

## **Minutes of the Meeting of the Lower Thames Crossing Task Force held on 14 December 2020 at 6.00 pm**

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**Present:** Councillors Fraser Massey (Chair), Gerard Rice (Deputy Chair), Luke Spillman, John Allen, Andrew Jefferies and Sara Muldowney

**In attendance:** Anna Eastgate, Assistant Director of Lower Thames Crossing and Transport Infrastructure Projects  
Lucy Tricker, Senior Democratic Services Officer

Laura Blake, Thames Crossing Action Group Representative  
Westley Mercer, Thurrock Business Board Representative  
Robert Quick, Resident Representative  
Peter Ward, Thurrock Business Representative

Chris Stratford – Stantec Senior Consultant

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Before the start of the Meeting, all present were advised that the meeting was being recorded and live-streamed, and would be made available through the Council's website.

### **25. Apologies for Absence**

There were no apologies for absence.

### **26. Minutes**

Councillor Muldowney requested that the minutes on page 5 be expanded to include all green areas which she had listed at the meeting. She commented that it had been agreed other green spaces should be on the list, specifically Orsett Heath and Wicken Fields. She also requested that the mitigation list be updated accordingly.

The Task Force agreed these amendments, and the minutes of the Lower Thames Crossing (LTC) Task Force meeting held on 12 October 2020 were approved as a true and correct record.

### **27. Items of Urgent Business**

There were no items of the urgent business.

### **28. Declaration of Interests**

There were no declarations of interest.

## **29. DCO Withdrawal & Next Steps - verbal report**

The Chair thanked the Assistant Director LTC, as well as other officers, for their hard work on this item. He also thanked consultants Stantec, who were working hard to support the Council. He specifically thanked Dermot Scanlon, Claire Sawing, Emma-May Eshelby, and Chris Stratford of Stantec who had worked hard to bring together Thurrock, Havering and Gravesham.

The Assistant Director LTC introduced the report and stated that Highways England (HE) had submitted their Development Consent Order (DCO) on 23 October 2020, and Thurrock had been given until 6 November 2020 to provide their adequacy of consultation response, which had been shared to Task Force Members via email. She added that the response would also be published on Thurrock Council's website, and the LTC team were working with the Communications team to ensure the website was updated. She commented that Havering and Gravesham had already published their adequacy of consultation responses. The Assistant Director LTC added that the Planning Inspectorate (PINS) had written to HE before the deadline requesting more information, which HE had then provided. She outlined that PINS had then stated they were minded to refuse the DCO application, at which point HE withdrew. She stated that PINS had published a 49 page document which set out the issues and concerns they had with the application, but outlined that HE were still planning to re-submit next year. The Assistant Director LTC commented that Thurrock Council were planning to meet with HE to work with them, and updates on these meetings would be provided to the Task Force.

The Stantec Senior Consultant then summarised the 49 page PINS document, and stated that it was divided into two sections. He stated that the first section, which was 12 pages long, was essentially what would have been the PINS non-acceptance letter. He stated that the rest of the document was from BDB Pitmans, who represented HE and were working on their behalf, and was a signposting request, which answered the PINS non-acceptance letter. He stated that PINS had raised ten issues with the DCO submission, which were outlined in the letter.

The Stantec Senior Consultant outlined those ten issues and stated that the first issue had been with the Highways and Transport Assessment. He explained that this was divided into two aspects: the transport modelling, both during construction and operation, whose methodology and approach had been tried and tested during many projects; and the Transport Assessment which was supposed to look at impacts of the proposal and potential mitigation. He described that the Transport Assessment had not been published, as HE felt it did not need to be submitted until the DCO had been approved. He stated that PINS had disagreed with this approach and had requested a Transport Assessment be submitted. He added that PINS also felt the transport information submitted only focussed on larger roads, was too generic, did not contain enough detail, and did not outline any potential environmental impacts. He explained that Thurrock had repeatedly requested this information, but had been denied. The Stantec Senior Consultant then

stated that HE had much more work to do regarding the detail of construction traffic management, as the construction phase would last between 5 and 6 years. He added that HE needed to include detail regarding the construction traffic management plans, including outlining where diversions, traffic lights, and road closures would be situated. He added that currently the traffic management was not secured, so HE did not have to follow it when construction began.

The Stantec Senior Consultant then moved on and explained the issue surrounding the river and jetty usage. He commented that PINS had felt a lack of consistency from HE surrounding the level of usage and amount of time the jetty would be used for. He added that HE also did not undertake a navigational assessment, which would outline barge usage along the river.

The Stantec Senior Consultant added that PINS had also found problems with site waste management, for example excavation of the site and tunnel, and demolition works. He stated that PINS felt it was not clear what would happen to spoil from the works, if it would be reused, or if it would be removed via road or waterway. He added that the government were also following policies meant to reduce carbon emissions, and this had not been discussed by HE in relation to site waste management.

The Stantec Senior Consultant then explained issues regarding the Habitat Regulation Assessment. He explained that this should have assessed whether the proposed route would affect protected areas such as wetland and wading birds, which included both banks of the river Thames. He stated that HE had not defined or quantified these affects, or the combination of affects. He commented that this fell under the responsibility of Natural England, who were working hard on this issue.

The Stantec Senior Consultant stated that 30%, or 3.5 pages, of the PINS document outlined how HE had not followed government guidance, for example on consultation, which included lack of feedback to consultation responses and lack of detail within the consultation itself. He added that the rest of the issues were relatively minor, but included how HE's Landscape and Ecology Management Plan had not shown how land and ecology mitigation would be achieved. He added that eleven consultees had been missed off and had not been involved in the consultation, such as some utility networks, South Fleet Parish Council and the Commissioner of Police of the Metropolis. The Stantec Senior Consultant then outlined other minor errors and omissions made by HE including the Book of Reference, which should include every piece of land or land interest affected by the proposal in a catalogue format. He stated that the Book of Reference had not included a graphic representation of permanent or temporary land plans, or a Works Plan. He added that other plans also did not include searchable PDFs. He summarised and stated that the issues could be divided up into four areas, which were: transport and waste; navigation and jetty; habitat; and government guidelines. He added that the letter from BDB Pitmans stated that HE had delivered schemes of this nature and size before, and therefore did not need to do anything, but this had been written prior to the changes in personnel that HE

had made.

Councillor Massey opened the debate and questioned whether Orsett Hospital had been consulted with, as the PINS letter stated 'Onsett' Hospital. He felt that the proposed route would have an impact on the hospital, and therefore they should have been consulted. The Stantec Senior Consultant replied and stated that he assumed this was a typo, and should have been Orsett Hospital, but would confirm this with HE. Councillor Muldowney thanked officers and consultants for their hard work on the adequacy of consultancy response, which had highlighted the significant issues. She felt the withdrawal of the DCO by HE was a victory for Thurrock Council and their neighbours, which had been unexpected. She felt that the Task Force had been talking about the problems with the plans and consultations for a long time, and felt pleased to see that PINS had recognised these issues too. She added that she was also pleased to hear that a new consultation might occur, and hoped that this would be better than previous consultations held by HE. The Assistant Director LTC added that the DCO document included the Health Impact Assessment (HIA), which would be reviewed in the New Year, and potentially presented to the Task Force in March 2021. Councillor Muldowney felt it would be good to see the HIA before DCO submission, as it would contain a lot of substantial health information.

The Thames Crossing Action Group (TCAG) Representative thanked the Assistant Director LTC and Stantec for their hard work in producing the adequacy of consultation response. Councillor Rice questioned the Transport Assessment, and asked if the updated version of this document would include additional requirements for cut and cover along the route. He added that cut and cover provided additional protection for residents, particularly in Chadwell St Mary and Orsett Heath where the proposed route came within 500 metres of people's homes. The Assistant Director LTC replied that the updated Transport Assessment would not include additional cut and cover along the route as this was not a viable mitigation solution, but would look at alternative potential mitigation, for example traffic lights, roundabouts, and weight restrictions on local roads. She added that the Port of Tilbury were currently in discussion with HE to use the port to bring construction materials to the site, which would reduce the number of construction vehicles on local roads.

Councillor Allen questioned the Ecological and Environmental Impact Assessment, and asked if this had been detailed enough. He added that the proposed route would have numerous environmental impacts, including increased CO2 emissions, and increased PM2.5 and PM10, both during route construction and operation. The Assistant Director LTC replied that the team were currently undertaking a full review of the Environmental Impact Assessment and Environmental Statement, which would be brought before the Task Force in the New Year. She stated that if the proposed route breached current air quality regulations, then HE would have to mitigate against this, and Thurrock Council would be pushing for enhanced mitigation. She added that the environmental impact of the route on surrounding areas would be reduced if traffic was moving, as air quality decreased if cars were queuing or moving slowly. She stated that the worst year in terms of air

quality, would be the first year the route was opened as people's behaviour adapted, but the number of electric vehicles on the road was still comparatively low. She added that the route was now due to open in 2028/29, but air quality during construction would be worse than during operation.

Councillor Allen then questioned if Thurrock would be pushing for local construction companies to work on the route. The Assistant Director LTC replied that the team were currently in discussion with HE regarding legacy benefits and construction. She stated that Thurrock Council had invested roughly £8million into the local economy with the widening of the A13 scheme, and this produced a circular economy and social value to the area. She added that as the LTC scheme was much larger than the A13 widening project, it could see much more money being introduced to the economy through local construction workers. Councillor Allen questioned if Thurrock were also pushing for additional trees to offset the carbon emissions from the route. The Assistant Director LTC replied that this was included as part of the mitigation list.

The Resident Representative stated that as HE were currently updating the Highways and Transport Assessment, including increased detail surrounding traffic management, it would present a good opportunity for Thurrock to add input and get what they required. The Assistant Director LTC agreed and added that the team were currently reviewing the DCO, and would provide comment to HE. She stated that concerns would also be raised during the examination phase, if the DCO was re-submitted and accepted. She mentioned that the Council had already had preliminary discussions with HE surrounding operational hours during construction, and HE were aware of the issue. She stated that the Council would have to be reasonable, as HE would need to work weekends and 24/7 in some areas of tunnel excavation, but were working hard to control operational hours near population centres.

The Business Representative stated that Tilbury 2 was an accepted DCO project, which would include a new construction and aggregate import terminal, and would include everything HE would need to build the road, which was only 200m away from the tunnel portal. He stated that this facility would be offered to HE, which would remove up to 50% of construction traffic from local roads. He added that this could not be included prior to DCO submission, due to procurement rules, but would benefit Thurrock as well as benefitting one of Thurrock's largest employers.

### **30. Economic Mitigation List**

The Assistant Director of LTC introduced the report and stated that the summary document was now in phase 2, and renewed discussions were now underway with HE, including Matt Palmer who was the new HE Executive Director. She stated that a full list of mitigation had now been shared confidentially with HE, but this would be published in January and would include the full technical document and non-technical summary. She stated that Thurrock were meeting with HE tomorrow, but that HE had verbally stated a significant proportion of mitigation would be included at DCO submission.

The Assistant Director LTC added that any mitigation that was not agreed by HE would be reported back to the Task Force in the New Year. She commented that mitigation would be provided either through a s106 Agreement or through a grant agreement, which would need to be agreed by Thurrock's Cabinet. She stated that the report had not been updated as hoped, but there had been lots of changes made recently, which would be presented to the Task Force in the New Year.

Councillor Rice questioned if additional noise mitigation in Chadwell St Mary and Tilbury had been considered. The Stantec Senior Consultant responded that these locations had been highlighted as requiring additional mitigation due to construction noise and vulnerable communities living in these areas. He stated that these areas currently did not have enough mitigation or noise barriers, and would be looked at in detail, due to the proximity of population centres. Councillor Muldowney queried if the enhancement of green spaces included in the mitigation list had been updated. The Assistant Director LTC replied that there was no new additional detail included in the mitigation list, but more detail would be available after the meeting with HE tomorrow. She stated that the team had lots of work to do surrounding the mitigation list. She stated that they were currently identifying solutions, and proposed a tracker be included with the mitigation list, which would be updated monthly. The Stantec Senior Consultant added that since the previous Task Force meeting, the main report had been updated with the list of green spaces Councillor Muldowney had requested.

Councillor Allen stated that the proposed route would be a toll road, and asked if Thurrock Council could receive a percentage of money from the collection of tolls. He stated that this could mitigate the impact of the route, and help to sustain Thurrock over many years. The Assistant Director LTC responded that the Council were currently trying to secure a percentage of the tolls, which they hoped could be added to an environmental sinking fund. She added that the Council were also trying to ensure that if HE breached environmental regulations, Thurrock would also receive money. She stated that this fell under the remit of the Department for Transport, rather than HE. The Stantec Senior Consultant stated that this fell under M18 toll hypothecation, which would source money for Thurrock to deal with support projects. He added that these toll collections by local authorities were usually rejected. Councillor Allen then questioned the need for trees along the route and the mitigation these could provide. The Assistant Director LTC responded that the team were currently working with HE on environmental mitigation and additional planting. The Stantec Senior Consultant added that a summary of tree planting could be found on page 5 of the mitigation list at L22.

Councillor Jefferies stated that at the last Task Force meeting, the Assistant Director had commented that soundboards along the route would not be good enough, and questioned if there were any updates on this. The Assistant Director LTC responded that she did not have any updates, but that Thurrock were trying to take control from HE over sound proofing materials, to ensure it was absorptive rather than reflective, and this would be included in the mitigation schedule. She added that the Council were working to ensure that

sound proofing was included in the design, particularly in areas such as the Mardyke Viaduct. She stated that HE were currently undertaking a renewed approach, and she felt confident and hopeful at the current position.

Councillor Allen questioned the raised elevation of the viaduct, and asked what residents around the area could expect to see. The Assistant Director LTC replied that HE had been asked to attend the Task Force meeting in January, where they would present on design issues including the viaduct. She stated that based on current conversations with HE, she was encouraged by their current designs. She added that the Department for Transport would decide who would discharge responsibilities over certain areas. She stated that currently Thurrock did not have discharge of responsibilities over any areas, but the team were working hard to change this and ensure the Council had responsibility for areas such as viaduct design.

Councillor Muldowney highlighted L20 in the mitigation list document, and felt it was good to see carbon emissions offsetting would be discussed. She stated that carbon emissions would increase during route construction and operation, and asked that if HE did not meet carbon emission guidelines, would money be granted to Thurrock Council. The Assistant Director LTC stated that concrete production drastically increased carbon emissions, and this would be a problem for HE during construction of the scheme, as well as emissions during route operation. She stated that Thurrock were currently working with HE on a Carbon Offset Fund, which would be discussed during the mitigation meetings.

### **31. A303: Questions and Comments - verbal report**

The Assistant Director of LTC introduced the report and gave some context to the A303 Stonehenge project, including the successful challenge to the additional runway at Heathrow, the Paris Agreement, and the 2014 National Infrastructure Policy Statement. She stated that the A303 Stonehenge project was the first project since the successful Heathrow challenge, and DCO had been granted on 12 November, although this had originally been due in early 2020. She stated that the project would see a dual carriageway being put in a tunnel underneath the Stonehenge site, and although the PINS panel had recommended to refuse the DCO application, this had been overturned by the Secretary of State and DCO had been granted. She commented that the panel had decided to refuse the application due to the potential harm it could have caused the UNESCO World Heritage Site, but a challenge to the decision to grant had already been sought by the Stonehenge Alliance. She mentioned that any updates on the A303 scheme would be added to the Work Programme, and brought before the Committee for discussion.

The Chair thanked officers for bringing forward the update as he felt it was good to see other DCO applications and issues around the country. Councillor Muldowney questioned the relevance the A303 project had on the LTC proposal. The Assistant Director LTC replied that it was the only scheme which had been recommended for refusal and then overturned. She stated

that the Halite gas storage facility had had the opposite issue from the A303, and had been recommended for approval and then overturned by the Secretary of State and sent back to PINS for a new decision. She stated that if the Stonehenge Alliance challenge was successful, the scheme would go back to the PINS panel for them to look at their decision again. She added that the Stonehenge Alliance would have to have a successful application of judicial review, then a successful judicial review, before it would be sent back to PINS. She added that it would be interesting for Thurrock to see what the Stonehenge Alliance's grounds for challenge would be. She stated that any learning from the A303 Stonehenge project would be applied to the LTC and any updates brought before the Task Force.

Councillor Muldowney asked if the Assistant Director had been surprised that the Secretary of State had overturned the PINS decision. The Assistant Director LTC stated that she had been surprised by the PINS panel refusal, as the scheme would actually reduce noise in the area; improve the Stonehenge experience; increase access on historic roads; and improve the tranquillity of the area, as well as the visitor experience. She understood why the panel had refused, due to factors such as buried historic artefacts, which would potentially be disturbed by the tunnel, particularly near the junctions where the tunnel rose to surface level. She added that English Heritage, who owned and managed the site, had also been supportive of the scheme.

## **32. Work Programme**

The Assistant Director LTC stated that officers and the Chair would review the Work Programme offline, but would include items on: CO2 emissions; the Energy White Paper; DCO review and summary; update to the Transport Action Network challenge; A303 Stonehenge updates; prioritisation of the mitigation list. She added that HE had been invited to the January Task Force meeting, where the new HE Executive Director would present on the scheme's design, including the viaduct.

**The meeting finished at 7.19 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](mailto:Direct.Democracy@thurrock.gov.uk)**