that the Council was opposing both the plant room being placed on top of the tunnel, and the access road to the left of the northern portal, as both of these could be concealed in the tunnel itself. She stated that by concealing these in the tunnel, HE could then create a walkway on the river between the two forts. She added that spoil could also be dispersed there to create usable land. Councillor Allen then raised the point that the northern portal would cut through the old Victorian landfill, and the Chair replied that a number of historical artefacts could be recovered.

The Vice-Chair highlighted page 109 of the agenda and the impact the LTC would have on local barn owls, as HE were not meeting the industry standard of 1.5km away from their nests. The Assistant Director LTC responded that HE plans to translocate species where they are not meeting the industry standard and will encourage the species to move.

40. Task Force Priorities List

The Assistant Director LTC began by highlighting that HE had responded with a written response to question 8, which had been directly copied and pasted onto the Priorities List. The Chair added that the Priorities List also contained references to the mitigation schedule and invited the Committee to make any additional comments. Councillor Spillman commented that there was currently research being undertaken into the effect living near busy roads had on conditions such as dementia, and sought assurances that the HIA would contain all the latest research. The Assistant Director LTC stated that the

Public Health team and Directors were meeting regularly and would raise this point at the next discussion.

The Vice-Chair then referenced point 5 of the Priorities List on page 137 and asked how the scheme would compare to a crossing further East, such as from Canvey Island, as HE had not yet responded. The Assistant Director LTC said she would pick this up before the next Task Force meeting. She added that HE have reported alternatives in their Environmental Assessment.

Councillor Allen then discussed the northern portal and if the spoil could be contaminated from the old Victorian landfill. He sought assurance that this would be disposed in line with current health and safety regulations. The Assistant Director LTC responded that HE had been on site digging bore holes to identify substances in the ground, although the route would not be coming in to contact with the whole landfill as the gradient had a steep 3% incline. She confirmed that HE mitigation included dealing with contaminated materials and the DCO would take this into account. She added that it was the Council's responsibility to enforce this and monitor for any breaches. The TCAG Representative asked if the bore holes would release any toxins into the air. The Assistant Director LTC confirmed this was covered in the Environmental Management Plan, but every eventuality could not be insured against. She stated that if HE breached planning control it was an automatic criminal offence, that incurred a £50,000 fine at magistrates court, and an unlimited fine at crown court.

Councillor Spillman drew the Committees attention to Point 7e on page 145 of the agenda and asked whether the HIA would be tailored to the Thurrock environment, as the levels of COPD was already much higher in Thurrock than in other areas. The Assistant Director LTC answered that HE had requested localised data for the HIA. The Vice-Chair then queried point 4b regarding the Tilbury Link Road, and the reason for the removal of this from the scheme. The Assistant Director LTC stated the Tilbury Link Road did not meet the Client Scheme Investment, and HE felt it would increase the level of 'rat-running'. She added that only 9% would use the LTC and 4.5% of these would be going south-bound. The Resident Representative underlined point 7h regarding the heritage assets, and commented on the possibility that the 'Two Forts Walk' over the northern portal could become a formulated walk. Councillor Allen asked for clarification that hazardous vehicles would be allowed through the LTC without convoys. The Assistant Director LTC confirmed this, and felt this could be an advantage for efficiency. Councillor Kelly then asked if the traffic modelling would include the link road. The Transportation Development Manager replied that although the Council could undertake limited traffic modelling, it did not have the capacity to do so to a full extent, but that HE had not modelled traffic when an incident occurred. The Assistant Director LTC confirmed that the Council could ask for situations to be modelled but the software package was too large to run. She confirmed that a report on traffic modelling would be coming to the Task Force in January.

41. Work Programme

The Chair confirmed that a traffic modelling report would be coming to the Task Force in January, and a report on the HIA would be coming to the Task Force in June/July 2019. The Chair then wished everyone a merry Christmas and a happy New Year.

The meeting finished at 7.24 pm

Approved as a true and correct record

CHAIR

DATE

**Any queries regarding these Minutes, please contact
Democratic Services at Direct.Democracy@thurrock.gov.uk**