



Lower Thames Crossing

Summary Review of Community Impacts Consultation

On behalf of **Thurrock Council**



Project Ref: 332510065 | Rev: B | Date: September 2021

Registered Office: Buckingham Court Kingsmead Business Park, London Road, High Wycombe, Buckinghamshire, HP11 1JU
Office Address: 78 Cowcross Street, London, EC1M 6EJ
T: +44 (0)20 38246600 E: PBA.London@stantec.com

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	Name	Position	Signature	Date
Prepared by:	Various	Various	-	July/August 2021
Reviewed by:	Keith Mitchell / Chris Stratford	Director	<i>KM/ CS</i>	August 2021
Approved by:	Keith Mitchell / Chris Stratford	Director	<i>KM/ CS</i>	September 2021
For and on behalf of Stantec UK Limited				

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1 Introduction

1.1 Introduction

- 1.1.1 Highways England (HE) will be re-applying for a Development Consent Order (DCO) to construct and operate the Lower Thames Crossing (LTC) which is approximately 14.3 miles (23 km) of new road connecting the existing road network from the A2/M2, south-east of Gravesend, to the M25, to the north of North Ockendon. The scheme incorporates two 2.6-mile (4.3 km) tunnels under the River Thames and associated modifications to the M25, A2 and A13, and fee flowing charging systems. It should be noted that the LTC route (and its Order Limits) through Thurrock accounts for approximately 9% of the land area of the Borough and Thurrock would accommodate approximately three quarters (i.e. approximately 14 kms of its full 18.75kms) of the linear above-ground route (4.25kms is in tunnel).
- 1.1.2 The scheme is classified as a Nationally Significant Infrastructure Project (NSIP) therefore consent will be sought via a DCO under the Planning Act 2008 (PA 2008) and the Planning Inspectorate (PINS) will consider the application on behalf of the Secretary of State for Transport. HE's programme is to submit the DCO application in Autumn 2021.
- 1.1.3 At the end of 2018, HE presented its 'Statutory Consultation Scheme' for the proposed LTC. A series of design changes was the subject of a Supplementary Consultation exercise which ended in April 2020 and then, a further round of Design Refinement was the subject of non-statutory consultation, undertaken virtually, from 14 July to 12 August 2020. HE made its submission of its first DCO (DCOV1) in October 2020 and subsequently, following discussions with PINS, withdrew DCOV1 application in November 2020. A further round of Community Impacts Consultation was held from 14 July to 8 September 2021. It was undertaken virtually and at in-person events in response to the Covid-19 pandemic and comments from PINS.
- 1.1.4 This report has been prepared for Thurrock Council (the Council) to provide a review of the material presented as part of the Community Impacts Consultation exercise. Its purpose is to identify areas of concern, potentially significant issues and identify areas of further work required to be carried out by HE in order to allow the scheme to be properly and proportionately assessed, prior to DCO re-submission.
- 1.1.5 Overall, the Council has continued actively to engage with HE. However, based upon the consultation materials available, the information presented by HE is protracted, repetitive, complex and often missing key data. It is not supported by evidence that is required for stakeholders, including the Council, to provide an informed response to the proposed design and the wider scheme. The assertions within the Ward Impact Summaries are often misleading by intimating that all impacts are to be mitigated by the proposals currently being put forward by HE. Progress by HE on the traffic modelling, air quality and noise assessments and environmental and health impact assessment work has continued to be slow. The result of this is that the Council's ability to engage with HE on the technical analysis of potential effects of the scheme has been relatively unproductive. Consequently, it has not been possible to appropriately evaluate the effectiveness of any mitigation proposals, prior to the planned submission of the DCO application later this year. The Council contend that, due to this lack of information, a fully informed consultation response is not possible and it reserves its right to comment further once this vital information is both available and has been assessed.
- 1.1.6 This Summary Review of Community Impacts Consultation (Summary Review) sets out in summary all the Council's concerns. Accompanying this, are a series of technical Appendices that set out in greater detail the Council's response to: Draft technical 'control' documents; Summary comments on the Council's land interests; Summary Comments on HE's non statutory compensation policy; and, Summary Comments on the HE review of utility diversion impacts for the additional utility NSIPs. All these documents have been reviewed by Council

officers and consultant specialists. Together they represent a summary of the Council's views on the consultation materials.

- 1.1.7 The Council's comments in the following Summary Review and Appendices have been restricted to the following three reasons to comment, in order to meet the requirements of the Consultation:
- i. Comments that arise directly from the Consultation documents (Technical or Core documents) and which can be traced back to the relevant Appendix below.
 - ii. Missing information and data that has not been included in any of the Consultation documents that are significant enough to draw attention to.
 - iii. Comments that have been made by the Council in previous consultations and which have not been dealt with either in this consultation or so far more broadly. The key deficiencies and omissions both from PINS (which led to the withdrawal of DCOv1) and from the Council are set out in Section 2.3 below.

1.2 Document Structure

1.2.1 This report is structured, as follows:

- Chapter 2 provides the Council's summary response to HE's Community Impacts Consultation.
- Chapter 3 provides summary response to compensation and Thurrock's land interests.
- Chapter 4 sets out broadly the recommendations and suggested next steps for further engagement with the HE design team.
- Appendices A – K provides the full response to technical and core consultation documents.

1.3 Overview

THE COUNCIL'S OVERALL POSITION ON LTC

- 1.3.1 As with the three previous rounds of public consultation, the Council's position is one of objection in principle to the LTC scheme as it gives rise to substantial harm to the Borough. This position is unlikely to change as a result of the current proposal, which currently delivers very little benefit for local people and does not deliver on HE's own scheme objectives '*to support sustainable local development and regional economic growth in the medium to long term*' or to '*minimise adverse impacts on health and the environment*'.
- 1.3.2 The Council continues to engage with HE in order to fulfil its statutory obligations and to protect the interests of the Borough. This is important in order to comply with PINS Advice Note Two: 'The role of local authorities in the development consent order process' (this states at paragraph 6.2 '*Local authorities should engage proactively with a developer even if they disagree with the proposal in principle... Local authorities are not undermining an 'in principle' objection to a scheme by engaging with a developer at the pre-application stage*'). With this in mind, the Council continues to have a Planning Performance Agreement (PPA) in place with HE, which will provide some financial support for resources needed to respond and engage with HE on technical matters. This aligns with the Council's usual practice for major development applications within the Borough.
- 1.3.3 The Council has consistently set out in its three consultation responses its key issues with the scheme and in February 2021 the Council published its Hatch Report entitled 'LTC Mitigation

Benefits', which set out in some detail the 58 mitigation, avoidance and compensation measures it required should the scheme proceed.

- 1.3.4 The Council has continued to engage with HE to achieve the measures identified in the Hatch Report through the DCO securing mechanisms and other means, which necessarily will involve much discussion and some compromise. Clearly, HE will want to achieve an improved level of support from the main host local authority prior to the Examination. The Council will maintain its opposition, whilst negotiating these measures and other scheme improvements, without compromising this overall position.
- 1.3.5 The Council's constructive opposition is to details of the proposed route as set out below in more detail, not necessarily opposition to the principle of a further Thames crossing, recognising this does not alter the 'in principle opposition' stance.

SUMMARY OF THE COUNCIL'S KEY ISSUES

- 1.3.6 The Council has now responded to three previous consultations and offered Executive Summaries of its key issues. The following sets out the Council's current key issues. These issues are in response to this Consultation, whilst recognising missing information (deficiencies and omissions) and issues that have not previously been responded to adequately by HE. The following narrative broadly follows the sequential sections of the following Summary Review (Sections 2.1 – 2.19 and Section 3) but does not include summaries of the accompanying Appendices (Sections 2.20 – 2.33), which deal with matters of technical detail.

CONSULTATION & POLICY

- 1.3.7 In terms of the practicalities of the Community Impact Consultation, the Council contend that the timing over the summer months (especially after an 18-month pandemic), the 8-week length, the volume of documents and the accessibility of the materials and process were inappropriate and inadequate. Furthermore, whilst the number of technical meetings, topics covered and meeting notes during 2021 may suggest meaningful technical engagement, it was not. This is because:
- i. Some technical documents were issued by HE for comments late;
 - ii. Very few issues have yet been resolved or agreed;
 - iii. There has been limited responses from HE on key Council reviews; and
 - iv. There is critical information missing from the consultation (traffic modelling data, updated air quality and noise assessments and details of updated health impacts and mitigations).
- 1.3.8 In summary, there were many deficiencies and omissions within DCOv1 identified by PINS and some of these plus many others are still not part of this consultation.
- 1.3.9 As detailed in all previous consultation responses to the LTC scheme, the Council continues to have substantial concerns about the lack of performance of the scheme against national and strategic policies as well as HE's 7 scheme objectives. The Council maintains particular concern relating to the inadequacy of option testing that gave rise to the current scheme and its commensurate ability to delivery of economic growth and facilitating sustainable local development. These national, strategic and HE policies and objectives are fundamental to justifying an appropriate scheme and should be properly accounted for in the pre DCO application design.

TRAFFIC MODELLING & TRANSPORT ALTERNATIVES

- 1.3.10 The Council is concerned that it has not yet received sufficient transport modelling evidence in support of the evaluation of alternative scheme configurations, provision for future growth scenarios in Thurrock, and consideration of impacts on the Local Road Network (LRN). The Council therefore believes that HE has:
- i. failed to demonstrate that the proposed layout of LTC through Thurrock is the optimum configuration, particularly the A13 junction;
 - ii. failed to adequately consider the implications of the very significant levels of local growth on the LTC scheme; and
 - iii. failed to satisfactorily assess the impacts of the LTC scheme on the local highway network.
- 1.3.11 This non-statutory consultation does not address these issues,, and the Council's serious concerns remain. Appendix AA summarises the position, detailing the issues of concern, the information that has been requested, the reasons for those requests and the inadequacy of HE's responses to date.
- 1.3.12 The Council therefore believes that the appraisal of options for the route north of the Thames thus far is wholly inadequate in the context of the scheme's substantial impact on the communities of Thurrock, and does not think it unreasonable to expect that HE should be able to present its appraisal of the options for alternatives: the design of the A13 junction, Tilbury Link Road (TLR), connections with local junctions, provision for local growth, connections with active travel and public transport modes. HE seems to be taking the lack of debate on these matters in previous years, and the passing of the scheme into its investment strategies, as being sufficient evidence that these matters have been dealt with. The recent experience of the A38 and A303 schemes suggests that this is not a safe assumption.

LOCAL IMPACTS & BENEFITS

- 1.3.13 There is a lack of **secured benefits for existing communities and future growth in Thurrock. Key strategic issues remain outstanding**, which have previously been raised by the Council. This lack of real benefits for Thurrock from LTC is in terms of a number of factors:
- i. Investment in delivery of a practicable local benefits strategy;
 - ii. Ability to help facilitate a legacy in terms of local regeneration;
 - iii. Provision of open space to contribute positively to place-making and deliver community benefits;
 - iv. Improved local road operability to help facilitate liveable communities;
 - v. Increased Public Rights of Way (PRoW) connectivity; and
 - vi. Facilitate movement by active travel through improved connectivity and standards.
- 1.3.14 This is especially true regarding the emerging Local Plan, as the LTC scheme does not make provision for, and is inconsistent with, the housing and development potential for Thurrock and the aspirations for the Borough and for the wider South Essex area. LTC clearly presents, along its route, an opportunity to support and enable growth in sustainable locations, particularly in East Tilbury, Chadwell St March and South Ockendon, based on appropriate local access.

- 1.3.15 Clearly, without confirmation of HE's support on additional junctions at Tilbury, South Ockendon and Tilbury Loop Line Overbridge and approach roads; wider network improvements, public transport provision and the provision of more and better WCH facilities; then LTC will hamper future growth in Thurrock due to the severance of, or impacts on, the land available for the provision of homes and jobs in these locations.
- 1.3.16 The **TLR** is required to provide essential and improved access to the Port of Tilbury, its Tilbury 3 and 4 expansion areas (as part of Thames Freeport) and other employment areas west of the LTC alignment, as an acknowledged major employment cluster in the emerging Local Plan. The TLR, as a critical ingredient in the success of Thames Freeport, must either be provided within the LTC scope or there must be a legal commitment for it to be delivered in parallel to LTC so that it is open for use at the same time LTC becomes operational. In the interim HE must legally commit to 'passive provision' for both the Tilbury and South Ockendon junctions and DfT must commit to the viability and principle of these junctions being provided onto the SRN. The Council is also aware that there is a conflict between the area for port expansion and the current proposals for 'Tilbury Fields'. It is essential that this conflict is resolved as part of these considerations prior to DCOv2 submission so as not to hinder the commitments to deliver Freeports.
- 1.3.17 A related concern is the **effect of LTC on Thurrock's local roads affecting local connectivity**, which has been and continues to be a key concern of the Council. In fact, the Council has consistently and repeatedly raised concerns at meetings and via representations that the impacts on the local roads and junctions are likely to be underestimated resulting in increased likelihood of delay at key junctions, such as the Orsett Cock, Manorway, Daneholes and ASDA roundabouts and several other key locations. HE and the Council agree that further traffic modelling work is required to validate the LTAM model and identify these delay issues. This work should then be followed by improved mitigation proposals from LTC to address these likely impacts. These mitigations could take the form of junction improvements and/or complementary environmentally sound initiatives, including enhanced public transport connections and provision. These are completely missing from the current proposals. The Council contends that the impact on local roads must be part of the traffic modelling evidence base and if mitigation is required then HE should legally commit to a process for that mitigation (possibly a S278 or S38 Agreement or similar or even through a new Schedule 2 Requirement).
- 1.3.18 The Council contends that the LTC **construction for a period of 6-8 years will create unacceptable impacts that require serious mitigation**. Further work on construction traffic modelling is required to understand likely impacts and more robust traffic management and travel plans are required with defined governance, complemented by a progressive Materials Handling Plan that together maximise non-road transport, minimises impacts on local communities and reduces embedded carbon. Workforce travel also must be secured, with targets, through encouragement of the use of active travel modes and reducing private car use. The Council considers that environmental impacts are likely to be significant, but must be based on more granular and updated data, especially in respect of air quality, noise, health, severance, effect on PRoWs with closures and diversions, loss of historic buildings and deleterious effects on cultural heritage and other key topics. Utility relocations are extensive and whilst reduced impacts have been achieved over the last year, there is still a lack of information on likely impacts on residents and businesses. Monitoring during construction for a range of factors is essential and the proposed monitoring regime to inform key control, management and governance is unclear.

THE FUTURE

- 1.3.19 The LTC scheme currently makes no substantive reference to the implications of the LTC scheme to **transport decarbonisation**, how the scheme might need to be adapted to respond to this challenge or to become an enabler of transport decarbonisation and green growth in the Thames Estuary using alternative modes and travel patterns. The HE Net Zero Highways Plan states that they will *'use the LTC scheme as a key project to test low carbon innovation*

and approaches'. Therefore, the Council expects that HE should be making commitments in the DCO about transport decarbonisation and its implications locally. HE has stated that the DCO commitments on carbon will be stronger and more comprehensive than previously seen, but has expressed concern about committing to delivering outcomes that are inherently uncertain. However, the Council believe that it is possible and desirable to set broad objectives and a committed framework for future action, secured through the DCOv2. The Council believes this should involve within the LTC scheme regional public transport links using the proposed tunnel, achieving net zero HGVs, use of the TLR for freight and public transport local connections and increased use of carbon reduction transport alternatives (as set out further in Section 2.11 below).

- 1.3.20 The Council is promoting its Active Travel Strategy through the emerging Local Plan that should result in **increased usage of PRoW and cycling routes** throughout the Borough. The Council is therefore seeking meaningful support from the LTC scheme by requesting the addition of further routes and links to the 5 currently proposed within the LTC proposals. The Council wants to ensure that up-to-date DfT standards (LTN 1/20) for all bridge crossings are employed by HE (not currently confirmed) to accommodate this future usage. This will help to ensure that LTC does not become a future barrier to increased walking and cycling use across the Borough or cause the Council to incur severe financial penalties from DfT, resulting in a loss of capital and maintenance funding allocations.
- 1.3.21 There is no currently secured commitment from HE to **achieve local skills and employment targets**, particularly for apprentices, workless job starts, graduates and traineeships, work placements and training for local residents. Also, the **Skills, Education and Employment Strategy (SEE) is not a 'control' document and not secured within DCOv2 and there are limited commitments within the CoCP/REAC**. Therefore, the subsequent Employment and Skills Plans by LTC contractors are not committed to any overall framework. There is a once in a generation opportunity to support the local community to develop skills and employment opportunities. These commitments cannot be seen by HE as an add-on or burdensome requirement, but should be central to the LTC scheme. In addition, there is **no commitment for the LTC project to adopt the social value procurement requirements** set out in both the Social Value Act, 2012 and the Council's Social Value Framework, adopted in November 2014 in procuring its goods, materials and services.
- 1.3.22 The Government's 'Decarbonising Transport – A Better, Greener Britain' was published on 14 July. This was followed on 19 July by HE publishing their 'Net Zero Highways – Our 2030/2040/2050 Plan'. HE was fully aware of these significant documents prior to its consultation exercise. It is expected that HE **provides clear commitments to decarbonising the LTC scheme** throughout its lifecycle, prior to DCO re-submission, and explain how these two critical policy documents will be addressed through the DCOv2. The current LTC scheme and the associated climate change impacts appear to be inconsistent with the 78% Carbon Reduction by 2035, which is now enshrined in UK law via the Climate Change Act 2008 (and its 2019 Amendment Order) and its subsequent Carbon Budget Orders of 2021. Measures expected should include both project specific interventions, such as zero carbon energy provision for operation, landscaping and low embodied carbon material use; and, regional interventions, such as supporting strong modal shift to sustainable transport modes, new low carbon infrastructure and legacy skills.

THE LEGACY

- 1.3.23 The Council is disappointed that **very few of the 58 measures set out in the Hatch Report have been agreed**, as referred to in paragraph 1.3.3 above, despite some 9 months of continued and focussed technical discussions. Key priority measures for the Council are jobs and skills commitments, social value commitments, wider network (East Facing Slips and A13 trunking) commitments, several local connectivity improvements (passive provision for two future junctions, Tilbury Loop Line Overbridge, roundabout improvements and TLR), improvements to public transport connections, Council funding support and further improvements to the PRoW and cycling network and use of compliant standards. These

measures are considered crucial to the Council in achieving its provision for the emerging Local Plan and to ameliorate the current LTC scheme, reducing its impacts on residents.

TECHNICAL & PROCESS MATTERS

- 1.3.24 Local authorities need to have a **leading role in the discharge of DCO Requirements**, as they do in most DCO applications, excepting those currently by HE. The majority of LTC is within Thurrock. The Council is the interface between the development for the majority of the strategic road network and creating benefit for the future of local residents/stakeholders. The Council is concerned that leaving the discharge of requirements to the Secretary of State risks the national strategic case dominating future plans and the local case for local residents/stakeholders being overlooked.
- 1.3.25 The Council does not agree with the current proposals to disapply the Council's network management powers, including the current street works permitting systems and the consenting on temporary Traffic Regulation Orders. The changes would impact on the Council's ability to manage effectively the LRN including works being carried out as part of the delivery of the Project and also works carried out by other major projects and day to day operations on the LRN.
- 1.3.26 There are still significant information gaps and the potential for under-reporting potential impacts within this consultation. This information is critical for the Council to provide a fully informed and appropriate response, which it cannot do. This is evidenced by the joint local authority letter to HE setting out these 3 critical deficiencies/omissions, as forwarded to PINS in August 2021.
- 1.3.27 The Council is concerned about the **lack of adequate provision for emergency services within the LTC scheme or any securing mechanism for its provision**, especially relating to the lack of detail and absence of measures to support the emergency services and safety partners. It does, however, recognise that the Emergency Services and Safety Partners Steering Group (ESSPSG) have provided their initial response to HE in August 2021 and they will be providing a separate and more detailed response to the HE Consultation, which will set out their concerns in detail. The ESSPSG have sought the memberships' approval to submit this draft response by the deadline, allowing for further governance and any further detailed comments to be made in the following weeks.
- 1.3.28 The Council's main **substantive concerns regarding proposed utilities diversions** relate to the extent of land-take required and likely impacts on communities and existing infrastructure, including in terms of disruption and safety. These concerns and deficiencies significantly hinder the ability of the Council to clearly understand the types and levels of environmental impacts and mitigation requirements associated with each proposed utility diversion and so the current LTC scheme does not clearly establish the environmental acceptability of all proposed diversions. These concerns can be summarised as: inadequate reporting; absence of consistent referencing and diversion descriptions; inability to validate NSIP screening conclusions; lack of clear identification/screening of OHL proposals; absence of justification to support assumed Associated Development status of non-NSIP diversions (as required in DCLG Guidance on associated development, 2013); utility diversions have been considered as a consequence of the preferred route and not as a major design consideration at the outset; weak application of undergrounding test within NPS EN-5; and, weak approach to environmental mitigation secured through EMP2 (and limited commitments in the CoCP/REAC) with consequently less control. All these concerns must be addressed before DCOv2 to resolve the vagueness of the current proposals and mitigations.

HE COMPENSATION POLICY & THURROCK'S LAND INTERESTS

- 1.3.29 **HE's policy, 'Your property and compensation or mitigation for the effects of our road proposals'**, simply refers to and re-states legislation that provides LTC with options for mitigating scheme impact both to the environmental and to local residents. The measures for

local residents include options in respect of increased noise (including planting, noise insulation and noise payments), expenses for suitable temporary moves and off-line discretionary home purchase. The policies, in most cases, do not go further than the statutory position and provide limited comfort due to their discretionary nature and lack of specific details (including application process, response timeframe and support etc.). Further, no support is offered for local businesses or other property uses outside of residential.

- 1.3.30 The Council's land interests have been identified as totalling 174 land parcels that are impacted by the LTC scheme. These cannot be properly assessed as the 'Statement of Reasons' does not provide sufficient detail, including only limited justification and explanation for the sought compulsory powers and land requirement. However, its deficiencies include no design justification, the mitigation proposed, predicted local impact, acquisition dates and exact land take and timeframe for temporary possessions. It is hoped that this further information can be provided in detailed engagement meetings between the parties, prior to DCOv2 submission.

2 Summary Response to Highways England's Community Impacts Consultation

CONSULTATION & POLICY

2.1 Accessibility of consultation, timing, length and volume of consultation materials

- 2.1.1 The Community Impacts Consultation was held between 14 July – 8 September, a total of 8 weeks. It involved the provision of 9 technical documents, 7 'core' documents, a range of Map Books and Maps, a HE non-statutory compensation/mitigation policy document and some 'easy read' documents – a total of 30 separate items. This documentation totalled over 3,500 pages and did not contain any non-technical summaries and the three 'easy read' documents (Guide, Ward Summaries and You Said We Did) did not fulfil that purpose. In addition to the published materials, 6 webinars were held, there was a telephone call-back service, 18 in-person events were available and all consultation materials were online. In addition, hard copies were available on request, but only for a period of 7 weeks.
- 2.1.2 Four local authorities (Thurrock, Kent CC, LB Havering and Gravesham BC) formally requested by a joint letter to HE an extension of 4 weeks to this consultation, based on 5 specific reasons. This request was rejected as it was considered that 8 weeks was adequate and the public had not requested it and that three of the reasons given were, in its view, not related to public consultation. However, HE has offered additional time to each local authority to accommodate longer governance processes, arranged by individual agreement.
- 2.1.3 The Council contend that the timing over the summer months (especially after an 18-month pandemic), the 8-week length, the volume of documents and the accessibility of the materials and process were inappropriate and inadequate. The Council's challenge on these matters can be broadly explained, as follows:
- i. **Timing** – the consultation occurred over the summer months following the 18-month pandemic with some Covid-19 restrictions still in place, when many Council officers and their specialists were taking much needed annual leave, making responses difficult to finalise as many technical officers are unavailable. It is noted that many HE staff themselves were on leave and unavailable during this period. We would add that public authorities are unlikely to be permitted to undertake major consultations during the summer months.
 - ii. **Length of Consultation** – the consultation period is only 8 weeks long and accounting for the various needs of Council governance only offers 4-6 weeks in which to prepare the technical draft responses to what is over 3,500 pages of core and technical documents. Furthermore, those residents only able to access hard copies have only 7 weeks to review following receipt of any documents requested.
 - iii. **Volume of Documentation** – the extent and range of the documentation with some 2,500 pages of public-facing documents and almost 1,000 pages of technical documents was considerable. The public facing documents were overwhelming in quantity and complexity, although useful, but in most cases were 'too much too late'. The 9 technical documents (plus maps), although some were received 1-2 weeks prior to consultation commencing (refer to paragraph 2.2.1 iv below), covered some of the proposed 'control' documents and some had not been seen before and needed to involve careful review by many different officers/specialists. Consequently, there was limited pre-consultation engagement, which was limited to sharing several draft control documents and to two overall content meetings following the Council's comments on the HE draft 'Approach to Consultation' document.

- iv. **Accessibility of Materials** – current guidance relating to consultation is set out in DCLG's 'Planning Act 2008: Guidance on the pre-application process' (2015) and the guidance references that consultation should be thorough, effective and proportionate with sufficient time for consultees to understand proposals and formulate a response. This is made especially difficult for the public with the combination of the volume of materials and the 7-8 week consultation period over the summer. Furthermore, the Council is concerned that certain vulnerable groups may be under-represented, particularly those with limited access to the internet or difficulties in downloading large documents.

- 2.1.4 Whilst HE has acknowledged stakeholder concerns regarding the length and timing of the consultation, the programme has not been amended. Furthermore, it is generally good practice, if providing a consultation during an extended holiday period (Christmas, Easter or summer school holidays (mid-July to end August)), that the consultation period be extended to accommodate annual leave arrangements, so as to seek to stakeholder engagement.
- 2.1.5 It is noted that HE places a heavy reliance of programme and process in this consultation rather than effectiveness of consultation, especially as this fourth consultation is extremely complicated and is an acknowledged attempt to address serious failings in previous consultations as set out in the PINS meeting note dated 26 November 2020, paragraphs 19-44 (lack of feedback on how comments have been addressed, lack of a local emphasis, lack of understanding of community or construction impacts and a lack of technical information and measures for controlling the scheme going forward). The result is HE trying to achieve too much in too short a time and the Council considers that consultation fatigue makes effective consultation at this stage particularly challenging.
- 2.1.6 In addition, the programme puts a heavy reliance on achieving a DCOv2 submission programme in November 2021, which only allows 2-months from consultation close to DCOv2 re-submission. This is considered insufficient time to understand and properly account for public and stakeholder consultation comments, let alone trying to resolve the many and substantial technical issues between HE and stakeholders.

2.2 Lack of meaningful technical engagement and inability to change/accommodate comments positively

- 2.2.1 It is acknowledged that HE has held many technical meetings during 2021 on a range of topics, such as a range of environmental topics contained within the Statement of Common Ground (SoCG)/Issues Logs, traffic modelling, transport design, construction impacts and traffic, legacy, travellers impacts, design matters, emergency provision, Hatch Report measures (refer to Section 2.15 below), waste and materials handling, health through Community Impacts and Public Health Advisory Group (CIPHAG), wider network impacts and provision and open space and WCH provision. However, whilst the number of meetings, topics covered and meeting notes may suggest meaningful technical engagement, it was not. The reasons it was not meaningful technical engagement can be set out, as follows:
 - i. HE's own 'Summary of LA Technical Engagement' v7, 8 and 9 were issued on 27 January, 5 March and 16 April 2021 (there has been no issue since), these set out dates for receipt of draft technical, 'control' documents and in most cases receipt was delayed by 1-3 months.
 - ii. Despite many technical meetings over 8 months during 2021, very few comments from Council officers/specialists have been agreed, as has been set out in progress/update tables exchanged after each fortnightly meeting, except the relatively easy requests, but nothing substantial.
 - iii. The Council issued technical comments on over 25 draft technical documents in the period spring – autumn 2020, but no reaction to these comments was received until early spring 2021, thereby delaying proper engagement on the issues with DCOv1.

- iv. Although some technical documents have been received over the two months prior to the consultation (these have included several 'control' documents, such as the oLEMP, oTMPfC and oSWMP), subsequent versions have been issued at consultation making version control difficult to follow and ongoing technical discussions difficult to properly track.
- 2.2.2 In addition to the above failings, the joint local authority letter (referred to above in Section 2.1) pointed out the lack of critical information within the consultation materials that made commenting difficult and prevented the Council from advising residents and the public on key technical matters and thereby providing an informed consultation response. These four matters were:
- i. Councils have only just received on 23 July 2021, the updated operational traffic modelling data for the years 2029, 2036, 2044 and 2051, including the significant additional lane on the LTC to A13 slip road. The Council has downloaded the data, but some LAs have had technical/IT difficulties, thereby adding to the time. It will take some 3-4 weeks to analyse the data, which would then go beyond the current end of consultation and as this analysis is so critical to many aspects of the consultation, any responses would be lacking this critical issue.
 - ii. The updated construction modelling has not been received, which is assumed to be the basis of the documentation regarding construction impacts. This is expected mid-late August.
 - iii. Due to the late receipt of the traffic modelling data, we will also not be receiving the air quality and noise updated assessments until well into September, again after the current consultation is due to close, which will require several weeks to properly analyse and review. This is acknowledged in both the Consultation's Construction Update (Section 1.6, Page 16) and the Operations Update (Paragraph 39, Page 172) – that air quality and noise assessments are worst case, but are only an indicative summary of the likely effects based on earlier versions of the project and further modelling is required.
 - iv. Finally, and also due to the delay and effects of matters above, we will not even be discussing the **updated health impacts or any attendant mitigation** until later in September at the CIPHAG meetings, again after consultation has ended.
- 2.2.3 HE has stated in their response letter to the joint local authority letter that this missing data is not relevant to this public consultation and are '*...not part of the consultation, so neither you nor the public need to analyse them...*'. The Council contends that these four technical issues of traffic modelling (operational and construction), air quality and noise assessment and health impacts/mitigation are essential and critical to assessing the current consultation materials, as without their conclusions the design proposals, the impacts assessment and mitigation proposals cannot be properly judged. The Council therefore cannot provide a holistic and fully effective consultation response and so reserves its right to comment further once this missing information has been provided and assessed.
- 2.2.4 HE has offered a range of additional wording to some 'control' documents that is welcome, although not going far enough. However, more importantly, HE has exhibited a resistance to consider changes to their current proposals to reflect comments on its lack of future-proofing to provide for sustainable transport solutions, or the role of technology in emerging travel patterns, including for public transport and freight movement; or to adequately explain alternatives that led to current key design elements. Despite all this, just prior to consultation an additional lane to the slip road from LTC to the Orsett Cock Roundabout was introduced at a meeting requested by HE in June 2021, with very limited explanation – a significant design change at a late stage, due to traffic modelling that the Council have only just received. This late change was explained as being required to avoid recently predicted queuing on the running lanes of the LTC and was confirmed as within current Order Limits. There was no information on the likely effects on Orsett Cock Roundabout or the potential air quality or noise

impacts of this proposal, which are not included within this current consultation. In fact, this new proposal has not been fully incorporated into many consultation documents.

- 2.2.5 HE has also refused to provide additional controls post-DCO grant and has refused to provide additional necessary mitigation and legacy benefits suggested by the Council, which are set out further within this Summary Review and its accompanying Appendices.

2.3 Key Deficiencies/Omissions in Community Impacts Consultation

- 2.3.1 The Council believes that there are a number of key deficiencies and omissions within the current LTC scheme and within this current consultation that have been set out in previous Council consultation responses and are set out below. However, before setting these out it is worth summarising the deficiencies and omissions identified within the PINS meeting note dated 26 November 2020, following the HE DCO withdrawal and after discussions with HE.

- 2.3.2 The deficiencies and omissions identified by PINS in November 2020 are set out below, together with an update on the current position:

- i. Lack of a Transport Assessment (Paras 1 and 37) – this was provided by HE in December 2020 as part of the DCOv1 submission documents and was responded to in detail by the Council in March 2021, but has not yet been commented on by HE since then.
- ii. Lack of Detailed and Up-to-Date Traffic Modelling Information (Para 37) – this relates to considering environmental effects arising from changes to levels of traffic and mitigation and indicates that the traffic modelling output did not contain the level of detail reasonably required for consultees to develop an informed view.
- iii. Lack of Traffic Management proposals (Paras 2-5) – now included within the Outline Traffic Management Plan for Construction (oTMPfC) and the Council's extensive and significant comments are set out in Appendix A (1).
- iv. Lack of a Site Waste Management Plan (Paras 13 and 14) – provided in initial draft by HE in February 2021 and commented on by the Council in March 2021. It is now included within the Outline Site Waste Management Plan (oSWMP) and the Council's extensive and significant comments are set out in Appendix B (1). However, there was also a need to set out materials handling proposals, impacts and mitigations – this is now included within the Outline Materials Handling Plan (oMHP) and the Council's extensive and significant comments are set out in Appendix B (2).
- v. Lack of Environmental Information (Paras 31-36) – this was provided within the ES and its Appendices as part of the DCOv1 submission documents shared in December 2020. The Council has set out its comments in October 2020 and these were responded to by HE in February 2021. These matters are still the subject of ongoing technical engagement but there are many issues outstanding and unresolved.
- vi. General Comment on Lack of Sufficient Information and Need for Adequate Consultation (Paras 19-27) – this may be partly addressed within the current consultation, but there still remains a paucity of information as set out in the Summary Review and its accompanying Appendices.
- vii. Lack of Feedback from Previous Consultations (Paras 38-44) – this has now been partially but inadequately addressed within the 'You Said We Did' document and the Council's extensive and significant comments are set out in Appendix I.
- viii. Lack of a Landscape and Ecology Management Plan (LEMP) (Para 45) – provided in initial draft by HE in February 2021 and commented on by the Council in May 2021. It is now included within the Outline Landscape and Ecology Management Plan (oLEMP) and the Council's extensive and significant comments are set out in Appendix F.
- v. Minor Errors and Omissions (Pages 10-12) – these were set out as a list and it is assumed that they will be dealt with in DCOv2.

- 2.3.3 Further to the above list, the Council has set out throughout this Summary Review and the accompanying Appendices a number of key deficiencies and omissions and these can be summarised below with more detail provided in subsequent sections:
- i. Lack of Key Elements of Operational Traffic Modelling Data and Analysis (refer to Section 2.5 below).
 - ii. Lack of updated Construction Modelling Data (refer to Section 2.10 below) – this was only received on 27 August 2021.
 - iii. Lack of updated Air Quality and Noise Modelling Assessments (refer to Sections 2.17 and Appendix H).
 - iv. Lack of updated Health and Equality Impacts and Mitigation for consideration and discussion (refer to Section 2.17 and Appendix H).
 - v. Lack of adequate Consideration of Alternatives (refer to Section 2.6 below).
 - vi. Lack of Adequate Local Impact Assessment and/or related Benefits Provision (refer to Section 2.7 below).
 - vii. Lack of consideration of Impact on Local Roads (refer to Section 2.9 below).
 - viii. Lack of consideration of and Provision for Future Travel Patterns, Public Transport Provision and Future Technology Changes (refer to Section 2.11 below).
 - ix. Inadequate Proposals for PRoW and Cycling (refer to Section 2.12 below).
 - x. Lack of Commitment to securing targets for skills and employment local provision and social value procurement (refer to Section 2.13 below).
 - xi. Inadequate Response and Provision for the changing policy environment and legislation relating to Climate Change and Decarbonisation (refer to Section 2.14 below).
 - xii. Limited provision for legacy or the securing commitment to do so, beyond some helpful but limited provision of HE's Designated Funds and the potential provision of the Tilbury Loop Line Overbridge. The legacy requests were set out in the Hatch Report (refer to Section 2.15 below).
 - xiii. Lack of adequate provision for emergency services within the LTC scheme or any securing mechanism for its provision, especially relating to the lack of detail and absence of measures to support the emergency services and safety partners (refer to paragraph 2.17.3 below).
- 2.3.4 It is considered that the timely provision of the above data and allowing time for analysis and discussion with HE to resolve issues would mean that the DCOv2 submission later this year is not appropriate as there will be many unknowns and limited resolution of key issues prior to submission.

2.4 National and Highways England Policies – non-compliance

- 2.4.1 In previous consultation responses for Statutory, Supplementary and Design Refinements Consultations the Council has commented about the lack of performance of the scheme against national and strategic policies as well as HE's 7 scheme objectives. In particular, relating to option testing that give rise to the current scheme, the delivery of economic growth and achieving sustainable local growth.

- 2.4.2 The national and strategic policies and scheme objectives that the scheme does not satisfy relate to the following documents and their key provisions, broadly set out below:
- i. NPSNN (2015) – paragraph 2.13 – *‘...the Strategic Road Network provides critical links between cities, joins up communities, connects our major ports, airports and rail terminals. It provides a vital role in people’s journeys, and drives prosperity by supporting new and existing development, encouraging trade and attracting investment.’*
 - ii. Paragraph 4.3 – *‘...in considering any proposed development, and in particular, when weighing its adverse impacts against its benefits, the Examining Authority and the Secretary of State should take into account: its potential benefits, including the facilitation of economic development, including job creation, housing and environmental improvement, and any long-term or wider benefits; its potential adverse impacts, including any longer-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts.’*
 - iii. Paragraph 4.27 – *‘All projects should be subject to an options appraisal. The appraisal should consider viable modal alternatives and may also consider other options (in light of paragraphs 3.23 to 3.27 of this NPS). Where projects have been subject to full options appraisal in achieving their status within Road or Rail Investment Strategies or other appropriate policies or investment plans, option testing need not be considered by the examining authority or the decision maker. For national road and rail schemes, proportionate option consideration of alternatives will have been undertaken as part of the investment decision making process. It is not necessary for the Examining Authority and the decision maker to reconsider this process, but they should be satisfied that this assessment has been undertaken.’* In our view, the implications of this is for HE to provide a DCO document setting out a full explanation of the options and alternatives explored since the Preferred Route Announcement in April 2017 to satisfy the Examining Authority.
 - iv. the DfT’s Road Investment Strategy 1 and 2 (RIS 1 and 2) – *‘the Company [HE] will, therefore, engage with other infrastructure providers and private developers to build long-standing relationships that help unlock opportunities for growth, including the construction of new housing, industrial and business sites, while also collaborating with local authorities to identify interventions on and off the network.’* (RIS 1 and 2)

‘RIS does not seek to predict the future, but takes into account a range of possible outcomes, underpinned by broad evidence, which the Department will continue to build on and review. The Department and the Company [HE] must be an active contributor in efforts to ensure the UK takes advantage of these global technology trends, facilitates investment and boosts overall UK capability.’ (RIS 1 and 2)

‘Our ambition for the next 25 years is to revolutionise our roads and create a modern SRN that supports a modern Britain, making a real difference to people’s lives and businesses’ prospects.’ ‘Improvements to the SRN are also designed to bring economic benefits to the local area and wider region.’ (RIS 2)

‘These and other emerging challenges will ensure that the need to improve the SRN’s environmental impact remains at the forefront of decision making.’

‘We are also likely to see increasing automation on the roads as we transition from existing vehicles, via assisted driving services like platooning, to the deployment of fully autonomous vehicles. While driverless technology still has to mature, it clearly has the potential to transform the UK’s transport networks – improving safety, reducing congestion, and lowering emissions. While the timing of development and mass market adoption of many of these technologies is unclear, what is certain is that changes are coming, the impact of these changes on the road network of the future will be real, and we need to support such advances as much as possible.’ (RIS 2)

‘We expect the SRN to continue to play a key role in unlocking access to new housing

Developments.’ (RIS 2).

- v. HE’s ‘The Road to Growth – Our Strategic Economic Growth Plan’ (2017) – ‘the practical steps which HE is taking to increase its economic contribution in 4 areas:
 - Supporting business productivity and competitiveness, and enabling the performance of SRN-reliant sectors;*
 - Providing efficient routes to global markets through international gateways;*
 - Stimulating and supporting the sustainable development of homes and employment spaces;*
 - Providing employment, skills and business opportunities within our sector’.*

- vi. HE’s Strategic Business Plan (2017) – ‘...we will improve our planning for the next decade and beyond. This will mean:
 - Taking a more responsive and coherent approach to planning – one that is better understood by our customers, staff, suppliers and partners;*
 - Giving stakeholders more of a say in how we develop the network at a national, route and local level;*
 - Exploring new and better ways to stimulate growth;*
 - Encouraging innovation especially to exploit the benefits of vehicle and roadside technology;*
 - Ensuring our customers have more of a voice in determining investment priorities and how work is delivered;*

- vii. LTC 7 published scheme objectives – the key objective of relevance for Thurrock is ‘To support sustainable local development and regional economic growth in the medium to long term.’

2.4.3 The Council contend that the current LTC scheme does not satisfy these above mentioned policies and that the scheme could be substantially improved if these policies were properly and substantively adhered to, in discussion with the Council. We therefore make the following specific points again for HE’s consideration:

- i. Although an options appraisal has been undertaken to select the preferred route (PFA) for the LTC, there is no available evidence that an options appraisal has been carried out to inform the configuration of the current Consultation Scheme (junction locations, junction types, restricted movements, Public Rights of Way crossing locations, scheme height, alternative modes, etc). This is the responsibility of the promoter, but given the impact of the A13 junction, and the importance of connections and Tilbury and South Ockendon, it would be expected that alternative configurations at these locations would be considered.
- ii. The traffic modelling output available does not include results of any option testing to understand the scheme impacts on the local networks and residents, businesses, open countryside and designated environmental areas.
- iii. Local junction improvements and other mitigation may be necessary and should be funded and delivered with the scheme.
- iv. It is not clear from the evidence presented within consultation materials why the proposed connection to the Port of Tilbury has been removed and option testing is not provided.
- v. It is recommended that HE works with the Council to seek to ensure that appropriate passive provision is made in the Consultation Scheme to safeguard for future local transport links to enable growth within the Borough and it could assist with providing for fundamental active travel, public transport and/or highway connections (as set out in Section 2.7 below).

- vi. The Consultation Scheme makes provision for the replacement/re-provision of PRow which are affected by the proposals, however, further details are sought in relation to the temporary provision/mitigation during the construction phase.

2.4.4 These national, strategic and HE policies and objectives are fundamental to justifying an appropriate scheme and should be properly accounted for in the pre DCO application design, so that PINS Examination time is not wasted in discussing such basic requirements.

TRAFFIC MODELLING & TRANSPORT ALTERNATIVES

2.5 Traffic Modelling Issues

2.5.1 The Council is concerned that it has not received sufficient transport modelling evidence in support of the evaluation of alternative scheme configurations, provision for future growth scenarios in Thurrock, and consideration of impacts on the LRN. The Council therefore believes that HE has:

- i. failed to demonstrate that the proposed layout of LTC through Thurrock is the optimum configuration, particularly the A13 junction;
- ii. failed to adequately consider the implications of the very significant levels of local growth on the LTC scheme; and
- iii. failed to satisfactorily assess the impacts of the LTC scheme on the local highway network.

2.5.2 This non-statutory consultation does not address these issues, and the Council's serious concerns remain. Appendix AA summarises the position, detailing the issues of concern, the information that has been requested, the reasons for those requests, and the inadequacy of the HE's responses to date.

2.5.3 The Council also has concerns about the modelling undertaken for construction traffic, and these issues are dealt with in Section 2.10.

Scheme Alternatives and Provision for Growth

2.5.4 In December 2018, in responding to the LTC Statutory Consultation, the Council expressed its concern about the adequacy of the evidence in support of the necessary evaluation of alternative scheme configurations, and the selection of the then preferred scheme layout, particularly in relation to the layout of the junctions with the A13, Orsett Cock and TLR in Thurrock.

2.5.5 The Council's response to Supplementary Consultation (January to April 2020) expressed concern about the lack of consideration of the very significant proposals for growth in Thurrock, and thus the potential for the scheme to be a barrier to sustainable growth in the area.

2.5.6 In March 2020, the Council issued 'HE Modelling Specification Note' (PART 1), which included indicative Local Plan growth assumptions and network files'. This contained the information necessary for HE to run Local Plan growth scenarios, with alternative network assumptions, such as with/without the A13 junction, TLR and improvements to ASDA Roundabout.

2.5.7 HE has been updating the 2027 opening year model to a 2029 opening year model, with forecast year models also being updated by 2 years (e.g. 2042 to 2044, etc.). The Council agreed that the models runs should be carried out on the updated model, as it was confirmed that this would be available very shortly. Only very recently, in response to HEs ongoing traffic modelling work, additional lanes have been added to the A13 interchange to Orsett Cock. The

model has been updated again to accommodate this change. HE still needs to undertake further modelling to test the viability of the proposed LTC design, and this may again identify significant changes to the scheme currently being consulted on.

- 2.5.8 In June 2021, the Council subsequently issued updated information to HE to enable the Local Plan growth model runs to be undertaken, including minor network changes, (PART 2: Indicative Local Plan (ILP) Model Runs', includes network files compatible with the latest LTAM model).
- 2.5.9 In July 2021, the Council issued further information to enable model runs to be undertaken to assess alternative scheme layouts, including with/without the A13 Junction, the TLR and South Ockenden junction, ('PART 3: A13 and TLR Option Model Runs', includes network files for options (without the networks related to the indicative Local Plan growth) compatible with the latest LTAM model).
- 2.5.10 Initial experimental runs have been carried out within the out of date model (i.e. 2042 forecast year model), so that as soon as the updated model was ready any issues had been identified for running in the latest model (i.e. for forecast year 2044 in model titled DCO 2). The updated model runs have not been provided yet.
- 2.5.11 The Council has now received the output from the 2029 cordoned LTAM (following preliminary data being received on 29 April, a further update was received on 26 July 2021), but only for the DCO scheme configuration and demand scenarios. It remains in discussion with HE about the running of future growth scenarios and alternative scheme layouts. Without this information, the Council is not in a position to accept that sufficient evidence has been provided to justify the proposed LTC scheme configuration through Thurrock.
- 2.5.12 This lack of evidence also has an impact on the Council's ability to reach conclusions about the consequential analysis of transport related environmental and health effects. Bearing in mind the very significant impacts of the proposed route through Thurrock, there is a high burden of proof on HE to demonstrate that the optimum configuration has been identified, and an appropriate planning balance has been reached in the evaluation of alternatives.

Local Highway Network Impacts

- 2.5.13 The Council's response to the Supplementary Consultation (January to April 2020) set out its concerns about the validation of the Lower Thames Area Model (LTAM) on the local highways network in Thurrock, with the model data suggesting that baseline traffic flows were being under-estimated, thus undermining the ability of the model to be used for assessment of local highway impacts and mitigation. Concerns have also been expressed about the mis-match between the local AM peak hour (between 08:00 and 09:00hrs) and the modelling peak hour within LTAM, (07:00 and 08:00hrs) and the potential this has for under-estimating local traffic impacts; as well as the issues of induced traffic and rat running (i.e. traffic not following the intended route). The Council continues to be concerned that these issues have not been adequately assessed in the strategic model, and that further work is necessary to better understand the effects on the local network, and the implications for scheme development.
- 2.5.14 Engagement on these issues has continued since that time, including through the Design Refinement Consultation in July 2020, and following publication of the submission documents for DCOv1 in October 2020. HE has refused to consider revisiting the validation of the 2027 LTAM model. The Council therefore has little confidence on the ability of LTAM to predict traffic effects on the local network, which in turn could have effects on more strategic movements. Although the model has now been recently updated to reflect a later 2029 opening year, this position has not changed.
- 2.5.15 The Council has subsequently suggested, through engagement at the time of the October 2020 publication of the DCOv1 documents, that an alternative approach be adopted by using locally validated micro-simulation models to assess local highway impacts at ASDA

Roundabout, Manor Way and the junctions with TLR and at Orsett Cock. It is understood that micro-simulation models are being developed, but apart from one partial demonstration, no substantive evidence has been provided as to the efficacy of these models, or the findings derived from them.

2.6 Lack of evaluation of scheme alternatives and provision for growth – to demonstrate efficacy of preferred option

- 2.6.1 As expressed in the Council's response to the 2018 Statutory Consultation, the Council continues to take the view that the 2016 public consultation did not provide satisfactory comparative evidence for alternative route alignments A and C. No transport modelling evidence was presented at that time to substantiate the strategic choice made.
- 2.6.2 However, since the Statutory Consultation in December 2018, the Council's concerns about options appraisal has focussed on the selection of the LTC scheme configuration along the selected route alignment, including the configuration of the A13 junction, the connections between the LTC and the local area, and necessary local highway mitigation. Despite these concerns being debated since that time, HE has not provided substantive evidence of any testing of alternative LTC scheme configurations.
- 2.6.3 Section 2.5 above sets out the Council's concerns about the lack of evidence presented about the lack of any testing of alternatives, including the form of the junction between LTC and A13 and TLR, or testing of future growth scenarios. HE seems to be taking the lack of debate on these matters in previous years, and the passing of the scheme into its investment strategies, as being sufficient evidence that these matters have been dealt with. The recent experience of the A303 scheme suggests that this is not a safe assumption, where the High Court found that the options appraisal was insufficient to demonstrate that sufficient consideration had been given to the assessment of alternatives in relation to its impact on the historic environment.

LTC Scheme Configuration, including A13 Junction

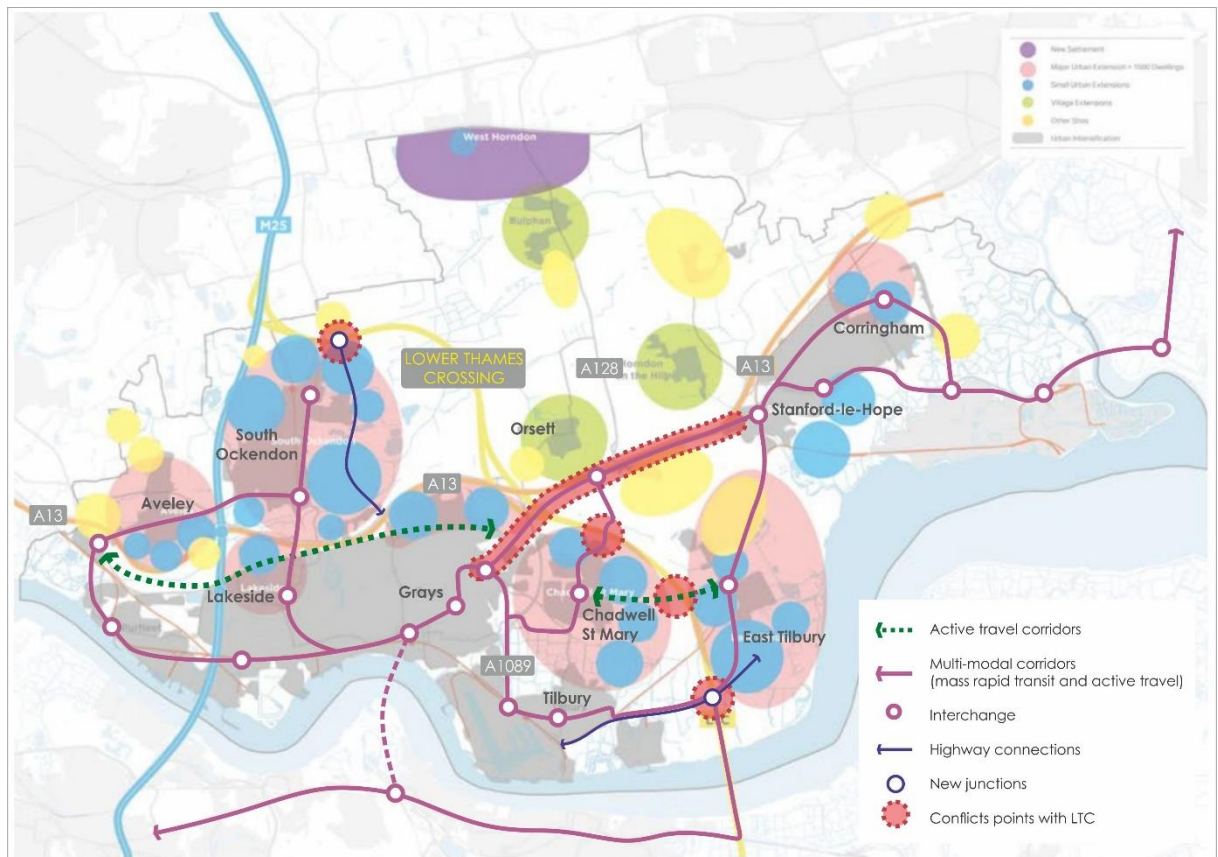
- 2.6.4 Evidence has been sought from HE as to the justification for the A13 junction and its configuration. In recent correspondence, HE has suggested that any options appraisal should be proportionate. The Council agrees with this position, however, it contends that significance of the impacts on the landscape of Thurrock, and the consequential impacts relating to property, severance, traffic delay and congestion, health, air quality, noise, accessibility and economy, (both in the temporary construction stage and permanent operational condition), means that there is a significant burden of proof resting with HE to justify the selected scheme design.
- 2.6.5 HE published 'Approach to Design, Construction and Operation' in July 2018. This provided some commentary about the decisions made about scheme design, but there is no supporting appraisal or modelling work. In particular, the reasons for removing TLR are not considered valid by the Council and seem to have guided HE's approach since that time, even though some reasons are now out of date. This is discussed in more detail in Section 2.8.4.
- 2.6.6 In March 2020, and again in June/July 2021, the Council has requested evidence of the alternative options tested by HE to determine the DCO configuration. The Council has suggested a number of alternatives for testing, including:
- i. LTC with a Tilbury Link Road.
 - ii. LTC without connection to the A13 and with a Tilbury Link Road.
 - iii. With major improvements including grade separation at ASDA roundabout.

- 2.6.7 Whilst some progress has been made on developing suitable models for testing these alternatives over the last 18 months, this work has not been completed, and HE has not supplied detailed evidence of any testing of alternative LTC configurations they might have undertaken in assessing that the optimum scheme has been selected.
- 2.6.8 In its note 'Lower Thames Crossing A13 Junction Design Approach May 2021', HE states that an options appraisal has been undertaken as part of the preferred route selection. However, the HE note focuses more on the reasoning behind the design choices made through the iterations of the interchange at A13, rather than the reasoning for the interchange and the comparative review of alternative scheme configurations. This does not help the Council to reach a conclusion about the performance of the current scheme when compared to alternative configurations. Whilst the HE team has committed to set out its plan for providing more information on traffic flows on critical links, this information has not yet been provided.
- 2.6.9 The Council therefore continues to believe that insufficient evidence has been provided to allow stakeholders to take a view about the performance of alternative options, specifically related to the configuration of the LTC scheme now subject to the current non-statutory consultation and its very significant impacts on Thurrock and its local community. Furthermore, the Council has significant unresolved concerns that the configuration is safe or indeed can be delivered within the current Order Limits, when allowing for the many signing gantries and safety fencing and barriers, which will be required to mitigate the poor layout of the linkages and connections within the interchange.
- 2.6.10 HE, at Table 1 of its Technical Note of May 2021, repeats that the proposed interchange with A13 assists with achieving the stated objectives of the LTC project. It asserts that the proposal '*supports sustainable local development and regional economic growth*'. The Council does not agree that the interchange achieves this and indeed it is the Council's view that the proposed arrangement sterilises land within the Borough without assisting connections. The proposals are almost entirely about strategic benefit without supporting local growth, sustainable local access and connectivity, or the transport decarbonisation agenda.

Options to Enable Growth (and reduce impacts)

- 2.6.11 The Council's Issues and Option Stage 2 of the emerging Local Plan process has identified a number of possible growth areas. Those which are directly affected by LTC are: Tilbury, East Tilbury, Chadwell St Mary and South Ockendon. The LTC either severs or impacts access to the land available for the provision of homes and jobs in these locations, but there are opportunities to deliver improved connectivity which would help to facilitate this growth, and the Council have been seeking to ensure that these are considered, safeguarded and implemented. The opportunities that have been discussed with HE include:
- i. The provision of a junction and link at **Tilbury** for:
 - a. Multi-modal access to the Tilbury Growth Area via Tilbury Link Road, and potentially Chadwell St Mary Growth Area.
 - b. Multi-modal access to East Tilbury Growth Area.
 - ii. Public transport access (if TLR not delivered early) and crossing of the LTC at **Brentwood Road** (Chadwell St Mary).
 - iii. **A1013** bus priority.
 - iv. A future junction at **South Ockendon**, to provide access to growth locations.
- 2.6.12 Figure 2-1 below illustrates the primary opportunities for access of network enhancements in support of the delivery of growth in Thurrock.

Figure 2-1: LTC Conflict (or Opportunity) Points with Thurrock's Emerging Transport Vision to Support Sustainable Growth



- i. **Tilbury junction and TLR** - see Section 2.7 below. It should be noted that whilst the Council objected to the provision of a Rest and Service Area (RaSA), it did not object to a Tilbury Junction. Thurrock Council was promoting it, this position is contradicted by the contention in the 'You Said We Did' document to the contrary.
- ii. **Brentwood Road Public Transport Access** – a Report titled 'Lower Thames Crossing – Public Transport Opportunities', dated June 2021 provides concepts for achieving connectivity between LTC and the LRN within Thurrock, to facilitate public transport connection along the LTC to complement the opportunities for movement across the river for employment and other purposes. It should be noted that HE has rejected these proposals (reasons awaited). The Council is of the view that the LTC proposals are deficient unless public transport is provided, either via the TLR or an alternative.
- iii. **A1013 bus priority** – the LTC results in increased traffic along the A1013 and the consultation documentation confirms that bus services along this route will be adversely affected by longer journey times. A first stage of bus priority has been proposed on the west bound approach to Daneholes Roundabout. HE has committed to fund necessary feasibility work but there is no commitment to delivering the scheme.
- iv. **South Ockendon** - The design of LTC and associated infrastructure should be managed so as to not hinder growth and facilitate opportunities to help growth. It is the Council's view that an interchange between North and South Ockendon should be confirmed as acceptable passive provision and the LTC should be configured not to obstruct that aspiration.

2.6.13 The Council has requested LTAM model runs to include the provision of the TLR, its connection with LTC, and a junction at South Ockendon. To date, this information has not

been forthcoming, not have models been provided that would enable the Council's consultants to undertake tests of these options in support of the development of the Local Plan.

Summary

- 2.6.14 In summary, the Council therefore believes that the appraisal of the scheme and alternatives for the route north of the River Thames thus far is wholly inadequate in the context of the substantial impact on the communities of Thurrock. The Council does not think it unreasonable to expect that HE should be able to present its appraisal of the scheme alternatives: the design of the A13 junction, TLR, connections with local junctions, provision for local growth, connections with active travel and public transport modes.
- 2.6.15 HE has proposed a plan to work through these issues with the Council, but as yet, no programme for this work has been agreed (refer to paragraphs 2.9.9 - 2.9.10 below for further details). Without this information, the Council considers that there is insufficient information on which to make judgements about preferred options, and the balance between strategic highway requirements, substantial local transport and associated impacts, (including air quality, noise, severance, etc) and any benefits to the local community.
- 2.6.16 The Council will provide a response separately to HE on the A13 technical note (received in May 2021) and will continue to seek evidence to justify why the interchange proposed was selected and configured in such a way which sterilises a large swathe of land within Thurrock, whilst other proposals aimed at providing benefit for local access and public transport are not being considered further.

LOCAL IMPACTS & BENEFITS

2.7 Lack of local benefits and limited ability to help the emerging Local Plan, especially limited local connectivity and sterilisation of development opportunities in sustainable locations

- 2.7.1 There is a lack of secured benefits for existing communities and future growth in Thurrock and key strategic issues remain outstanding, as set out in the Council's response to the Ward Summaries (Appendix G), Operation Update (Appendix H) and other LTC technical and core documents, and as explained below.
- 2.7.2 LTC will have long-term impacts and 6-8 years of construction disruption that may or may not be adequately mitigated. There is a lack of real benefits for Thurrock from LTC, in terms of provision of open space, increased local road and PRoW connectivity, active travel, investment, and legacy in terms of local regeneration. Lack of local benefits and securing lasting legacy has been previously raised by the Council in the responses to LTC Statutory Consultation (10 October – 20 December 2018), LTC Supplementary Consultation (29 January – 9 April 2020) and LTC Design Refinements Consultation (14 July – 12 August 2020).
- 2.7.3 HE needs to secure DCO benefits to ensure a lasting beneficial legacy – covering community infrastructure, environment, health and wellbeing and opportunities for local employment, apprenticeships and training programmes. Paragraph 4.3 of the NPSNN sets out:

'In considering any proposed development, and in particular, when weighing its adverse impacts against its benefits, the Examining Authority and the Secretary of State should take into account: its potential benefits, including the facilitation of economic development, including job creation, housing and environmental improvement, and any long-term or wider benefits; and, its potential adverse impacts, including any longer-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts.'

- 2.7.4 Benefits need to be legally secured in the DCO or in separate Agreements. Resolutions of some issues require a more robust approach to the mechanisms needed to secure mitigation and other measures, i.e. mitigation and other measures need to be legally binding, through obligations, Agreements or independent monitoring and verification of control documents such as the CoCP, Travel Plans, or wider network improvements. For example, in the West Midlands Rail Freight Interchange Order 2020, the following was secured by way of section 106 agreement:
- i. The creation and operation of a community fund.
 - ii. The setting up a of community liaison group.
 - iii. Travel plans to encourage the use of sustainable modes of transport.
 - iv. Approval and implementation of a series an Employments, Skills and Training Plan.
 - v. A financial contribution to the improvement of the Local Wildlife Sites.
- 2.7.5 Concern of the emerging Local Plan and its interface with the proposed LTC was identified in the Council's response to the LTC Statutory Consultation (10 October – 20 December 2018), LTC Supplementary Consultation (29 January – 9 April 2020) and LTC Design Refinements Consultation (14 July – 12 August 2020). The Council's concerns raised during the three previous rounds of public consultation are summarised below:
- i. Statutory Consultation – the Consultation Scheme does not make provision for, and is inconsistent with, the housing and development potential for Thurrock and the aspirations for the Borough and for the wider South Essex area as set out in the emerging Local Plan. The Consultation Scheme does not meet several of the national and HE's strategic policy tests and scheme objectives, particularly relating to option testing, the delivery of economic growth and achieving sustainable local growth;
 - ii. Supplementary Consultation – the proposed LTC does not make provision for, and is inconsistent with, the housing and development potential for Thurrock and the aspirations for the Borough and for the wider South Essex area as set out in Thurrock's emerging Local Plan and South Essex Joint Strategic Plan. Specifically, there are design elements which require modification and/or further consideration by HE in order to contribute to meeting the Government's and LTC's policy and scheme objectives. The scheme would have significant economic costs on residents and businesses in the Borough, principally due to direct loss of land, disruption to access and movement in the Borough and the creation of blight across the LTC corridor;
 - iii. Design Refinements Consultation – the proposed LTC does not make provision for, and is inconsistent with, the housing and development potential for Thurrock and the aspirations for the Borough and for the wider South Essex area as set out in Thurrock's emerging Local Plan and South Essex Joint Strategic Plan. To this end, the Council will require on-going and transparent updates from HE on both the construction and operational programme for each phase of the LTC. Specifically, there are design elements which require modification and/or further consideration by HE in order to contribute to meeting the Government's and LTC's policy and scheme objectives.
- 2.7.6 The Council's concerns have not been addressed and remain unchanged. As a result, the current LTC scheme does not deliver on HE's own scheme objectives '**to support sustainable local development** and regional economic growth **in the medium to long term**' or to '*minimise adverse impacts on health and the environment*'.
- 2.7.7 The Thurrock Council Local Plan (Issues and Options Stage 2 – December 2018) sets out the proposed future growth options for broad locations for employment land (page 79) and housing (page 57, which includes the Port of Tilbury, Chadwell St. Mary, East Tilbury and

South Ockendon). The Issues and Options Stage 2 of the Local Plan identifies major future growth, with the majority in the Green Belt, circa 259 hectares for new employment land, future port development and 23,000 - 32,000 new homes, along with attendant social infrastructure. This Issues and Options Stage 2 Report was approved for public consultation by full Council in December 2018 and established a preferred pattern, locations and broad scale for sustainable growth. LTC would result in strategic issues for existing communities, employment areas and ports, as well as for future growth in Thurrock, as set out in various Appendices to this report and below. Furthermore, the Issues and Options (Stage 2) acknowledges that the LTC *'threatens to significantly undermine the Council's plan to meet its housing needs and support economic growth'*, by sterilising development opportunities, providing poor connectivity and not adequately mitigating impacts across its land take – particularly west of East Tilbury, north and east of Chadwell St Mary, around the A13 junction and north and east of South Ockendon.

- 2.7.8 The Council is aware that one of the main employment areas for future expansion to the east of the Port of Tilbury conflicts with the current proposals for 'Tilbury Fields'. This is currently proposed for the deposition of excavated material and the subsequent creation of a future open space in the form of parkland with ecological value. It is essential that this conflict is resolved prior to DCOv2 submission so as not to hinder the commitments to deliver Freeports. It is equally important that any reduction in the size of the currently proposed Tilbury Fields does not reduce the overall provision of publically accessible open space. The Council will be proactive in supporting HE and the Ports in resolving this current conflict.
- 2.7.9 As detailed in the Council's Response to the LTC Supplementary Consultation, progress on the emerging Thurrock Local Plan has already been significantly delayed by the uncertainty created by the proposed LTC. Whilst the emerging Local Plan can progress through the Regulation 18 and Regulation 19 stages, it will be challenging to submit the Local Plan for Examination until such time as there is certainty that a final decision has been made on the route/location and configuration of LTC, i.e. Regulation 20.
- 2.7.10 Nevertheless, the Council will proceed with a 'shadow' Local Plan towards the Examination stage, so as to confirm the ways in which the LTC would compromise the strategic and sustainable development of the Council in the future, at least without mitigation or avoidance measures. It is currently intended for the Council to provide at least the Regulation 18 version by mid-2022 for consultation and prior to that a revised Local Development Scheme setting out the Council's timetable for producing the new Local Plan will be published.
- 2.7.11 In principle, LTC presents, along its route, an opportunity to support and enable growth in sustainable locations, particularly in East Tilbury, Chadwell St March and South Ockendon. However, this is based on the appropriate alignment of LTC and, critically, local access. Without confirmation of support on additional junctions (Tilbury, South Ockendon and Tilbury Loop Line Overbridge and approach roads), wider network improvements, public transport provision and the provision of more and better WCH facilities (see section 2.12 of this report) LTC will hamper future growth in Thurrock due to the severance of, or impacts on, the land available for the provision of homes and jobs in these locations.
- 2.7.12 Issues for existing communities and future growth are set out in our response to Ward Summaries (Appendix G) and other relevant responses to LTC technical and core documents. Key strategic issues are set out below:
- i. Without guaranteed delivery of South Ockendon/TLR junctions or LRN mitigation schemes, there is no certainty that LTC will support connectivity, sustainable local growth and the emerging Local Plan.
 - ii. Poor local connectivity and a failure to explicitly plan for and design a scheme with the objective of supporting the delivery of economic growth (jobs/employment/port expansion) and homes.

- iii. The need to address the impact of noise, air quality, severance and flood risk considerations which has led to an increase in land take in certain locations thereby further reducing the supply of land for development.
- iv. Greater emphasis should be placed on active travel and public transport, as set out in Appendix G. The scheme provides enormous opportunity to enhance active travel and public transport the local level, which improves health and the environment, and mitigates against a range of adverse impacts such as air/noise pollution and relieving congestion.

2.7.13 There is also concern of cumulative impacts from other large-scale developments in the local area, which would result in increased impacts of additional traffic movements on the LRN, as well as on Junction 30 of the M25.

Junction 30, M25

- 2.7.14 The difficulties that the Council has been experiencing in trying to work with LTC have been paralleled with similar problems being faced in dealing with HE in relation to two major planning applications for development in Thurrock, which are the subject of holding objections based on concerns over the impacts of additional traffic movements on Junction 30 of the M25.
- 2.7.15 As a result of this planning permission for the development of 2,800 new homes, a new town centre, health facilities, primary and secondary schools, 135,000sqm of television and film studios, together associated transport infrastructure and public realm works on brownfield land at Purfleet is currently being held in abeyance.
- 2.7.16 In addition to this, HE is also objecting to proposals for the redevelopment of land at the former Arena Essex site on land north of Lakeside and the A13 for a further 2,500 new homes and associated community and leisure facilities for the same reasons as at Purfleet. Despite being asked to do so, HE has so far failed to identify what mitigation or interventions are required at Junction 30, in order to allow the proposed development of these sites proceed.
- 2.7.17 Alongside the need to ensure that the LTC scheme helps open new development sites, resolving the issue of a lack of capacity at Junction 30 of the M25 presents a major challenge, which will need to be addressed before the Council can make substantive progress on the new Local Plan. Because Thurrock is essentially a linear Borough with all traffic, rail and freight movements focused east-west along the A13 and Thurrock Thameside rail corridors, and north - south on the M25 via Junction 30, the ability of the Borough to accommodate future development will be largely contingent on both the need to manage-down traffic growth and provide additional capacity and resilience on the SRN and rail network serving Thurrock and South Essex as a whole. Until such time as there is an agreed solution to the Junction 30 and the LTC local connectivity issues, it will remain difficult for the Council to progress the new Local Plan as the capacity of the strategic transport networks running through the Borough will act as a significant constraint on Thurrock's ability to meet future housing and employment needs.
- 2.7.18 Given the probable cost of the transport infrastructure improvements required which might involve a new Junction 30 costing £160 million (previous scheme estimate) and new junctions likely to be required at South Ockendon and East Tilbury, it is unlikely that value generated by local development will be sufficient to cover the cost of the improvements required without it being rendered unviable. Reflecting this, there is therefore an onus on Government as a whole to assist in funding the necessary delivery of the transport upgrades required to support the new Local Plan. Equally, if this is not considered deliverable, then both the Government and the Council will need to give further consideration as to what this means in terms of the new Local Plan and the ability of the Borough to meet its ambitious growth targets.
- 2.7.19 The Council's current spatial strategy assumes the development of the LTC in basically its current form, together with the provision of additional junctions and link roads, and other

transport interventions as part of a combined LTC/A13 and J30 M25 package to meeting growth needs. In order for this option to be successful it requires the Government to look again at the design of the scheme and consider how its design and routing could be amended to deliver wider government objectives, including housing and economic and housing growth. Also required is a cross Government commitment to the funding and delivery of all necessary supporting infrastructure early in the process.

2.8 Tilbury Link Road (TLR)

- 2.8.1 Originally, the TLR was included in the DfT’s non-statutory consultation, which closed in March 2016 and then it was included in the HE Scoping Report for the LTC scheme submitted to the Planning Inspectorate in late 2017. Subsequently, the TLR has not been included in any Consultation proposals. The rationale for its removal was set out in HE’s 2018 report ‘Approach to Design, Construction and Operation’, however, no supporting evidence has been provided in those consultation materials, or since. This is despite the Department of Transport’s April 2018 report ‘England’s Port Connectivity: the current picture’ (it covered 9 regional case studies) confirming that LTC is expected to offer new connections, as well as improved journey times and network reliability and it includes a junction for Tilbury Port. It was preceded by the DfT’s ‘Study of England’s Port Connectivity’ in 2017.
- 2.8.2 DfT published its follow up research report entitled ‘The Provision of Research Support for the International Gateway Study’ in October 2018. It stresses the need for connectivity to such major gateways as Port of Tilbury and highlights current deficiencies and stresses the importance of ‘last mile’ connectivity.
- 2.8.3 Despite these studies and the national need for Port connectivity the LTC scheme has not included the TLR in its developing proposals since 2018, which is inexplicable. Currently, access to the Port of Tilbury is solely via the A1089, an SRN. Currently, the DfT’s RIS2 included the TLR (for feasibility/Business Case work), as just a RIS 3 pipeline scheme (Ref. No. E32).
- 2.8.4 Within the HE Statutory Consultation in 2018, the reasons for not including the TLR were set out at paragraph 15.2.6 in the ‘Approach to Design, Construction and Operation’. The reasons given and the Council’s opinion on those reasons are set out in Table 2-1:

Table 2-1: Tilbury Link Road – HE’s Position at Statutory Consultation 2018 and the Council’s Opinion

HE Position at Statutory Consultation 2018 - The Tilbury Junction and Link Road	Thurrock Council’s position
<p>a. <i>“Although a link road to Tilbury2 and Tilbury has some benefits in providing additional connectivity, it also has significant environmental impacts, including impacts on ecological sites and heritage sites, particularly Tilbury Fort.”</i></p>	<p>The option appraisal carried out to determine this reason for the removal of TLR has not been provided. This should be made available.</p> <p>HE has now committed £5 million to take the scheme forward in Road Investment Strategy (RIS) 2 for RIS3, with Strategic Outline Case being progressed in Q4 20/21 to Q2 21/22, as reported by HE in meetings with the Council. This is therefore contrary to the reason stated in 2018 and therefore considered out of date. In any case, the options appraisal and design of the link should seek to minimise and mitigate any environmental impacts. Given the area is allocated for future employment use and is currently being developed for those uses, the environmental impact will need to be managed in any case.</p> <p>An informed and balanced view should be taken by all parties.</p>
<p>b. <i>“Traffic modelling highlighted several drawbacks</i></p>	<p>The supporting modelling work associated with any options appraisal for the TLR has not been provided or published as</p>

<p><i>with the link road design including unnecessary delays to HGV journeys and significant impacts on the local road network.”</i></p>	<p>evidence to support this reason. HE must share its appraisal of these assertions and provide evidence as to the balanced assessment of the effects.</p> <p>HE (verbally) referred to the consideration of TLR which connected to local roads (i.e. Fort Road). If this was the only option considered (note: no evidence is available to ascertain this), then the Council would not necessary suggest this as an appropriate configuration, as this may have caused local network problems. The Council’s view is any impacts on the local roads could be resolved through a more informed approach to the link road configuration.</p> <p>With regards to the delays on HGV journeys and with the absence of any evidence on the options appraisal, it is the Council’s opinion the TLR would improve HGV journeys through shorter journeys to Tilbury and improved reliability due to the choice of river crossings to Tilbury.</p>
<p>c. [format error, bullet was missed from the document]</p>	<p>No response.</p>
<p>d. <i>“We consider this is the most suitable location for an RaSA (see section 12.5).”</i></p>	<p>The Rest and Service Area was opposed by the Council in isolation from the consideration of the connectivity between LTC and the TLR, which the Council supported. The consideration of the RaSA is not justification for the removal of the link road proposal.</p>
<p>e. <i>“The link road would be located entirely in the flood zone and would require the provision of a significant additional flood storage compensation volume.”</i></p>	<p>This matter is a design consideration that should be taken into account when designing the proposals and in balance with other aspects. The need for compensation storage is not a reason alone to remove the link road.</p>
<p>f. <i>“The link road would not be compatible with the Tilbury2 DCO application which envisages road traffic from the port using the existing A1089. We consider that it is more appropriate to maintain the existing strategic free-flow connections between the A1089 and A13 rather than providing an alternative access. (See section 15.4).”</i></p>	<p>The Port of Tilbury management company is known fully to support the delivery of the TLR. This reason is therefore either incorrect or out of date.</p> <p>The Council and the Port of Tilbury management company are aligned in the intention to thoroughly examine options for the delivery of the link road, which can take account of the emerging Port of Tilbury 2 and future expansion proposals.</p> <p>HE, the Council and other stakeholders have acknowledged that the A1089 (SRN) corridor, specifically the ASDA roundabout, is at or reaching its full capacity in peak periods, and with the currently projected growth (including Thames Freeport) would need significant investment in the near future to resolve operational difficulties.</p> <p>It is the Council’s view that TLR would provide an attractive solution to support growth in the Tilbury/Port area, as there is limited scope for low cost improvements at ASDA roundabout. It would also help to provide relief for the A1013 Marshfoot Road route, which LTC relies on for traffic accessing the Port.</p>

- 2.8.5 These reasons are not considered valid by the Council but seem to have guided HE's approach since that time, even though some reasons are now out of date.
- 2.8.6 It is clear that access to the Port of Tilbury, once the LTC scheme is completed and operational, will be circuitous from the LTC north and southbound. The routes vary but in order to access the Port from LTC, traffic would need to go either via the Orsett Cock Roundabout (along the A1013 to Daneholes Roundabout, via Wood View and Marshfoot Road to join the A1089), through Chadwell St. Mary (along Brentwood Road, via Marshfoot Road to join the A1089), U-turning at Manorway Roundabout (back along the A13 to the A1089) or use the existing Dartford Crossing. Routes from M2 Junction 1 to Tilbury are shown in Figures 2-2 to 2-4 below.

Figure 2-2: Route 1 from M2 J1 to the Port of Tilbury

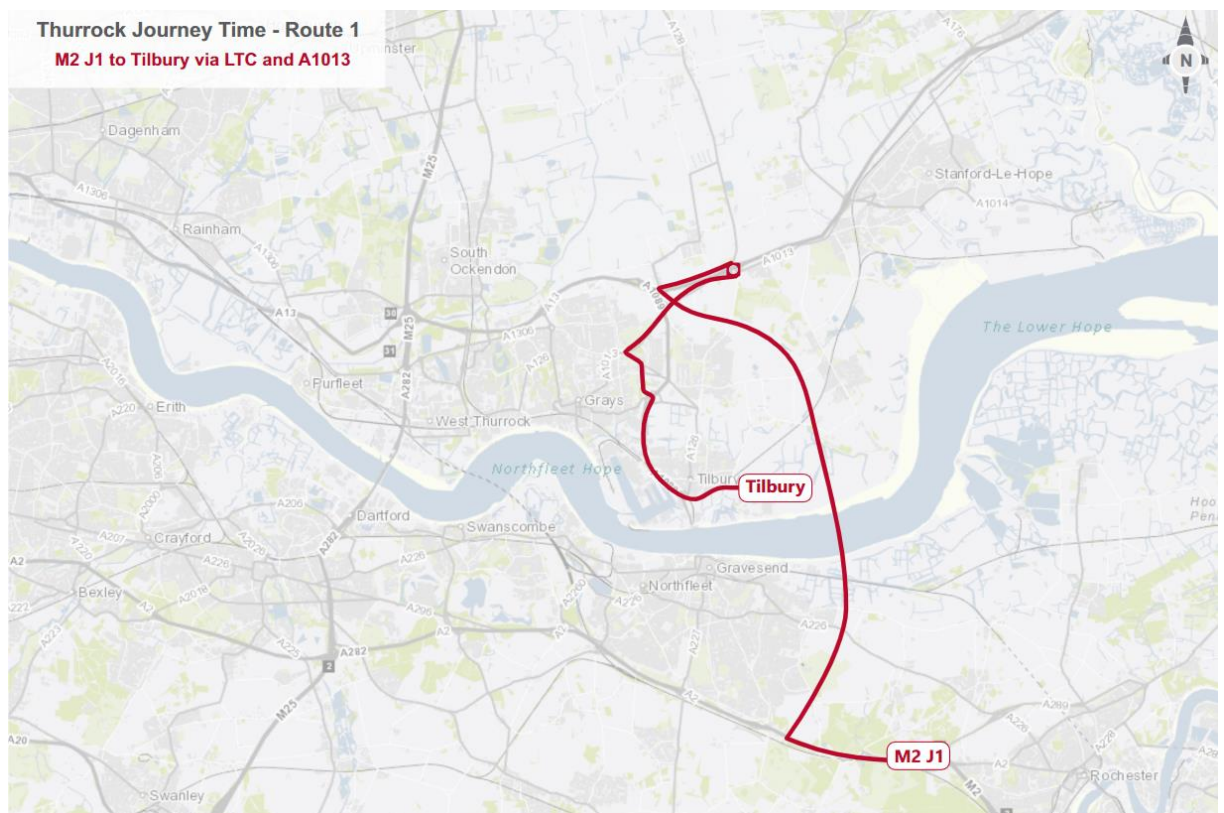


Figure 2-3: Route 2 from M2 J1 to the Port of Tilbury

- 2.8.7 The local A roads and unclassified roads/junctions are not designed to accommodate these increases in traffic and/or HGV traffic. There are safety, air quality and noise concerns relating to increasing traffic and HGVs, particularly related to the schools, residential dwellings, and local bus services along these routes.
- 2.8.8 The timing of the routes from both directions would involve a journey time of approximately 25-30 mins and 31kms, whereas using the TLR would take just 10-11 mins and 13 kms.
- 2.8.9 In view of the non-inclusion of the TLR within the current LTC scheme, then it becomes necessary to find ways to accelerate its delivery before RIS3 using DfT's funding and delivery mechanisms. There are three very important reasons for doing this with the assistance of both HE and the LTC scheme team:
- i. It is a missed opportunity to remove HGV traffic to/from PoTL from the LRN, by providing the TLR, avoiding reliance on unsuitable local roads where there will be significant risk of accidents and air quality and noise impacts. Currently the A1089 and the ASDA Roundabout are used by multiple users often with resulting delays and congestion.
 - ii. It is a missed opportunity to assist with the realisation of Thames Freeport, the planned growth of the Port of Tilbury and the expansion of DP World; and, the delivery of Thurrock's emerging Local Plan's employment and housing growth, which will deliver traffic increases, not currently considered by LTC's traffic modelling.
 - iii. TLR's delivery is fundamental to support Thames Freeport and ensuring that there is a deliverable strategy to avoid unnecessary impacts of HGVs accessing LTC on local communities.
- 2.8.10 Thames Freeport is an economic zone connecting Ford's world-class Dagenham engine plant to the global ports at London Gateway and Tilbury, with an emphasis on introducing electric and autonomous vehicle technology along the A13 corridor into London. Freeports are areas of operational and development land linked to a port where normal tax and customs rules do not apply. A modern UK Freeport can comprise a mixture of digitally linked, discreet customs and tax sites. The policy seeks to create innovation hubs which boost global trade, attract inward investment and increase prosperity in the surrounding area by generating employment opportunities. At a Freeport, imports can enter with simplified customs documentation and without paying tariffs. Freeports are a placed-based policy similar to enterprise zones. These designated areas are subject to a broad array of special regulatory requirements, tax breaks and Government support.
- 2.8.11 On its website (www.thamesfreeport.com), it is stated that the Freeport can secure more than £1 billion in new port infrastructure and more than 25,000 new direct and indirect jobs on its estate. Furthermore, new inward investors will benefit from global connectivity to every continent; first-class onward road and rail connections and marine services; and skills development, innovation and automation services; alongside well-honed investment promotion and trade facilitation. Within its estate, the London Gateway has almost 10 million square feet of land with planning consent. While Forth Ports is completing its latest major expansion to its footprint at Tilbury2, with nearly 400 acres of land being prepared for development. The first substantial plot will be ready in Q3 2021. Ford Dagenham and the Thames Enterprise Park development site cover in excess of 1,700 acres.
- 2.8.12 Thames Freeport has many partners – DP World, Ford, most local authorities in the area, its constituent partners and other key stakeholders. Clearly, it is vital that major infrastructure projects support the further development of the Thames Freeport, avoids any unnecessary impacts on land available for port development, and that the TLR offers that critical opportunity to offer direct access to the Port of Tilbury and the adjacent employment zone and relieve local roads. It is essential that port connectivity does not become a constraint of the growth of port related uses. Clearly, HE must work with the Council and the Thames Freeport in accelerating delivery of the TLR. The views of Thames Freeport and the Council relating to the

TLR and accommodating its expansion align and this has been achieved through regular discussions with the Port of Tilbury (PoTL), Forth Ports and DP World.

- 2.8.13 The LTC scheme should offer adequate provision for the future growth of the Thames Freeport, as a key part of Government policy. It is clear that there are two key and inseparable issues where the current LTC proposals impact on the Thames Freeport and significantly constrain its future development: i) The conflict at Tilbury Fields and; ii) The lack of provision or firm commitment for the TLR. Dealing with each in turn, the Council support the inclusion of the western part of Tilbury Fields into the Freeport area and will work with both HE and Thames Freeport to amend the LTC scheme to allow for a suitable alternative area for spoil deposition and open space creation, with adequate PRow provision. With regards to the TLR, it is the Council's firm view that this should be included within the LTC scope and brought forward as part of the LTC DCOv2 scheme. It should be noted that full financial provision for the TLR is covered within the Freeport Outline Business Case. If not included within the LTC scope, then there must be a firm legal commitment from HE/DfT for its provision during the Road Investment 2 (RIS2) period, ensuring that the necessary funding envelope is put in place to provide the investment needed to deliver TLR, given its crucial role in facilitating the delivery of Freeports.
- 2.8.14 An interim measure for the LTC scheme would be to legally commit to 'passive provision' for the future Tilbury Junction and South Ockendon junction, i.e. the zone should be committed to be left clear and there not being any obstructions from major earthworks, significant utility diversion routes or equipment and no significant permanent structures or features (such as bridges, balancing ponds and other structures). Unfortunately, HE has 'watered down' both the definition proposed by the Council and has excluded the proposed balancing pond at Tilbury from the definition. There is also no zone provision on Plans for Approval and the HE has offered no legal securing commitment for passive provision. The relocation of the balancing pond will result in a substantial additional cost of approximately £2m for any future link, detrimentally impacting on the public purse and business case for the future scheme. Additionally, this does not provide for the required support for the Freeport or the development of its adjacent employment zone and will be viewed as short-sighted in the immediate future.
- 2.8.15 Because HE has refused to provide within its DCOv2 an adequate definition, clear zonal plans or any securing commitment, the financial burden for the costs or costs of balancing pond removal will pass to either DfT or the development industry in such provision. Furthermore, it is vital that DfT accept the principle of these two junctions on its new strategic road (LTC), otherwise any future provision may be subject to an in-principle objection from DfT, without the supporting technical and modelling work necessary to justify their viable provision. NPPF paragraph 106 is important in this regard, i.e. the Council will need evidence to demonstrate the means of delivery of this connecting infrastructure, such that there is a reasonable prospect of such infrastructure provision coming forward, including the anticipated means of funding and its timing.

2.9 Effects on local roads and junctions (plus Wider Network) – unmitigated

- 2.9.1 The Lower Thames Area Model (LTAM) is a strategic transport planning model, using the SATURN software package, and was created to represent the transport system in the Lower Thames Area as it was in March 2016. This model was accepted by HE as suitable to assess the LTC project. Forecast year models have been developed to test the effects of the LTC operation and construction phases on the strategic road network. HE has not provided local model output as evidence of the effects on the LRN, therefore LTAM has been used for this purpose.
- 2.9.2 The Council has been engaging with HE since 2018 on the reliability and accuracy of the LTAM, particularly regarding to the local road performance, including key junctions, such as Orsett Cock and The Manorway on the A13. Cordon models of LTAM covering only Thurrock Borough (not including any network south of the River Thames) have been provided to the Council for analysis of both the local roads and HE's Strategic Road Network.

- 2.9.3 Despite ongoing engagement with HE regarding the LTAM model and in the absence of any more detailed evidence, such as local junction modelling, the Council continues to have unresolved concerns. It is the Council's view that the model does not reflect the local network peak hour traffic flows in the morning; that it does not validate (compare) well with the observed traffic flows on key parts of the LRN; and that it is not a suitable tool for assessing the detailed operation of key junctions and areas of the network that are under significant pressure. The Council has requested a series of adjustments; alternative tests and for more detailed local analysis to better understand the effects of the scheme and provide comfort that the local network can accommodate the changes or management will be in place to avoid adverse impacts. HE has not yet agreed or responded to the Council's requests.
- 2.9.4 No local road traffic counts (except on the A13) have been used to calibrate or validate the model. The model is also based upon the strategic road network peak in the morning, rather than the local network peak. A comparison of the model flows compared to observed flows undertaken by the Council which shows that, in general, the traffic flows output from the LTAM modelling are low on local roads in the base year model in comparison to the observed traffic flows, and in particular, low on: the A1013; links near Orsett Cock; on A1014 The Manorway; and A1089 near the ASDA roundabout.
- 2.9.5 LTAM is based on traffic data originally sourced in 2016. Since then, there have been significant events that have influenced travel patterns, such as the pandemic, and changes in working patterns. Under normal circumstances, base data is considered to be valid for five years. Therefore, we would expect a significant revision to the model being required imminently. We would also have expected sensitivity testing to be undertaken by HE to assess these potential effects. No evidence of this has been presented.
- 2.9.6 The Council has consistently and repeatedly raised concerns at meetings and via representations that the impacts on the local roads and junctions are likely to be underestimated as a result of the lower level of traffic on the local roads. The Council has reviewed outputs from the Lower Thames Area Model (LTAM), which indicates the main impacts of the LTC on Thurrock's LRN are at (note: we are reviewing the cordon models issued in early August 2021 and reserve the right to comment on any identified issues related to the new modelling):
- i. Orsett Cock roundabout.
 - ii. The Manorway roundabout and links in close proximity.
 - iii. ASDA roundabout.
- 2.9.7 Furthermore, additional impacts on the LRN are noted at the following locations:
- i. A1013 (Daneholes roundabout), B149, Marshfoot Road.
 - ii. Marshfoot priority junction (with slips to A1089).
 - iii. Brentwood Road and Chadwell Hill, Chadwell St Mary.
 - iv. A1012/Lodge Lane/Long Lane Roundabout.
 - v. Stifford Clays Road.
 - vi. A13/A126 eastbound off slip.
 - vii. M25 J30 - Mardyke Interchange.
 - viii. Devonshire Road/A1012/Hogg Lane.

- 2.9.8 Given that the strategic LTAM is not validated on the LRN and is, in any case, not a suitable tool for testing detailed operations of specific junctions, the Council is of the view that detailed junction assessments (e.g. micro-simulation modelling, TRANSYT or JUNCTIONS 9) should be carried out at key pressure points on the network, using accurate baseline traffic data for validation, at locations such as: A13 interchange and Orsett Cock, The Manorway roundabout, ASDA roundabout, Daneholes roundabout and Marshfoot Road junction.
- 2.9.9 The Council has submitted a report titled 'Junction Assessment and Mitigation Analysis', October 2020, which includes junction modelling with corrections to the baseline traffic levels to reflect observed survey and shows:
- i. The performance of some approaches to The Manorway and Orsett roundabouts will be impacted by the introduction of LTC.
 - ii. The off slips from the A13 at both The Manorway and Orsett Cock roundabouts are likely to block back on to the mainline and/or impact on the slip roads from the LTC.
 - iii. The LTC causes the performance of the ASDA roundabout to significantly deteriorate.
 - iv. Daneholes roundabout is at risk of regularly being used as a rat-run from the LTC, and any more significant use of the A1013 than modelled in LTAM would impact upon not only the traffic, but bus services that operate through the junction.
- 2.9.10 In only very recent recognition that the Council is concerned about the issues raised above, HE is proposing to undertake a programme of tasks and meetings, starting with the Council's initial concerns raised since Supplementary Consultation in April 2020. HE's proposed a programme to address the issues raised by the Council on 16 July 2021, (over two years after original concerns raised in 2018, and 9 months after the October 2020 report was originally submitted) covering: (1) 2016 baseline model; (2) identification areas of concern in forecasts; (3) mitigation/interventions; and, (4) Local Plan Options. No programme has yet been agreed for this work.
- 2.9.11 The Council has grave concerns that this engagement cannot be completed in advance of the DCOv2 submission and would not provide HE the time to make any changes to the scheme. The Council is unable to comment on those effects until the option testing has been received and reviewed and, therefore, the Council currently remains concerned that the proposals do not recognise the importance of local sustainable growth and connectivity, including for active modes and public transport.
- 2.9.12 The Council has provided its opinion on the scale of mitigation that HE should include to resolve the impacts of LTC at Manorway, Orsett Cock and Daneholes roundabouts. The Council is of the view that the LTAM is not a suitable tool for undertaking assessment of these local traffic effects of LTC and that local simulation models should be prepared, validated and used to assess appropriate mitigation.
- 2.9.13 HE has provided its document 'Wider Network Impacts Management and Monitoring Plan' (WNIMMP) as part of the Community Impacts Consultation. In the 'Covering Note' of that document, HE purports to provide a mechanism by which to monitor the impacts of the Project, including on local roads, *'to identify delays and/or any worsening impact on the surrounding local, major and strategic network'*. HE should identify impacts, including those on the LRN, as part of the evidence base for the DCOv2 Examination and not defer this to a later date. There would be no surety that HE would then fund any mitigation, and indeed only identifies unsecured funding sources as part of the WNIMMP. HE must identify the impacts that the scheme is predicted to have and then propose and implement suitable mitigation.
- 2.9.14 In line with its own aspirations to work towards decarbonising the transport network, the identified mitigation could take the form of complementary environmentally sound initiatives,

including enhanced public transport connections and provision. These are completely missing from the current proposals.

- 2.9.15 In summary, the Council requests detailed junction assessments (e.g. micro-simulation modelling, TRANSYT or JUNCTIONS 9) to be carried out at key pressure points on the network, using accurate baseline traffic data for validation, at locations such as: A13 interchange and Orsett Cock, The Manorway roundabout, ASDA roundabout, Daneholes roundabout and Marshfoot Road junction. This should inform mitigation and the Wider Network Impacts Management and Monitoring Plan’.

2.10 Construction impacts and mitigation

Overview

- 2.10.1 In the Council’s view, certain key themes should run through HE’s approach to the construction processes:
- i. embedding reduction in carbon use within the construction of the project – through materials use and handling;
 - ii. optimising the use of efficient, modern and non-fossil fuelled plant and equipment;
 - iii. ensuring the use of social value principles in procurement;
 - iv. creating a positive legacy for the construction industry;
 - v. protecting the local communities and infrastructure;
 - vi. proactively monitoring and managing the construction process; and
 - vii. mitigating residual effects.

- 2.10.2 The Council is starting to see some evidence of this thinking coming through in the preparation of a range of construction stage management plans that have been released with the Community Impact Consultation material and the Council has prepared responses on each of the outline or draft documents, as set out in the accompanying Appendices. The Council is not yet convinced, however, that the above themes are fully committed to or will be translated to the contractors by way of being legally secured within the DCO or separate agreements or by governance, leadership, encouragement or incentive.

Construction Traffic Modelling and Impacts

- 2.10.3 To respond to the projections of network impact during the construction phase, the Council needs to review reliable Transport Planning modelling of the effects of the Project. HE provided the Council with the LTAM Thurrock Area Cordon Construction Models in March 2021, and the Council responded with detailed comments in May 2021 (as set out below). Since then, updated construction traffic modelling has not been issued with this consultation material and this is vital evidence that helps understand impacts on the road network and local communities and informs the development of appropriate mitigation measures.
- 2.10.4 Without this updated evidence, the Council cannot comment fully on the construction impacts. The updated strategic modelling that provides evidence to the Examination must be provided to enable the Council to understand the forecast transport impacts in advance. This should be followed by more detailed modelling and analysis of the construction stages, including but not limited to detailed analysis of the delivery of a resultant A13 interchange and surrounding local roads, which should be presented to the Council for analysis prior to DCOv2 submission. The strategic model is not considered a suitable tool to test the effects on local junctions nor to

assess the specific impacts of phases of traffic management which will be required to manage the delivery of the proposals.

- 2.10.5 Our review of the previous construction modelling issued by HE to the Council is included in our report titled 'Thurrock Cordon Model Construction Modelling Review, May 2021'. We have not yet received any response to this detailed report and have only just received on 27 August 2021 the updated construction traffic modelling data.

Traffic Management and Travel Plans

- 2.10.6 The Outline Construction Traffic Management Plan for Construction (oTMPfC) still only provides a broad range of measures and processes and the Council still believes that it does not provide sufficient detail, certainty or commitment and a clear governance process to give comfort that the temporary traffic management measures will be acceptably controlled and managed or that impacts on the operation of the LRN and local communities within Thurrock, particularly Orsett and Hordon, will be suitably mitigated. The Council does not agree with the current proposals to disapply the Council's network management powers, including the current street works permitting systems and the consenting on temporary Traffic Regulation Orders. The changes would impact on the Council's ability to manage effectively the LRN including works being carried out as part of the delivery of the Project and also works carried out by other major projects and day to day operations on the LRN.
- 2.10.7 The oTMPfC does not set a robust governance regime to which the contractors would work. The oTMPfC should be complemented by a progressive Materials Handling Plan which presses for reductions in the embedded carbon within the handling of those materials and indeed from the manufacture of those materials. That strategy must maximise the use of non-road transport, including marine and rail transport or minimise the use of materials. HE needs to be stronger in its commitments and set the rules within which contractors will procure and manage materials and then how those contractors manage the working areas and the associated traffic management and logistics. The oMHP was submitted as part of this consultation and the Council's comments are set out in Appendix B (2), however, it does not provide either the commitments or provisions set out above and does not effectively link with the oTMPfC.
- 2.10.8 Complementing the management of materials and equipment must be initiatives to reduce the effects of workforce travel, delivered through the lead of a Framework Construction Travel Plan (FCTP). The Council has provided its view on the weaknesses within the FCTP that HE has presented with the Community Impacts Consultation and the lack of coordination with the Code of Construction Practice (CoCP). The compounds identified for the construction programme are remote and do not readily lend themselves to active travel by workers. This is echoed by HE, where in the CoCP it states that it will only support active travel (walking and cycling) in locations where access is on lit streets. This is acknowledged by the Council, but HE must, therefore, propose alternative environmentally sound access to the working compounds. HE currently proposes significant provision for private car access to the compounds, some accessed along unsuitable roads such as Station Road, Love Lane and Princess Margaret Road.
- 2.10.9 It is not clear how the control plans and the multiple processes and activities set out within them will be managed, coordinated and governed by HE during the implementation process. A more robust approach to the mechanisms to secure mitigation and other measures is needed. Mitigation and other measures need to be legally binding, through requirements, obligations, or agreements for independent monitoring and verification of CoCP, Travel Plans, wider network improvements, etc. overseen by robust governance.

Environmental Impacts

- 2.10.10 Generic non-specific ward information is coming through into the Ward Summaries from technical and other documents. However, it does not provide the level of granularity to inform

ward level impacts relating to health and wellbeing of local residents and to determine what mitigation is required to support and protect the health and wellbeing of local residents. Health inequalities are mentioned, but there is no clear information about what mitigation will be employed to reduce these inequalities.

- 2.10.11 Reference is made to changes in air quality, noise and other environmental factors as temporary but there is no clear definition of temporary in the context of the project, especially as overall construction of the project lasts for 6-8 years. This should be made clearer to allow the Council an informed understanding of potential impacts.
- 2.10.12 Air quality is discussed within section 7.5 of the Construction Update. The figures presented focus only on changes to traffic movements and HGV movements and offer no information on changes in air quality as a result of the construction itself, only the traffic movements. It is not providing the total picture on air quality changes during construction and relies on the temporary nature of the changes to categorise impacts as unlikely to be significant.
- 2.10.13 Currently only indicative impact predictions are available in respect of construction noise (as charted graphically in the Ward Impact Summaries) and these are based on earlier versions of the project. The revised opening year and traffic management arrangements, together with a requirement for further modelling, mean that quantitative predictions may vary, possibly significantly, and it is stated an update will not be available prior to DCOv2 application (Chapter 7.5 - Recent updates to our environmental assessments). The Council would request that quantitative construction noise impacts are made available sufficiently prior to DCOv2 submission to enable analysis by the Council and feedback discussed, with any consequential changes to mitigation delivered.
- 2.10.14 The Ward Impact Summaries include a section on the impact of traffic and public transport links due to traffic management measures at a ward level. The Council question how these impacts fit into surrounding wards and the borough more widely in terms of supporting connectivity for local residents and reducing severance. Bus routes and roads are not situated in silo but rather interlink and support residents to access local amenities and social activity opportunities. A further understanding of how closures, diversions and other traffic management measures will impact on different wards throughout the duration of the construction phase is needed, in particular how this will be monitored and what mitigation measures will be taken to reduce impacts on bus operators and passengers. HE should be indicating a greater commitment to mitigating impacts on the local bus networks and funding should be made available.
- 2.10.15 As detailed on page 9 of the Council's review of the CoCP in Appendix C, the strategy for, and potential effects of, accommodating and managing the construction workforce is a key issue. Further work is required to satisfy the Council of the lack of impacts of both the worker accommodation on-site and in the wider community. Also, there is still no reference to the monitoring or impact of the construction workforce on demand and access to health and other services. This was raised previously by the Council in the review of the CoCP submitted as part of DCOv1 (see SoCG Log item 'NEW-HH (67)' and this issue remains outstanding. We would expect this monitoring to encompass monitoring of the demand and access to local health and social care and other services and would ask that this is included by HE. In Thurrock there is an existing and growing demand and capacity gap for Primary Care Services. Therefore, accommodating additional demand from construction workers could exacerbate the issue reducing the access to health services of the existing resident population.
- 2.10.16 The Construction Update does not mention built cultural heritage and therefore fails to identify the loss of listed buildings which should be headline factors. It also fails to identify the loss of a nationally designated Schedule monument. Overall, there seems to be a poor understanding of cultural heritage throughout the submitted documents.

2.10.17 There are some very significant utilities and viaduct works proposed for which limited information is provided regarding the nature of works and the likely impacts e.g. National Grid power lines, UKPN proposals, Tilbury Viaduct, Chadwell St Mary Link, Orsett Heath Viaduct. Further details are requested by the Council (refer to Appendix K and Section 2.17 below).

Monitoring

2.10.18 As stated in the Council's review of the Construction Update in Appendix H and in the Council's response to other documents, including the oTMPfc and FCTP in Appendix A, there is a lack of clarity from HE on the overall approach to monitoring during construction to inform a number of key control, management and governance activities e.g. construction logistics plans, traffic management plans, workforce travel plans and environmental management.

2.10.19 The monitoring that is proposed is very traffic orientated. The Council would have expected to see this road network impact work form part of a much wider monitoring and evaluation plan for the scheme in order to demonstrate the scheme outcomes and impacts in a much wider sense considering a range of social, economic and environmental issues.

THE FUTURE

2.11 Consideration of Future Travel Patterns and the Transport Decarbonisation Agenda

2.11.1 The consultation documents make no substantive reference to the implications of the LTC scheme to transport decarbonisation, how the scheme might need to be adapted to respond to this challenge or to become an enabler of transport decarbonisation and green growth in the Thames Estuary using alternative modes and travel patterns.

2.11.2 We acknowledge that the Council recognise in separate correspondence on this matter, the changing policy position in respect of transport requirements relating to carbon emissions of both the car and freight fleet, technological change such as the emergence of connected and autonomous vehicles, as well as growth in the Thames Estuary, including the advent of the Thames Freeport – all of which increases uncertainty for the LTC. The Council notes that HE is currently reviewing the UK Government's Transport Decarbonisation Plan and HE's Net Zero for Highways Plan to consider the implications for the LTC, and that you recognise the importance of public transport, active travel and changes in the vehicle fleet as part of the future transport mix.

2.11.3 Whilst the Council would wish to see a more enlightened approach from DfT to scheme identification in which schemes are developed to respond to strategic transport requirements across existing and emerging modes (rather than on a single modal basis) – this response deals with the LTC proposals as it stands. We acknowledge that Government has taken the position that much of future travel reduction is likely to be related to shorter journeys, and that the strategic road network is likely to have an important role to play longer term. Nevertheless, carbon reduction of the construction and operation of the strategic road network is a critical issue – both nationally and locally – and should it proceed, LTC should be a transformational project in this regard. As agreed in a recent meeting, 'Decarbonising Transport and Net Zero for Highways are now in the public domain and set the level of ambition for HE's road schemes. LTC has a scale, profile and location that creates great potential to lead the way.....'

2.11.4 The Council considers it critical that the following key points from the recent correspondence as part of this consultation are addressed:

- i. HE suggests that LTC will provide for faster journeys by public transport. Public transport services to and from Thurrock urban areas, South Ockendon, Stanford-le-Hope, Corringham and Basildon will be important to the future growth of these areas. However, in the absence of the TLR there is no convenient or realistic access for local public

transport to the tunnel. Public transport journeys between origins and destinations north and south of the river would be unviable, being too long via the currently proposed LTC. The Council has suggested the temporary use of the emergency accesses for public transport access to bridge the anticipated gap between the delivery of LTC and TLR, (which could be indefinite), but this has been rejected. Far from being a stimulus for local public transport connections, the Council believes that LTC will act as a deterrent to public transport operators and users.

- ii. HE has referred to the importance of the strategic road network for the future of freight movement, government's ambition to achieve zero emission HGVs, and the importance of expanding the rail network and inter-modal terminals in achieving net zero. Setting aside for the time being the issue of rail (and the potential for north-south connections across the Thames and around the congested London rail network), there are important questions to consider about how the strategic road network interfaces with freight movement to transform its operation. For example, encouraging the development of a hydrogen network for freight and construction vehicles, developing locations for intermodal and last mile connections (including transfer to river transport), and delivering enabling roadside technology, (such as the development of HGV platooning technology) to support improved logistics functionality and operation, thus enabling safety and environmental gains. The HE 'Net Zero Highways – Our 2030/2040/2050 Plan' states on page 18 that it will:

'Use our Lower Thames Crossing scheme as a key project to test low carbon innovation and approaches.'

- iii. HE states that the TLR is being developed by HE, and that this will provide an important connection for buses (and freight/port traffic). If this is such an important component of the overall solution, how can the delivery of this part of the scheme be secured? As it stands, it is entirely possible that LTC will be delivered without the TLR and this could be in perpetuity. In this case, potential benefits for public transport and freight connections, and consequential impacts on local roads will persist indefinitely. The Council therefore wishes to agree a mechanism through which the TLR can be delivered prior to RIS3, in line with programme for delivery of LTC.
- iv. The Council notes HE's comment about the 6th carbon budget methodology currently suggesting that vehicle electrification and the introduction of CAV technology will result in increases in demand, on the basis of assumptions made. Are these good outcomes for carbon reduction and community cohesion? What assumptions would need to be made to secure reductions in single vehicle use, and how might these apply to the road user charging regime for LTC. How could the operational regime be used to create positive outcomes from a carbon and community perspective? The Council has seen no assessment of uncertainty as part of the development of this scheme, and no evidence of proposals that could suggest that LTC could become a transformational project.

2.11.5 Overall, the Council currently perceives that the approach of the project to these issues is to seek to avoid anything that complicates the proposal. HE is focussed on meeting its programme for consultation and DCOv2 submission to the expense of rational and necessary consideration of the implications for alternatives, scheme design development or mitigation requirements to accommodate the need to support public transport, active travel and future, more sustainable modes of transport on the project. The Council would welcome an opportunity to develop a plan with HE which would enable LTC to become a transformational project, capable of stimulating green growth in Thurrock, and of supporting transition to net zero both locally and more broadly across the strategic road network. Given the immense investment into this scheme, and the impact it could have on the Thames Estuary and the transformation of the wider strategic road network, the lack of commitment to these issues is a major concern.

2.11.6 The Council believes that HE should be making commitments in the DCO about transport decarbonisation and its implications locally. HE has stated that the DCO commitments on carbon will be stronger and more comprehensive than previously seen, but has expressed concern about committing to delivering outcomes that are inherently uncertain. However, the Council believe that it is possible and desirable to set broad objectives and a committed framework for future action, secured through the DCOv2. It is not necessary to have all the answers, but it is important to set the framework for future action. At present, there is nothing which acts as an incentive on HE to make a concerted effort to be progressive on this agenda, and the Council believes that this needs to be grasped.

2.12 Inadequate Proposals for PRow and Cycling

Current Proposals

2.12.1 The current consultation sets out the provisions for WCH's in several key documents:

- i. Ward Summaries – these set out for each Ward, the impacts of the project on footpaths, bridleways and cycle routes during construction, including the likely length of closures. Reference was made to work to identify suitable temporary diversions, but no detail was provided. It also includes information about new and upgraded routes once the new road is operational, with broad maps.
- ii. Construction Update – this review is contained in Appendix H below, but it does not contain any specific references to the effect of construction works on WCHs and this is considered a serious omission. This is discussed further below.
- iii. Operations Update – this review is contained in Appendix H below, however, it does state that there are 46kms of new or upgraded routes for WCHs, including reinstating routes severed in the past. It refers to information shared at the entirely virtual Design Refinements Consultation, although apart from setting out a number of design changes to WCH routes, it is not clear what it is referred to regarding the WCH Strategy.
- iv. Design Principles – this 'control' document review is contained in Appendix E below, however, it confirms that 'Where the Project affects existing Public Rights of Way, these would be reinstated with provision of under- or overbridges, or a suitable alternative provision would be made. The Project proposes a number of new, diverted, upgraded and reinstated routes for walkers, cyclists and horse riders.' This document also sets out several WCH principles to be followed (Section 3.2, PEO 01 – 11) and there are further specific WCH principles in the section specific areas (Areas S7- S12), both of which only apply to permanent work or the operational stage of the LTC scheme. At a detailed level the Council wants a much clearer understanding of the likely surfacing materials for the upgraded routes, as it will take on their ongoing maintenance once they are operational.

LTC/HE Evidence Base Studies

2.12.2 The HE 'Designated Funding Sub-Regional Walking, Cycling and Horse-Riding (WCR) Strategy' was issued for comments to the Council in May 2020 and was responded to in detail in late September 2020. HE responded to these comments in March 2021, however, it is understood not to have formed part of the DCOv1 documentation, as it covered opportunities outside the scope of the LTC scheme. The study identified a range of potential projects, however, no funding has been made available to implement these routes.

2.12.3 In addition, a Walking, Cycling and Horse-Riding Assessment Report (WCHAR) and its subsequent 'Assessment and Review report was undertaken in January 2019 and July 2020 respectively to consider opportunities that could be considered as part of the LTC scheme. This document was undertaken in accordance with the DMRB HD 42/17 guidance note, but was not included as part of the DCOv1 documentation either and does not form part of the current consultation. It was only shared with the Council in March 2021. When the Council

requested to understand why it was not part of the DCOv1 documentation (and hence DCOv2) HE stated that *'.....a piece of assessment work to inform the development of our proposals for LTC. They reflect a point in time in the design development of the project, and while they have informed our progress to our final proposition they represent work in progress and consider a wider scope than our finalised project proposals. By their nature, they consider a wide frame of opportunities, only some of which will be progressed by Highways England, and some of which could be developed through mechanisms unrelated to the DCO, such as Designated Funds. The documents themselves are not incorporated in the application, as the matters pertinent to the final proposals are clearly set out with the finalised DCO application documentation.'* The DCOv1 set out the PRoW proposals on the Rights of Way and Access Plans, within the Project Design Report (PDR) and undertook an assessment of impacts in the Environmental Statement (ES).

- 2.12.4 This WCHAR Report in January 2019 and July 2020 set out a long list of 19 strategic opportunities, actions and outcomes in the Tilbury (5), Chadwell St. Mary (5), A13 (6) and Ockenden (3) areas. Notwithstanding this, it concluded that there would be only 5 key routes/corridors included in the LTC scheme in the Thurrock area. The summary methodology/reasoning for this selection of 5 projects from 19 is set out in the WCHAR Report in January 2019 in Sections 3.3 – 3.4. In summary, it excluded those routes that did not intersect with or were not close to LTC; it undertook a post code assessment to determine benefit and those benefitting the most were taken forward; then a walkover survey for feasibility was undertaken; costs were established and an internal HE workshop held; and, the result were the 5 schemes chosen. The Council has built on this methodology and selection to contribute to its emerging policy and to add further schemes for HE to include in the LTC scheme prior to DCOv2 submission, as set out below in paragraphs 2.12.5 – 2.12.9 below.

Future Provision and Policy

- 2.12.5 The Council is promoting its 'Active Travel Strategy' (April 2020 and as part of its Active Places Strategy, August 2020) with LTC and through its emerging Local Plan. The Council is looking for HE's meaningful support in developing this strategy, not based on current measured use, but taking into account the vision for a future comprehensive active travel network and using of the Government's 'Propensity to Cycle' tool to provide a consistent evidence base to inform WCH improvements.
- 2.12.6 The Council has set out its proposals in early September 2021 for additional WCH links and routes to add to the current LTC proposals, following a thorough review of strategic routes in the borough for walking and cycling (as the Council develops its Local Cycling and Walking Infrastructure Plans (LCWIP)) and accounting for the Active Travel Strategy referred to above. These additional proposals will include additional routes/links for inclusion in the LTC scheme and further routes that can be explored with HE as potential legacy projects. Then discussions can continue with HE for their inclusion within DCOv2.
- 2.12.7 Recent discussions with HE has revealed that there are very limited mitigation proposals for WCH routes affected by construction, even if closures or diversions are proposed for several years. These construction impacts relate to the following routes: BR 219, FP136, FP200, FP146, FP187, FP51, Bridleway 58, FP97, FP207, BR205, FP79, BR58, FP61 and FP60. For most of these affected routes HE were not proposing to provide diversions and routes could be closed for months or several years. This is considered unacceptable and the Council have insisted that alternative, safe routes are always provided for temporary diversions and closures in mitigation of the severance and other community effects. The inadequate proposals for mitigating construction effects on WCR routes is not properly covered within the consultation materials, even broad references to disruption and minimising diversions/closures within the overall Ward Summaries and the specific Ward chapters (Sections 12.5, 15.5, 16.5, 17.5, 18.5 and 20.5 and the associated maps). The Council have consistently raised concerns relating to how users will be encouraged to use WCH routes during construction and following completion of the LTC scheme. Existing and future users may be discouraged from using WCH routes while LTC is constructed and there does not seem to be an LTC/HE strategy to

encourage use on the WCH network, which is at direct opposition to the Council/DfT vision to increase and enable Active Travel options for all users of the network.

- 2.12.8 Finally, there are some 13 WCH crossings of the LTC via bridges and underpasses in Thurrock and the Council note that these are of a specified width, which may or may not be adequate, and the DCOv1 set these out within the Book of Plans (Structures Plans, Sheets 31-36, 46, 50, 52, 55, 57, 59 and 66). Subsequently, we have been discussing the appropriate standards to follow in allocating the widths for WCH on these crossings, which is confirmed by DfT as 'Cycle Infrastructure Design' LTN 1/20, July 2020. This is considered particularly important to provide segregated, not shared, cycle routes for these crossings. This is because it is the Council's ambition through its 'Active Travel Strategy' to significantly increase cycling across the Borough, as mentioned above. The emerging Thurrock Transport Strategy (TTS) and Vision also highlight the importance of a sustainable and well-connected transport system that supports a wide range of travel needs, reducing car dependency in favour of walking, cycling, and using public transport. This is built around the concept of modal shift and 'Multi-modal roads', where walking and riding a bicycle is always safe and convenient for everyone. The TTS and Vision sets out the importance of accessibility for all, enhancing green/blue grid connections and reducing severance now and as the WCH network evolves through the Local Plan period to support existing and new communities. It is important to ensure that the LTC plays its part in fixing missing links, providing more and better walking and cycling facilities and helping the Council to promote and deliver viable WCH options. Therefore, in conclusion, the Council is not able to confirm that HE have demonstrated that these appropriate standards have been followed, which may require amendments to the usage allocation on the above-mentioned bridge sections. Further discussions are continuing.
- 2.12.9 It is therefore essential to ensure that LTC does not become a barrier to future increased cycle use across the Borough. These discussions are ongoing, but it is notable that there is no detail of these proposals or discussions within this consultation, which is considered an omission. The Council requires HE to demonstrate that these appropriate standards can be met and are then consequentially shown on revisions to the above mentions Structures Plans within the Book of Plans, which are secured within DCOv2 as plans for approval. It should be noted that the Council is expected to deliver WCH/Active Travel enhancements which meet the LTN 1/20 standard. If they do not then severe financial penalties will be applied by DfT, resulting in loss of capital and maintenance funding allocations. The Council cannot be exposed to any level of risk relating to LTN 1/20 standards as a result of the WCH measures that are implemented through LTC. Therefore, it is imperative that WCH measures are designed and constructed to the required DfT standard.

2.13 Skills and Employment

- 2.13.1 The draft 'Skills, Education and Employment Strategy' (SEE Strategy) was originally shared with the Council in late-June 2020 and the Council provided detailed comments in early July 2020. HE responded to these comments in February 2021. Current progress on this topic rests with the Skills and Employment Working Group of the Benefits Steering Group, although its last meeting was in May 2021 with a future planned date for the next meeting in September.
- 2.13.2 We note that it is not part of this current consultation, although the CoCP is a key document (see below) and is broadly considered an unfortunate omission on a matter so vital to Thurrock. Key comments on this SEE Strategy in 2020 can be summarised, as follows:
- i. The need for local labour targets and clearer commitments, especially producing local benchmarking.
 - ii. Delivery support is required from HE to the Council, especially for job vacancies and to support the business community.
 - iii. Active support for future careers fairs.

- iv. Support in advertising all local vacancies and discussions with the Council in advance.
- 2.13.3 Clearly, there is a once in a generation opportunity to support the local community to develop skills and employment opportunities. This cannot be seen as an add on or burdensome requirement, but should be central to the LTC scheme, but its progress is currently unknown and it is not referred to within the Community Impacts Consultation.
- 2.13.4 Section 2.5 of the draft CoCP within this consultation, refers to targets being set by HE for apprentices, workless job starts, graduates and traineeships, work placements and training for local residents, which is welcomed, although there has been no discussion of the nature/quantum such targets. Furthermore, there is no mention of the SEE Strategy, which we assume should sit above and govern the Employment and Skills Plans to be prepared by contractors in advance of works commencing. It is noted that there are no REAC measures relating to skills and employment.
- 2.13.5 It is noted that the revised SEE Strategy was only just circulated in mid-August 2021 to stakeholders and it is intended that it will be launched publicly in October 2021. It has not yet been reviewed by the Council.
- 2.13.6 Notwithstanding this, it is paramount that HE includes the final SEE Strategy (following stakeholders comments) within the DCOv2 documentation as a 'control' document, which should be legally secured through amendments to the CoCP. However, in May 2021 HE informed the Council that *'there are no plans to include the SEE strategy in its current format into the DCO application, however, LTC are currently discussing internally the most suitable way to incorporate relevant parts of the document into our DCO application.'*
- 2.13.7 Nevertheless, we continue to request that is included and becomes a 'control' document within DCOv2 and that HE sets out its reasons for this above 2.13 of the Summary Review Report. Furthermore, it is vital that an appropriate new Requirement is added to secure the SEE Strategy and that further revisions are made to the CoCP/REAC to ensure matters of detailed commitment are included.
- 2.13.8 Alternatively, the SEE Strategy could be secured by way of as section 106 agreement, as has been done in connection with the West Midlands Rail Freight Interchange Order 2020. In any event it is imperative that the SEE strategy is secured.
- 2.13.9 In addition, there is no commitment for the LTC project to adopt the social value procurement requirements set out in both the Social Value Act, 2012 and the Council's Social Value Framework, adopted in November 2014 in procuring its goods, materials and services.

2.14 Climate Change and Decarbonisation

- 2.14.1 Within the Consultation materials there is relatively limited information and detail on climate change measures, decarbonisation or net zero measures, especially in light on needing to meet and deliver the net zero transition over the next decade. The following documents have been reviewed and it is notable that such references are limited:
 - i. Ward Summaries – this review is contained in Appendix G below, no mention of these above mentioned matters.
 - ii. You Said We Did (YSWD) – this review is contained in Appendix I below, however, very little is covered on this topic.
 - iii. Construction Update – this review is contained in Appendix H below. Whilst the document does offer 3 pages on 'sustainable construction', it does not appear to offer any clear targets and commitments.

- iv. Operations Update – this review is contained in Appendix H below. Whilst the document does offer 2 pages on ‘climate and carbon’ and references the Government’s ‘Decarbonising Transport’, it does not appear to offer any clear targets and commitments.
 - v. CoCP and REAC – this review is contained in Appendix C below, and does offer some commitments on these matters, although noting that commitments lack ambition in relation to the scale of the challenge and opportunity which the Scheme faces.
- 2.14.2 The Government’s ‘Decarbonising Transport – A Better, Greener Britain’ was published on 14 July, also the start of the LTC Community Impacts Consultation. This was followed on 19 July by HE publishing their ‘Net Zero Highways – Our 2030/2040/2050 Plan’. It is understood that accounting for these two policy documents within the consultation materials was therefore not possible. However, it is expected that HE do provide clear commitments to decarbonising the LTC scheme throughout its lifecycle prior to DCO re-submission and explaining how these two critical policy documents will be addressed through the DCOv2.
- 2.14.3 ‘Decarbonising Transport’ sets out on page 158 a clear change in strategy for the future:
- ‘We need to move away from transport planning based on predicting future demand to provide capacity (‘predict and provide’) to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (sometimes referred to as ‘vision and validate’). We will continue to work with MHCLG to identify how we can best support local authorities to develop innovative sustainable transport policies as part of the planning process, how this can be used to better assess planning applications, and better monitor local transport outcomes to deliver on our ambitions for sustainable transport use’.*
- 2.14.4 Clearly, this commitment from Government now needs to translate into secured commitments within the DCOv2 and HE should explain how this will be achieved prior to re-submission. Measures expected and referred to in the Plan should include both project specific interventions, such as zero carbon energy provision for operation, landscaping, low embodied carbon material use and regional interventions, such as supporting strong modal shift to sustainable transport modes (greater promotion of active travel in its mitigation and provision for enhanced public transport use), new low carbon infrastructure (such as facilitating the use of EV/Hydrogen vehicles) and legacy skills. This should be demonstrated rather than just providing a road for cars and HGVs based on predictions of future demand to provide additional capacity. This is critical to the entire transport sector’s transition to net zero.
- 2.14.5 There must be a concerted effort for the LTC Scheme to drive down the embodied carbon associated with the materials used. An example of this is the use of warm asphalt replacing the traditional asphalt materials, which it is understood HE is now seeking across their schemes as standard as part of a carbon efficiency project. This can result in carbon savings of around 15% compared with traditional hot rolled asphalt. Warm asphalt is produced at approximately 40 degrees lower than its hot equivalent and provides additional benefits of fewer fumes for construction workers and quicker opening times for the road. It is expected that clear commitments and measures, above standard practice, relating to the decarbonisation of asphalt, cement and steel are included in DCOv2.
- 2.14.6 HE must explain how consideration has been given to future needs within the LTC scheme to enable and encourage whole transport system transformation and adaptation, and LTC role in making that happen. The proposals should clearly address how the scheme will support the 6 strategic priorities set out in the Transport Decarbonisation Plan (Pages 36-37), and in particular, how the scheme will support and contribute to: 1. accelerating modal shift to shift to public and active transport; 2. decarbonise road transport, and; 3. decarbonise how we get our goods. This needs to be supported by ambitious and innovative commitments associated with the design, construction and delivery of the scheme.
- 2.14.7 The current LTC scheme and the associated climate change impacts appear to be inconsistent with the 78% Carbon Reduction by 2035, which is now enshrined in UK law via

the Climate Change Act 2008 (and its 2019 Amendment Order) and its subsequent Carbon Budget Orders of 2021. HE must demonstrate how it will contribute to this target and how this will be reflected in the DCOv2 by additional carbon reductions, especially through the Carbon and Energy Plan and Sustainability Statement and how such measures will be secured within the DCOv2. Again this needs to be set in the context of 'Whole Transport System Thinking' to Net Zero with LTC being a catalyst for the transport sector's net zero carbon transition.

- 2.14.8 The HE 'Net Zero Highways – Our 2030/2040/2050 Plan' states in page 18 regarding delivering near zero/net zero construction for asphalt, cement and steel by 2040 that HE wants to lead the industry on this agenda and to do this they will:

'Use our Lower Thames Crossing scheme as a key project to test low carbon innovation and approaches.'

- 2.14.9 Clearly, this commitment now needs to translate into secured commitments within the DCOv2 and HE should explain how this will be achieved prior to re-submission. Measures expected and referred to in the Plan should include both project specific interventions such as zero carbon energy provision for operation, landscaping, and low embodied carbon material use; and regional interventions such as supporting strong modal shift to sustainable transport modes, new low carbon infrastructure, and legacy skills.

- 2.14.10 HE have recently begun discussions about wider ambitions and innovation measures to address climate change and decarbonisation. These discussions are welcomed and are currently in the early stages. A number of key points have been raised for further development. It is crucial that HE develop and incorporate these within the DCOv2 application to mitigate the impacts of the Scheme and to realise and deliver value-for-money and positive outcomes for local communities and the environment:

- i. The LTC scheme has a scale, profile and location that create both, great responsibility, and great potential, to lead the way on decarbonising construction. In particular, this could be part of building regional capability in low to zero carbon technologies and skills. Hydrogen conversion of plant and equipment, building on current TEGB work could be one such example. Another example would be developing strategies and commitments to decarbonise high-emitting steel and cement-based products.
- ii. DCOv2 commitments on carbon need to be stronger and more comprehensive than previously seen, but HE states that it cannot commit to delivering specific target outcomes that are inherently uncertain. However, the Council believes that it is possible and desirable to set broad objectives and a committed framework for future action, secured through the DCOv2. It is not necessary to have all the answers, but it is important to set the framework for future action. At present, there is nothing which acts as an incentive on HE to make a concerted effort to be progressive on this agenda and the Council believes that this needs to be grasped. HE should therefore commit to establishing new processes for developing action on GHG emissions, such as comprehensive carbon management strategy, emission budget reviews, green collar job creating and investment into innovation in addition to the carbon accounting methods set in PAS 2080 and a governance process that supports delivery against agreed targets.
- iii. The offsetting potential of afforestation, wetlands and similar approaches are limited in the region. HE sees the opportunity being in the alignment of the biodiversity and carbon agendas, building on existing biodiversity/environmental work. The Council believe a comprehensive plan is necessary to meet the project biodiversity net gain requirements and more broadly to mitigate the impact of the scheme on the natural environment, recognising the importance of this issue as set out in the Dasgupta Review for meeting the climate challenge and addressing health and wellbeing impacts. Legacy benefit to the region of, for example, the establishment of a hydrogen supply chain, may also provide a quantifiable offset (regional 'insetting'). The scope for maximising the benefits of the

scheme's investments beyond the project should be included as part of the carbon budgets.

- iv. Sustainable local transport remains an issue for Thurrock and more consideration and support is sought from LTC/HE. This is a priority for Thurrock in promoting active travel and we expect further contributions to this from the LTC scheme.

2.14.11 As set out above, a range of national climate change related legislative and policy changes have been made during 2021, including adopting the 6th carbon budget and the publication of the Department for Transport's 'Decarbonising Transport – A Better, Greener Britain Plan'. Within DCOv2, LTC will need to demonstrate how they are contributing to the delivery of policy objectives to decarbonise the transport system and aligning with national targets to deliver 78% carbon reductions by 2035. DCOv2 should define an environmental management system that will ensure legal compliance and performance against targets. Clear commitments and mitigation measures should be set out in DCVOv2 to demonstrate how the scheme will lead the way on decarbonisation throughout its lifecycle.

THE LEGACY

2.15 Lack of legacy – summary and progress of Hatch process

- 2.15.1 It should be noted that although matters of legacy and some elements of mitigation are not included within the current consultation, all the matters set out below are critical to the Council and inextricably linked to the consultation materials, as the current in-scope mitigation and legacy provision is considered inadequate.
- 2.15.2 The Council issued the full Hatch Report 'LTC Mitigation Benefits' to HE in mid-November 2020 informally. The Council then formally published the Hatch report on its website on 24 February 2021. HE's initial response was that the report was useful and helpful. The report contained 57 measures that the Council wants to see HE action, which are split, as follows:
 - i. Direct Mitigation: 23 measures that address the direct impact of the construction phase, as well as design of the LTC scheme and the resulting traffic and transport implications.
 - ii. Council-Led Support: 12 measures that ensure sufficient local resource is available to support local businesses and communities throughout the construction phase and into the transition of the operational scheme.
 - iii. Legacy: now 23 measures that will ensure the LTC scheme delivers a lasting legacy across Thurrock and ensure positive local outcomes and which could largely be included within the LTC scope.
- 2.15.3 One further measure was added in subsequent dialogue with HE, making 58 measures in total.
- 2.15.4 Technical meetings between HE and Council officers/consultants began in December 2020 and continue to be held. These meetings have been helpful in explaining to HE the detailed thinking behind each measure, determine if further information was required from the Council and to discuss how best for HE to satisfy each measure. Since December 2020 there have now been 14 lengthy meetings.
- 2.15.5 Unfortunately, at the time of writing, very few of the 58 measures have been agreed. The number of technically agreed measures is less than 5. The reason for this long delay, in the Council's view, is the need to continually and repeatedly explain each measure in increasing detail, answer seemingly never-ending follow-up questions and a resistance from HE to resolve the Council's requests, despite the regular tracking of each measure and the agreed consequent actions.

- 2.15.6 The vast majority are still in discussion, but on many the clear indication from HE is that they will be able to offer a response that matches or at least is close to the Council's request. The Council officers/specialists have been frustrated that technical agreement has not been reached on more measures. Some of the measures where agreement should have been reached by now are:
- i. As noted in previous sections, LTC is a significant opportunity to provide jobs and skills. We are yet to see any detail on our request for a target on use of local labour, apprenticeships, etc., (as specified in CLS3). Also, the Council have not seen a full and formal draft of the Skills and Employment Strategy (which impacts our request on CLS1) until very recently.
 - ii. LTC is in the process of establishing a community grant scheme (our CLS11 and CLS4 requests), but the Council are yet to see how much will be ring-fenced for Thurrock and whether it is commensurate with Thurrock's needs.
 - iii. LTC is also an opportunity to deliver extensive social value to local communities through contract procurement. The Council have made requests on this topic (CLS5) but have yet to see any locally specific proposals.
 - vi. The provision of sustainable public transport provision to construction sites (our M7 and M8 measures). The Council have yet to see a positive response on this, despite the Technical Note making a reasoned case for this inclusion.
 - vii. Ensuring that the proposed re-provision of bridges across the LTC, along existing corridors, deliver sufficient legacy provision to encourage active sustainable travel/support future growth (L12). This has been in technical discussions for several months and has not yet been resolved.
- 2.15.7 On some of the 58 measures HE has indicated they are unlikely to agree to the Council's request, or are unable to agree to the following measures:
- i. Grant funding to improve business environments and tackle perceptions of the local area (CLS6) and provision of Green business support (CLS7). The Council believe there is very little compensation on offer to local small businesses for the disbenefits the Council will face and will continue to make this point.
 - ii. Safeguarding of the future provision of junctions onto the LTC at South Ockendon (L1). The Council has provided a suitable 'passive provision' definition and plans of the two areas at Tilbury and South Ockendon over which it would apply and still awaits a satisfactory and considered response.
 - iii. Deliver the proposed construction haul road along Medebidge Road alignment from the A13 to Grangewater to a sufficient width and standard to enable it to be adopted by the Council (L8). The Council have requested improvements to this road, but HE consider it adequate for their construction needs, with the addition of passing places.
 - iv. Use of marine transport for the movement of materials (M10). HE has produced its outline Materials Handling Plan (MHP) and it is part of the consultation materials. The Council have reviewed it within Appendix B (2) below, but it is not adequate in its present form.
 - v. Ensure that electric and/or low-emission vehicles are incentivised to use the LTC with discounted or free use (L19). The Council's understanding is that LTC does not have sufficient mandate to agree to this measure.
- 2.15.8 The Council will continue to make a robust case on the necessity of these measures.

TECHNICAL & PROCESS MATTERS

2.16 DCO Requirements

- 2.16.1 Local authorities need to have a leading role in the discharge of requirements, as they do in most DCO applications excepting those currently by HE. The majority of LTC is within Thurrock. The Council is the interface between the development for the majority of the strategic road network and creating benefit for the future of local residents/ stakeholders. Leaving the discharge of requirements to the Secretary of State risks the strategic case dominating future plans and the local case for local residents/stakeholders being overlooked.
- 2.16.2 The Council has raised concerns with HE previously, including in the Council's response to the LTC Supplementary Consultation (29 January – 9 April 2020) and LTC Design Refinements Consultation (14 July – 12 August 2020), and the Planning Inspectorate in the past, and is now raising this point again. This remains a considerable concern to the Council.

2.17 Inadequate, missing and late critical data

- 2.17.1 The Council has been actively engaging with HE, however, as stated in all three previous consultation responses from the Council, there has been inadequate, missing or late data from HE for LTC. At this stage, there are still significant information gaps and the potential for under reporting potential impacts. This information is critical for the Council to provide a fully informed response.
- 2.17.2 A joint letter from Thurrock Council, Gravesham Borough Council, London Borough of Havering and Kent County Council was sent to HE on 4 August 2021, formally requesting an extension of time on the current Community Impacts Consultation until the 6 October 2021, to provide time to consider further information. The letter set out the key missing data, as set out below:
- i. Thurrock Council has only just received the **updated operational traffic modelling data** for the years 2029, 2036, 2044 and 2051, including the significant additional lane on the LTC to A13 slip road. The Council have downloaded the data, but some LAs have had difficulties, thereby adding to the time. It will take some 3-4 weeks to analyse the data, which would then go beyond the current end of consultation and as this analysis is so critical to many aspects of the consultation, any responses would be lacking this critical issue.
 - ii. Thurrock Council has not received the **updated construction modelling data** which is understood to support the documentation within this consultation.
 - iii. Due to the late receipt of the traffic modelling data, we understand that we will not be receiving the **air quality and noise updated assessments** until well into September, again after the current consultation is due to close, which will require several weeks to properly analyse and review.
 - iv. Finally, and also due to the delay and effects of matters above, we will not be discussing the **updated health impacts or any attendant mitigation** until later in September at the CIPHAG meetings, again after consultation has ended.
- 2.17.3 The Council is concerned about the lack of adequate provision for emergency services within the LTC scheme or any securing mechanism for its provision, especially relating to the lack of detail and absence of measures to support the emergency services and safety partners. The Council's concerns relate to the following matters:
- i. Lack of designated protest areas or Protest Plan.

- ii. Absence of detail on Plans for Approval relating to CCTV, ANPR, fire suppression, cross passages and distances and lighting.
- iii. Adequacy of emergency access proposals or any Emergency Hub.
- iv. Lack of provision for Rendezvous Points (RVPs).
- v. Lack of a Muster/Congregation Area during an incident/emergency.
- vi. Lack of a dedicated 'Control' document relating to emergency services provision.

2.17.4 It is, however, recognised that the Emergency Services and Safety Partners Steering Group (ESSPSG) have provided their initial response to HE in August 2021 and they will be providing a separate and more detailed response to the HE Consultation, which will set out their concerns in detail.

2.17.5 The above issues remain a considerable concern to the Council. Based upon the lack of background information and consultation material available, the information presented by HE is deficient in the detail required for stakeholders to provide an informed response.

2.18 Lack of adequate local involvement via control documents

2.18.1 There is a lack of adequate local involvement, via the control documents and ensuring key plans within the Book of Plans are for approval and not information. In particular, this largely relates to not accounting for valid comments on earlier/current versions of the control documents and in not providing for local authority approvals through the DCO Requirements. Also, at present multiple forums and groups are proposed throughout the Construction Update – Joint Operations Forum (JOF), Traffic Management Forum, Travel Plan Liaison Group, Community Liaison Forums, etc., but this currently appears disjointed and uncoordinated. The Council would expect (as with other major transport schemes, such as Silvertown Tunnel) that HE establishes an overarching Implementation/Delivery Group made up of representatives (at a senior executive level) of all the impacted local planning and highway authorities and the Department for Transport. HE should be required to consult with this Implementation/Delivery Group on strategic and critical matters related to planning and design, enforcement/exceedances and constructing and operating the LTC scheme. Further clarity from HE is required on proposed governance arrangements.

2.18.2 As detailed in the Council's review of the oTMPfc in Appendix A, it is the Council's opinion that it should be the approving body for construction management plans, including the contractor's TMPs, Construction Travel Plans and other relevant management plans secured through the DCOv2. The governance of the management plan, and the process for agreeing them needs to be set out in the relevant plan. This would give direction and clarity to the appointed contractors and the Council. Clearly, leaving the discharge of requirements to the Secretary of State risks the strategic case dominating future plans and the local case for local residents/stakeholders being overlooked.

2.18.3 However, if this is not accepted, then the governance of those TMPs and the process for agreeing them, prior to approval by the SoS, needs to be set out in the oTMPfc. This would give direction and clarity to the appointed contractors and the Council. HE refers to reporting to the SoS that consultation with local authorities has been undertaken, however, the evidence to the SoS must include a report as to what feedback was received and how it has been addressed. This is not without precedent, see for example the A30 Chiverton to Carland Cross DCO 2020, the A14 Cambridge to Huntington Improvement Scheme DCO 2020 and the A585 Windy Harbour to Skippool Highway DCO. The local authority must have the right to respond to the report and a system of conflict resolution identified, with Dispute resolution should be the jurisdiction of the Secretary of State as a last resort.

- 2.18.4 The draft outline Materials Handling Plan has only recently been issued to the Council and the Council has not had any involvement in its preparation. As currently draft, the Council has many concerns with the oMHP, as set out in Appendix B (2). The day-to-day governance process must be a system operated by the HE and the affected Local Authorities in collaboration with the Contractor, with only unresolved disputes referred to the SoS. The draft oMHP does not include such governance and management mechanisms.
- 2.18.5 It is essential that the Council pursues an acceptable outcome for the oMHP prior to submission of the DCOv2 to protect its interests with regards to the movement and handling of material, plant and equipment within and through the Borough. Once consent for the project is granted, the Council will have very limited opportunity to influence the detailed strategies, which will have a significant impact on the Borough for the 6-8 years of construction. The Council's full review of the draft oMHP is in Appendix B (2).
- 2.18.6 Some of the control documents are currently missing and the Council is therefore unable to comment on the adequacy of these documents. The Environmental Masterplan and the Draft Archaeological Mitigation Strategy – Outline Written Scheme of Investigation are control documents, but have not been provided as part of the consultation as they are currently being updated by HE.

2.19 Utilities - Summary and Recommendations

Summary

- 2.19.1 This summary reports the findings of a review undertaken of the previously submitted (now withdrawn) LTC DCO (DCOv1) (October 2020) and of LTC Non-Statutory Consultation Documents (July 2021) in relation to the consideration of proposed utilities diversions which themselves constitute Nationally Significant Infrastructure Projects (NSIPs). The review contributes to the wider scrutiny by the Council of the LTC DCOv1 (October 2020) and emerging proposals for a future revised LTC DCO application.
- 2.19.2 The Council has consistently opposed the Project due to the negative economic, social, engineering and environmental impacts that it will have upon the borough, as well as the constraints it will place upon future growth. This includes construction and operational phase impacts from proposed utilities diversions, which the Council specifically raised concerns about in responses to HE's consultations prior to submission of the DCOv1 application. The Council's main substantive concerns regarding proposed utilities diversions relate to the extent of land-take required and likely impacts on communities and existing infrastructure, including in terms of disruption and safety. The Council together with other affected local authorities and consultees also previously raised wider concerns regarding environmental and planning impacts from proposed utilities diversions. We acknowledge that some improvements have been made over the past year, but still seek further improvements/mitigations.
- 2.19.3 To inform the Council's engagement with HE and position in respect of a revised LTC DCO application, a high-level review of HE's assessment of proposed utilities diversions (including design, environmental impacts and mitigation) has been undertaken. This review has considered both the LTC DCOv1 (October 2020) and emerging proposals (July 2021) for a future revised DCO application. Key findings from this review are:
- i. Inadequate reporting in respect of individual utilities diversions, especially within technical assessment chapters of the ES. Both LTC DCOv1 and the non-statutory consultation documentation (July 2021) to inform a future LTC DCOv2 discuss utilities diversions in general terms and suffer from a lack of specificity;
 - ii. Absence of consistent referencing and diversion descriptions even where individual diversions are discussed;

- iii. By virtue of the above two deficiencies, inability to validate the NSIP screening conclusions reached within Appendix 3.1 Table 1.1 regarding the absence of likely significant effects from gas pipeline diversions (i.e. that proposed diversions are therefore not NSIPs);
- iv. Lack of clear identification and screening of proposed OHL works to confirm whether each qualifies as a NSIP in its own right or requires to be treated as an Associated Development;
- v. Absence of any justification to support the assumed Associated Development status of all proposed non-NSIP utilities diversions is not helpful and raises concerns regarding the adequacy of App 3.3 – Consents and Agreements Position Statement;
- vi. The need for and design of individual utilities diversions has evidently been considered as a necessary consequence of the preferred route rather than a major design consideration at the outset. This is unfortunate given the scale of the proposed utilities NSIP diversions (and other diversions) and associated land-take now required to facilitate the project;
- vii. Weak and inconsistent application of the undergrounding test set out at paragraph 2.8.9 of NPS EN-5; and
- viii. Weak approach to EIA mitigation being secured through an EMP2 which merely ‘reflects’ the REAC is of potential concern as HE will have less control over the implementation of ‘Non-Contestable’ works by utilities statutory undertakers.

2.19.4 The above deficiencies significantly hinder the ability to clearly understand the types and levels of environmental impacts and mitigation requirements associated with each proposed utilities diversion. In consequence, the LTC DCO does not clearly establish the environmental acceptability of all proposed diversions including the proposed utilities NSIP diversions in accordance with relevant requirements set out within EN-1, EN-4 and EN-5.

Recommendations to inform LTC DCO Rev 2

- 2.19.5 The review reported in this technical note focused on assessing compliance with relevant Energy NPS, specifically EN-1, EN-4 and EN-5, in respect of proposed utility diversions which themselves constitute NSIPs. However, in doing so the review also identified weaknesses within the approach adopted by HE in their assessment of proposed utilities diversions more generally.
- 2.19.6 Review findings have informed the development of the following recommendations to improve how utilities diversions and associated impacts are addressed in any future revised LTC DCO application. HE is respectfully requested to carefully consider and implement these recommendations in the preparation of the LTC DCOv2 (all references below to specific DCO application documents refer to LTC DCOv1 which it is assumed will be revised or replaced as appropriate).

Identification of Proposed Utilities Diversions within LTC DCO Application

- i. The root cause of many identified weaknesses is a lack of clear and consistent referencing of individual utilities diversions. To address this, consistent referencing of individual diversions should be inserted throughout all DCO application documents based on the numbered works listed within Schedule 1 of any future draft DCO. Full consistency in relation to both referencing and descriptions of proposed works is required between the draft DCO, ES Appendix 1.3, ES Chapter 2 – Project Description and ES Chapter 3 – Assessment of Reasonable Alternatives.
- ii. To enhance consistency and enable a full understanding of proposed gas pipeline diversions, ES Appendix 1.3 Table 1.1 (NSIPs screening table) should include an

additional column providing a brief description of the locational/route characteristics of each affected pipeline and a cross-reference to the relevant Works Plan(s) showing the proposed diversion.

Classification of NSIPs and Associated Development

- i. To enable the conclusions of ES Appendix 1.3 Table 1.1 to be validated, the reporting of likely effects associated with individual utilities diversions needs to be strengthened. All technical assessment chapters of the ES should confirm whether individual (or multiple) utilities diversions contribute to specific likely environmental effects (significant or not significant) and clearly state which individual diversion(s) is responsible, including by reference to the relevant Works Plan.
- ii. Where effects are contributed to or generated by proposed utilities NSIPs (as opposed to by Associated Developments), this should be confirmed within the relevant ES technical assessment chapter.
- iii. A screening assessment supported by evidence should be provided (as an ES appendix) to explain in full why only one proposed electrical transmission diversion constitutes a NSIP and why each of the other proposed electrical transmission diversions do not. This screening assessment should cross-reference the numbered OH works listed within schedule 1 of any future draft DCO.
- iv. Works Plans and Engineering Section Drawings should be amended to clearly distinguish between utilities diversions which constitute proposed utilities NSIP diversions or Associated Development.
- v. In accordance with PINS Guidance (2013), a relevant DCO application document (e.g. Planning Statement) should provide a clear justification for why those proposed utilities diversions not qualifying as NSIPs in their own right can properly be authorised within the DCO as Associated Development.
- vi. Amend App 3.3 – Consents and Agreements Position Statement to reference the potential need to seek alternative authorisation under Section 37 of the Electricity Act 1989 in the event of any proposed electrical transmission diversion not constituting a NSIP or being accepted as Associated Development.

Consideration of Alternatives

- i. Amend ES Table 3.5 – Other Design Changes in respect of proposed utilities routing at Ockendon Landfill Site to:
 - a. Provide details of the affected pipeline and mitigation solution, including whether the proposed utilities routing would generate environmental impacts; and
 - b. Confirm whether any alternative diversion routes to avoid Ockendon Landfill Site without crossing the unnamed gas pipeline are feasible and have been considered by HE.
- ii. Amend ES Chapter 3 to explain why alterations (2020) to the M25 Junction 29 layout to reduce the extent of required OHL diversion, resulting in major negative visual changes, are considered to be appropriate and acceptable.
- iii. Amend ES Chapter 3 to confirm the specific OHL at Chadwell Link which triggered a route realignment (2020) to avoid a utilities diversion.

Assessment of Effects

- i. The above recommendations need to be implemented to enable any future revised LTC DCO application to clearly establish the environmental acceptability of all proposed utilities diversions, including specifically each proposed utilities NSIP in accordance with relevant requirements set out within EN-1, EN-4 and EN-5. In particular, the ES needs to provide clearer assessments of effects generated by individual or multiple diversions (either standalone impact or where a utilities diversion contributes to an impact alongside other elements of the Project).

Mitigation and Monitoring

- i. Define clear, consistent and comprehensive criteria for:
 - a. Identification of candidate locations for potential OHL undergrounding; and
 - b. Consideration of whether undergrounding at each of the candidate locations should be pursued or discounted.

Selected criteria should cover all relevant environmental, social and economic considerations and should be applied consistently to fully address the tests set out in paragraph 2.8.9 of NPS EN-5.

- ii. Amend the CoCP to include references to individual proposed utilities NSIP diversions where relevant.
- iii. Extend the REAC to explicitly state that:
 - a. Required actions and commitments apply to all elements of the Project, including the utilities NSIPS; and
 - b. For the avoidance of doubt, this includes all 'Non-Contestable' works to be carried out by utilities statutory undertakers rather than by HE. All REAC measures relevant to proposed utilities works (Contestable and Non-Contestable) must be secured within the Environmental Management Plan (EMP2) and thereafter implemented.

TECHNICAL DOCUMENT COMMENT SUMMARIES

For completeness, this section provides summaries of the key points made in each of the Appendices that follow and hence cover the 13 key technical and public-facing documents that were part of this consultation, as follows:

2.20 Outline Traffic Management Plan for Construction (oTMPfC)

Summary

- 2.20.1 The updated version of the oTMPfC has addressed some of the earlier comments made by the Council. Further information has been provided in relation to management and governance procedures and proposed traffic management scheme information. In particular this includes:
 - i. committing to the appointment of a Traffic Manager by the scheme promoter with further information on their roles and responsibilities.
 - ii. further details around governance arrangements including the proposed Traffic Management Forum and its membership, roles and responsibilities etc.

- iii. some further information around proposed monitoring of traffic management and production of monitoring reports.
- iv. a full list of proposed traffic management schemes (short and long-term) associated with the main works, tunnelling and utilities work.

2.20.2 These changes are welcomed, however, the oTMPfc still only provides a broad range of measures and processes and the Council still believes that it does not provide sufficient detail, certainty or commitment and a clear governance process to give comfort that the temporary traffic management measures will be acceptably controlled and managed or that impacts on the operation of the LRN and local communities within Thurrock will be suitably mitigated. The headline concerns are related to:

- i. The lack of a clear set of traffic management principles, objectives and commitments set by the scheme promoter to clearly direct the contractor in the production and implementation of TMPs and associated schemes across all phases of work. The suite of TMPs must be co-ordinated, current and relevant.
- ii. The proposed disapplication of the council's network management powers, including the current street works permitting systems and the consenting on temporary Traffic Regulation Orders, to which Thurrock Council is not able to agree. The changes would impact on the Council's ability to manage effectively the LRN including works being carried out as part of the delivery of the Project and also works carried out by other major projects and day to day operations on the LRN.
- iii. The need for a clear commitment in this document by the promoter and all contractors (and their sub-contractors and suppliers) to exemplary levels of best practice in safety, efficiency and environmental protection in relation to construction logistics management and fleet operation. There should be a requirement for contractors to operate to the Construction Logistics and Community Safety Standard (CLOCS) and Fleet Operator Recognition System (FORS) Silver Standard with progression to Gold.
- iv. The lack of emphasise in the document on the importance of managing construction traffic and traffic management scheme interfaces with, and impacts on, pedestrians, cyclists and other vulnerable road users.
- v. The need for further information on proposed monitoring, reporting and enforcement arrangements that will be put in place across all construction phases – particularly in relation the scope of monitoring proposed and KPIs that will be regularly reported. Effective enforcement mechanisms also need to be clearly set out in the document.
- vi. The need for further definition of the management and governance procedures that will be required and put in place during the construction phases.
- vii. The management and reporting processes of incidents and emergencies which affect the operation of the travel networks – which should include contingency planning and defined contingency routes and the reporting processes of the incidents.
- viii. The details on the commitments that will be required of the contractors prior to and during the construction works and in the decommissioning and hand-over phases.
- ix. Recognition and inclusion within the strategic and local Transport Planning modelling of the significant movements of LGV construction related traffic as well as the HGVs.
- x. A Promoter led Requirements on the co-ordination of the contractors to provide detailed appraisal of the effects on the road network of the delivery stages of the Project, in particular the delivery of the A13 interchange and the impacts on the operations of the network.

- xi. Detail on the designated access routes that would be managed/enforced and the consequences of non-compliance.
 - xii. The management and co-ordination of protections to the affected LRN and how that would be set out within and operating agreement.
- 2.20.3 It is the Council's opinion, however, that it should be the approving body for construction period management plans including the contractors' CTMPs. If it is determined that this is not to be the case then the governance of those TMPs and the process for agreeing them, prior to approval by the SoS, needs to be set out in the oTMPfc. This would give direction and clarity to the appointed contractors and the Council. HE refers to reporting to the SoS that consultation with local authorities has been undertaken, however, the evidence to the SoS must include a report as to what feedback was received and how it has been addressed. This is fundamental if the local authority is not to be the approving body. The local authority must have the right to respond to the report and a system of conflict resolution identified.
- 2.20.4 The document does not provide currently a robust enough framework from which subsequent detailed TMPs would be developed by the appointed Contractors.

Recommendations

- 2.20.5 The oTMPfc must be a robust framework to provide a Certified/Control Document within the DCO and must be clear and explicit as to the commitment the Promoter requires its contractors to meet and observe. That level of clarity cannot be left to future developments of the resultant TMPs.
- 2.20.6 The table within this response document sets out points of observation and concern relating to the updated oTMPfc as submitted by the Promoter. These points and in particular the key concerns outlined above should be addressed by the Promoter.
- 2.20.7 The key points include that Thurrock Council does not agree with the current proposals to disapply powers related to the street works permitting systems or the 'Making' of temporary Traffic Regulation Orders by the Promoter on the LRN. Revisions to these proposals must be agreed prior to the certification of the oTMPfc.
- 2.20.8 The needs to be a clear set of traffic management principles and commitments set by the scheme promoter in the outline document to direct the contractor in the production and implementation of their TMPs.
- 2.20.9 Further detail should be provided (as set out in the comments table) in relation to mechanisms for governance, co-ordination, monitoring and enforcement of the TMPs and the enshrined processes must be set within the oTMPfc to give a structure to which Thurrock Council can agree and that the contractors can conform.

2.21 Framework Construction Travel Plan (FCTP)

Summary

- 2.21.1 The Council acknowledges the principal objectives set out within the FCTP document but remains unconvinced that HE is suitably committed to mitigating the travel effects of the workforce employed to deliver the LTC project.
- 2.21.2 The FCTP document would be used to inform the development of contractor led SSTPs, however the FCTP must set the bar much higher to incentivise the contractors to facilitate and encourage active travel and environmentally sound means of travel.

- 2.21.3 We have indicated that the FCTP does not recognise the full policy and guidance base for the Governments drive to switch to sustainable travel and that the FCTP does not capture or encourage sustainable travel and does not reflect the substantial feedback that the Council, has already provided, much of which is captured within the Hatch Report of October 2020.
- 2.21.4 The FCTP must set robust rules of governance for the travel plan that will be adopted and implemented through the TPLG. This must include roles and responsibilities of the members of the TPLG, arrangements for decision making and dispute resolution, clear targets for the travel plan, and robust mechanisms for attainment of the targets through the DCO.
- 2.21.5 We have set out key themes and detailed observations on which HE must reflect and respond before the FCTP is deemed appropriate for this Project.

Recommendations

- 2.21.6 A range of comments and feedback are given within this response document and HE is encouraged to reflect on those and review the FCTP to develop a more robust and effective document which will derive equivalent robust and effective SSTPs following consent of the DCO.

2.22 Wider Networks Impacts Management and Monitoring Plan

Summary and Recommendations

- 2.22.1 A range of comments on the Wider Network Impacts Management and Monitoring Plan are provided above which should be responded to or address in an updated version of the document.
- 2.22.2 The key issues identified and recommendations are:
- i. This plan only relates to the monitoring of operational impacts on the wider network once the project has opened. A monitoring plan for the construction period is required and should be set out separately or as part of the oTMPfc.
 - ii. It is unclear clear if and how this plan links to wider project monitoring and evaluation and the scope of that work includes assessing impacts on travel demand/behaviour, impacts on economy, air quality, noise, carbon. Further clarity is required in the plan.
 - iii. The plan suggests that the need for interventions on the wider road network to mitigate LTC impacts is not yet determined. The council believes there is evidence of the need for interventions at a number of locations (including those at 2.2).
 - iv. It is critical the scope of this plan also considers impacts on the local bus network (particularly impacts on journey times and journey time reliability) and non-motorised users e.g. pedestrians and cyclists. This should be included in the plan.
 - v. The plan suggests that monitoring work will identify areas for intervention and describes in general terms work required to develop and assess interventions and secure funding. However, it portrays a vague and open-ended process with little funding security for interventions at the end of the process. It is unclear who is responsible for this work, its scope, how and who it will be managed and governed by and who will fund it. Further clarity and definition of this process is needed.
 - vi. The plan at present does not clearly define the highway network performance criteria/indicators proposed and the level of change required that triggers the need for intervention. Further work to define these is required.

- vii. The plan provides no commitment to mitigate wider impacts on the road network post construction. Nor does it indicate there is secured mechanism in place to fund the delivery of required interventions. There is also no commitment to funding the work that will be required to identify, assess, and develop business cases etc for interventions.
- viii. The document suggests that timeline for the identification of any areas requiring intervention and work to select suitable interventions will only begin after all the periods of traffic monitoring have been completed (data collection commitment is to one year after opening and five years post-opening). There should be a recognition of the potential need to fast-track scheme development work and/or delivery of early interventions earlier in the monitoring period (after year one monitoring).

2.23 Outline Site Waste Management Plan (oSWMP)

Summary

- 2.23.1 The document builds upon the initial review of the oSWMP that Thurrock sent to HE on 22nd March 2021. Within this review of the consultation draft of the oSWMP we have identified whether we consider the original comments have been addressed appropriately and also identified where additional concerns have been raised.
- 2.23.2 As drafted the oSWMP is insufficiently developed to allow the Council to draw a considered opinion on the management of the wastes from the project. The full range of waste arisings are not broken down by source nor by the timing of their production, the scheme targets are unclear in their nature and do not appear to have been developed against any project specific basis. There is no information on how wastes will be managed to ensure that the project attains the standards/targets that have been set nor complies with regulatory requirements.

Recommendations

- 2.23.3 The oSWMP needs to be developed to ensure that:
 - i. The basis for the targets within it are clear.
 - ii. The basis for the estimations of waste arisings are provided.
 - iii. The waste arisings are considered both with regard to where and when they will arise.
 - iv. The approach to managing the wastes is clear to demonstrate regulatory compliance can be maintained.
 - v. The approach to the recording, compiling and reporting of the wastes managed is appropriate for the scale of the project.
 - vi. The potential offtake locations for the wastes to be taken from the site are clearly identified and their potential to manage the waste arising over time is identified.
- 2.23.4 The oSWMP, oMHP, MMP and EMA are complementary documents, however they need to be able to be considered as standalone documents and all relevant evidence and information should be presented within each document.
- 2.23.5 It is essential that the Council pursues an acceptable outcome for the draft oSWMP prior to submission of the DCOv2 to protect its interests with regards to the management of wastes within and through the Borough. Once consent for the project is granted, the Council will have very limited opportunity to influence the detailed strategies which will have a significant impact on the Borough for the many years of construction.

2.24 Outline Materials Handling Plan (oMHP)

Summary

- 2.24.1 It is considered that the document presents insufficient evidence to demonstrate that a robust assessment has been undertaken to define the quantum and timing of the various materials and that appropriate approaches to the handling have been identified. As the oMHP is currently presented it is considered that there is insufficient confidence in the viability of the proposed plan or the mechanisms for governance and management of the procedures.
- 2.24.2 There is no incentive to contractors to adopt environmentally sound processes and no requirement for corrective action where targets are not met.

Recommendations

- 2.24.3 We recommend that the revised document provides:
- i. Detail of the calculations and assessments which are stated to have been undertaken.
 - ii. Clarity on the types and quantities of arisings (Topsoil, Made Ground identified as chemically and physically suitable for re-use, Natural Ground that meets the requirement and are excluded from the scope of the WFD, Made Ground identified as not chemically and/or physically suitable for re-use, Natural Ground identified as not suitable for re-use).
 - iii. Criteria used to decide suitability for re-use.
 - iv. For each type of spoil arising requiring off-site disposal provide a waste classification assessment to determine whether Hazardous or Non Hazardous. A second stage of acceptance assessment (informed by WAC testing as appropriate) to inform the identification of likely destination landfill – which should consider the location and timing of generation.
 - v. Clarity on the destination compound/location of stockpiles and duration.
 - vi. Clarity on the phased vehicles movements associated with the works.
 - vii. Information on the receiving sites identified to provide comfort that they will be able to accept the wastes generated at the point that they are exported from the site.
 - viii. An assessment of the potential for alternative transportation measures to be incorporated based upon the phased movement of materials identified within the oMHP and those that are not as yet considered within the oMHP.
 - ix. Definitive commitments to targets and aspirations and to incentivise contractors to reduce road mileage and materials mileage and to comply with stretching targets.
 - x. The governance processes and dispute mechanisms.

2.25 Code of Construction Practice (CoCP)

Summary

- i. Further detailed comments, for many of actions and/or recommendations, are set out in the Summary Review and Appendices of the Council's Consultation Response, and in previous Council comments on the 'Worker Accommodation Summary' and DCOv1 Order documents.

- ii. Some issues/concerns have not yet been resolved by HE, for example, there are unresolved concerns about the safety of the interchange between LTC and the Orsett Cock Roundabout. In the majority of instances, further details/information are awaited.
- iii. There are a number of items not part of this consultation or still missing from the CoCP, for example, HE should provide a Low Emissions Strategy for Construction, which is only partly done in the Carbon and Energy Plan.
- iv. Some measures are still awaited in DCOv2, such as the impact of mitigation measures such as earth works and planting, upon the historic character of the landscape.
- v. Most Hatch measures are not secured and still under discussion.
- vi. Many principles; approaches to construction; control measures; standards; and targets are still unconfirmed by HE.
- vii. The Council does not accept that the Secretary of State should be the determining body for the discharge of the DCO Requirement relating to the Environmental Management Plans.
- viii. Some actions are only covered in REAC and not included in the CoCP.

Recommendations

- i. HE should refer to the Council's consultation responses set out in the Summary Review and Appendices, as well as previous Council comments on the 'Worker Accommodation Summary' document and DCOv1 Order.
- ii. Issues/concerns detailed in the table above need to be fully resolved by HE, and the Council need to be informed of how these concerns are to be resolved.
- iii. Information that is missing from the consultation (and the CoCP) need to be included.
- iv. DCOv2 needs to include full details, for example, mitigation measures relating to the impact of earthworks and planting upon the historic character of the landscape.
- v. All Hatch Measures need to be confirmed and secured.
- vi. HE need to confirm and secure: principles; approaches to construction; control measures; standards; and targets, either through the CoCP and/or REAC.
- vii. The Council should be the determining body for the discharge of the DCO Requirement relating to the Environmental Management Plans.
- viii. Some actions are only covered in REAC and require inclusion in the CoCP.

2.26 Register of Environmental Actions and Commitments (REAC)

Summary

- i. There is no sequence to the order of REAC topics and it should follow the sequence in the topics within the ES chapters. The REAC document is all mixed up and therefore difficult to follow, e.g. 'GS' on page 53 and then on pages 66-74. There are potential repeats within the REAC document, e.g. TB on Pp55-58 and again with further changes on Pp101-106; and for GS and LS and NV.

- ii. The Council has provided new comments and queries for updated REAC (June 2021) and further comments (1-24 in the table below) on the REAC, which are set out in the table below.
- iii. There are a number of commitments/details missing from the REAC, for example, record of Baker Street Windmill setting not mentioned (CH NEW); no direct reference to the economy or local employment/skills commitments or the Skills and Legacy Plan (Further comments (7)); and various others.
- iv. Remaining outstanding information/issues/queries and, in some instances, no further adequate information has been supplied from HE in relation to issues previously raised.
- v. Wording in some REAC commitments should be amended to provide clarity/correction.
- vi. REAC commitments could go further to improve conditions/outcomes, for example, including an incentive for more ambitious carbon reduction targets should be included (CC002).
- vii. A number of documents that are listed, where the detail will still need to be finalised for DCOv2, have not been viewed by the Council.
- viii. The detail for many REAC commitments is not yet available and would be considered during detail design. LTC is aware of the comment made by Thurrock Council regarding visibility/consultation on compound layouts and this is undergoing further internal discussion. Need to continue to review this, as the position is unchanged.
- ix. There is a need to cross reference some REAC commitments for avoidance of doubt, for example, LV001 and LV028.
- x. The Council continues to be concerned that some issues are not assessed within the Environmental Statement, for example, the effects of the scheme on local traffic (including all vulnerable users) for either the construction period or the operational phase.
- xi. LV029 stated in updated REAC as not used. What is the rationale for this change and its removal?
- xii. Lack of adequate mitigation measures in regard to some commitments, for example, hazardous substances (MW005), use of electric/hybrid vehicles (AQ001) and 'further comments (1)' cultural heritage.
- xiii. Further detail will need to be submitted to the Council at the detailed design stage for many commitments, for example, demonstrating that SuDS Strategy meets all of the LLFA's requirements (RWE025).

Recommendations

- i. The order of the REAC should follow the sequence of topic chapters in the ES. Remove potential repeats within the REAC document, e.g. TB on Pp55-58 and again with further changes on Pp101-106; and for GS and LS and NV.
- ii. Address the Council's 'further comments' (1-24) on the REAC, which are additional to actions/recommendations on specific REAC commitments. These comments need to be addressed by HE and provide the Council with further information and/or clarification.
- iii. Ensure that all commitments/detail that is currently missing from the REAC, are included in the next iteration.

- iv. There is still a need for further information from HE on outstanding information/issues/queries.
- v. Wording in some REAC commitments should be amended to provide clarity/correction.
- vi. Change and improve REAC commitment wording to help improve conditions/outcomes.
- vii. Where the detail of documents will still need to be finalised for DCOv2 - the Council will be a consultee and need to review.
- viii. The detail for many REAC commitments is not yet available and would be considered during detail design. LTC is aware of the comment made by the Council regarding visibility/consultation on compound layouts and this is undergoing further internal discussion. Need to continue to review this, as the position is unchanged.
- ix. There is a need to cross reference some REAC commitments for avoidance of doubt, for example, LV001 and LV028.
- x. Ensure that all the right issues are assessed within the Environmental Statement.
- xi. LV029 stated in updated REAC as not used. What is the rationale for this change and its removal?
- xii. HE need to ensure adequate mitigation measures are set out and secured, in regard to REAC commitments.
- xiii. Provide further detail to the Council at detailed design stage for many commitments, for example, demonstrating that SuDS Strategy meets all of the LLFA's requirements (RWE025).

2.27 DCO Schedule 2 Requirements and Explanatory Memorandum

Summary

- 2.27.1 The requirements in schedule 2 are key element to ensuring the authorised development is undertaken appropriately and minimises any negative impact on local residents and infrastructure. The Council has a number of concerns. These include:
- i. who is the discharging authority.
 - ii. how consultation with relevant planning authorities and highway authorities is undertaken.
 - iii. the impact of certain pre-commencement works.
 - iv. mechanisms to ensure that key documents can change over time as a response to changes to the highways network and as a result of monitoring.
 - v. a limit of the proposed development.
 - vi. how 15% biodiversity net gain is going to be secured.
 - vii. which documents will be considered 'control documents'.
 - viii. the consideration of contaminated land.
 - ix. implementation of the relevant EMP.

- x. timeframes for the submission of the LEMP.
- xi. the management of archaeological interests.
- xii. traffic management.
- xiii. the application of the Council's traffic management permit system to the authorised development.
- xiv. the deemed approval in relation to the traveller site.
- xv. compliance with the indicative layout plan in connection with the traveller site.
- xvi. traffic monitoring.

2.27.2 These are considered in Appendix D. However, it is essential that these points are engaged with, so the Examining Authority has sufficient information to make an informed decision about key aspects of how it is proposed that the authorised development is to be controlled and unnecessary negative consequences avoided.

2.28 Design Principles

Summary

2.28.1 This document sets out the Council's comments on the Draft Design Principles and responds only to the sections relating to the north of the river.

2.28.2 It is recognised that the matter of commonality of design of structures is set out in Design Principles STR.01 and STR.06. However, this largely deals only with 'Project Enhanced Structures' and should apply to all structures to reflect their landscape context and this should be amended accordingly within Section 3.5. This is considered important because the three main contracts to deliver the LTC scheme (Roads North, Roads South and Tunnels) may well take a differing approach to design and by providing these amended and additional Design Principles this should be avoided.

2.28.3 The key themes of concern to the Council are:

- i. HE are working with land promoters around East Tilbury (Iceni POT, the landowners) and whilst we have been involved in some of those conversations, we know we are not party to all. This could be undermining the Local Plan process and conflicts with wider borough objectives. This could also be a conflict of interest if Thurrock are not party to conversations.
- ii. There lacks any priority in the principles, what takes priority over what when it comes to making decisions besides cost?
- iii. A disproportionate emphasis on the drivers 20 minutes of experience over that of residents who will live beside the project for decades and generations to come.
- iv. There is no mention of specialisms that are needed to achieve the principles; however team assembly is one of the most important aspects of achieving good design. Similarly, who leads the project is important. We can see that this has been overly led by engineers to problem solve a highways project and is missing a landscape or design led approach. We are concerned about how the project is taken forward with the future team.
- v. Tilbury is an area of deprivation and yet the Tilbury Fields project and the viaduct are missed opportunities for a park and a well-designed structure. It should be an enhanced

project. Design discussions are ongoing regarding Tilbury Fields and may result in an additional Design Principle.

- vi. The enhanced projects are what should be the minimum for all structures, particularly Tilbury Viaduct as the area of Tilbury is an area of multiple deprivation and the lack of design quality measures for this area will only worsen the environment for this population. The priority and logic for which structures are enhanced, and which are not enhanced remains unclear. The specification and detail for the structures that are not enhanced is not clear.
- vii. The ongoing issue of it not being a multi-modal route when public transport is more than just buses. It is so far from future-proof that it could never be good value for money. There is no mention of bus routes or bus priority within the Design Principles and the design does not enable buses to serve growth locations (residential or employment). Whilst HE state that public transport is not prohibited, the current design does not promote public transport due to the lack of junctions serving local areas and thus preventing a comprehensive local network on this proposed major route. Junctions and passive provision are in discussion.
- viii. The Council's issues raised in October 2020 regarding the seven Scheme Objectives remain and need to be addressed by HE.
- ix. It is vital that the emerging provision for walking, cycling and horse riding (WCH) is designed to a high specification to ensure that it is capable of meeting increasing levels of use from non-drivers. The final Design Principles should reflect the best practice set out in LTN 1/20.
- x. There is mention of acoustic barriers throughout the principles but there are no guiding principles as to how these will be handled.
- xi. The Two Forts Way is an important link through the south of the borough and it is essential that LTC helps ensure that it is fully accessible for walkers and cyclists.

Recommendations

- 2.28.4 HE should address the Council's comments set out in Table 2.1 above. Key recommendations are set out below:
- i. Thurrock Council should be involved in all discussions HE and land promoters around East Tilbury (Iceni POT, the landowners), to feed into the Local Plan process and meet wider borough objectives.
 - ii. HE should prioritise principles, to provide evidence to stakeholders on what takes priority over what when it comes to making decisions besides cost.
 - iii. Reduce the emphasis on the drivers 20 minutes of experience over that of residents who will live beside the project for decades and generations to come.
 - iv. Reference specialisms that are needed to achieve the principles. Ensure a landscape/design led approach by including a landscape/design expert in the lead team.
 - v. Tilbury Fields project and the viaduct should include opportunities for a park and a well-designed structure. It should be an enhanced project.
 - vi. Ensure the enhanced projects are the minimum for all structures. The priority and logic for which structures are enhanced, and which are not enhanced should be made clear and

the specification and detail for the structures that are not enhanced should also be made clear.

- vii. Provide a multi-modal route which is future-proof.
- viii. The Council's issues regarding the Scheme Objectives in October 2020 remain and need to be addressed by HE.
- ix. Ensure that all WCH works are designed in accordance with LTN 1/20.
- x. Guiding principles for the acoustic barriers should be provided. These need to be as naturalistic as possible and blended in with the landscape, as opposed to cost-effective large opaque fencing panels which further segregation of the landscape. HE need to set out what acoustic barrier typologies or qualities are to be prioritised and typical sections or precedent images are needed.
- xi. Ensure that Two Forts Way is designed to be fully accessible for walkers and cyclists.

2.29 Outline Landscape and Ecology Management Plan (oLEMP)

Summary

- 2.29.1 The draft OLEMP is yet to consider several of the areas most adversely impacted by the scheme within the Borough, for example, areas around the north portal, Coalhouse Fort and Orsett Fen. Similarly, there are still discussions being held with the LTC team regarding the Ron Evans compensation land. The Council wishes to see an updated document covering these areas prior to DCO submission.
- 2.29.2 The emerging structure for the OLEMP is considered to offer a way to present the developing landscape and ecology mitigation requirements in a useable format; however it is important that the EMP in particular is restructured to ensure consistency.
- 2.29.3 The Council recognises that the development of the OLEMP and subsequent LEMP will be iterative as designs progress. It is therefore keen to be actively involved with the ongoing development of these documents
- 2.29.4 As the landscape and mitigation measures develop it will be necessary to consider how to better present the information between the LEMP and EMP as the existing plans within the EMP are not fit for purpose.

Recommendations

To continue to engage with the Council regarding the emerging landscape and ecological mitigation requirements and how these will be delivered.

2.30 Construction Update

Summary and Recommendations

- 2.30.1 The construction update from HE provides further information in relation to:
 - i. Project wide approaches to construction.
 - ii. Works proposed and compound locations by geographical area (Sections A, B, C, D).
 - iii. Project wide impacts and approach to mitigation.

2.30.2 Key issues and recommendations identified above by the Council can be summarised as:

- i. **Control Plan and Control Documents** – It is not clear how the control plan and the multiple processes and activities set out within them will be managed, co-ordinated and governed by HE during the implementation process. *Further clarity from HE is required.*
- ii. **Governance and Engagement** – At present multiple forums and groups are proposed throughout the consultation document – Joint Operations Forum (JOF), Traffic Management Forum, Travel Plan Liaison Group, Community Liaison Forums etc – but this currently appears disjointed and uncoordinated. The Council would expect (as with other major transport schemes e.g. Silvertown Tunnel) that HE establishes an overarching Implementation Group made up of representatives (at a senior executive level) of all the impacted local planning and highway authorities and the Department for Transport. HE should be required to consult with this implementation group on matters related to planning, constructing and operating the LTC scheme. *Further clarity from HE is required on proposed governance arrangements.*
- iii. **Monitoring Road Network Impacts during Construction** - It is unclear within this and various other documents e.g. oTMPfc, FCTP as to what road network impact monitoring is proposed before and during the construction period. Monitoring will be required to ensure impacts of the construction logistics, workforce travel and traffic management schemes required on the road network are understood, being actively managed/enforced and impacts on local communities are being mitigated. The oTMPfc proposes a monitoring report but the scope of monitoring proposed is not clear, no monitoring scheme or KPIs are provided in any detail. The FTP suggests monitoring will take place. *Further clarity from HE is required on proposed construction monitoring arrangements.*
- iv. **Wider Outcome Monitoring and Evaluation** – The monitoring that is proposed is very traffic orientated. This Council would have expected to see this road network impact work to form part of a much wider monitoring and evaluation plan for the scheme (including covering the construction period itself – see comments above) to demonstrate the scheme outcomes and impacts in a much wider sense considering a range of social, economic and environmental issues. *Further clarity from HE is required on proposed wider outcome monitoring arrangements.*
- v. **Materials Handling** - The Council is concerned that insufficient work has been undertaken to enable HE to make firm commitments as to the type and amount of material that can be transported by marine transport. At present whilst contractors are encouraged to investigate this further as part of their MHPs and TMPs there is no firm commitment to do so. Maximising use of marine transport will help reduce impacts on the road network and local communities during the construction period and help reduce the schemes environmental and carbon impacts. *A firmer commitment/target for use of marine transport should be made by HE.*
- vi. **Construction Logistics Plans (CLPs)** – the Code of Construction Practice (CoCP) includes a commitment to contractors producing a CLP and HE has also committed to contractors meeting best practice standards for Construction Logistics and Fleet Management as set out in CLOCS and FORS which is welcomed. This will require the production of a detailed CLP by contractors and notes their importance in planning, managing and monitoring construction logistics. *The Council believes the critical role and importance of the CLP needs to be highlighted further by HE and it should form a key control document.*
- vii. **Major Utilities and Viaduct Works** – there are some very significant elements of work for which limited information is provided regarding the nature of works and likely impacts e.g. National Grid power lines, UKPN proposals, Tilbury Viaduct, Chadwell St Mary Link,, Orsett Heath Viaduct. *Further details are requested by the Council.*

- viii. **Construction Traffic Impacts** – the Council’s report ‘Thurrock Cordon Model Construction Modelling Review’ provides a high-level review of the impact of the 11 construction phases (throughout the development of LTC as set out within Chapter 8 of the LTC DCO Transport Assessment) on Thurrock’s highway network, providing an indication of the forecast impact arising from the traffic arriving and departing at the construction compounds, as well as the temporary diversions and road closures during the construction period. This report raises a series of concerns the Council has regarding high volumes of construction traffic at a wide range of locations on the local Thurrock Road network. It identifies the need for further detailed assessment where there is significant impact and for further details from HE on the mitigation proposed. *Construction Traffic Modelling - No updated construction traffic modelling has been issued alongside this consultation material. This is vital evidence that helps understand impacts on the road network and local communities and informs the development of appropriate mitigation measures.*
- ix. **Impacts on Bus Networks** – Some increases in bus journey times are acknowledged here and in the ward impact summaries. However, the Council is concerned that there is insufficient recognition here and throughout HE’s consultation material regarding impacts on the local bus network during the construction period and in particular how this will be monitored and what mitigation measures will be taken to reduce impacts on operators and importantly on bus passengers. *HE should be indicating a greater commitment to mitigating impacts on the local bus networks and funding should be made available.*
- x. **Cultural Heritage** – In terms of cultural heritage, particularly buildings, the issue is that historic/listed buildings and conservation areas (including the three Grade II listed buildings being demolished) are not mentioned at all, so the solution is for HE to include reference to them.
- xi. **Construction Noise and Vibration Assessment** - Currently only indicative impact predictions are available (as charted graphically in the Ward Impact Summaries) in respect of construction noise, and these are based on an earlier versions of the project. The revised opening year and traffic management arrangements, together with a requirement for further modelling, mean that quantitative predictions may vary, possibly significantly, and it is stated an update will not be available prior to DCO application (chapter 7.5 (page 201) - Recent updates to our environmental assessments). The council would request that quantitative construction noise impacts are made available prior to DCO submission as this is vital evidence that helps understand the impacts to enable analysis, review and discussion, so as to determine appropriate mitigation.
- xii. **Noise and Air Quality Impacts** – The assessments for noise, air quality and dust have not been updated within the document. This then does not allow for the correct identification of impacts and the appropriate mitigation measures as relates to these environmental factors. Assessment for noise, air quality and dust should cover the whole of the 6 to 8 years of construction so as to aid understanding of the effects on communities and any changes to health inequalities over this time period.

2.31 Operations Update

2.31.1 Key issues and recommendations identified by the Council can be summarised as:

- i. **Impacts on the Local Road Network** – The document seeks to downplay the effects the LTC will have on the operation of the LRN. This matter has been raised by the Council through many responses to information provided by HE and at many engagement meetings during the years building up to the aborted October 2020 DCO submission, as well as in the engagement period since its withdrawal. Substantive technical evidence has been provided by the Council to HE to demonstrate its concerns and responses on those concerns are still required.

- ii. **Modelling** – The consultation material appears to be based on updated modelling evidence. However, this has not been provided with the consultation, meaning that the Council cannot fully comment on the documents provided. The aspects outlined within the Council’s LTC Review of Transport Planning Evidence from Thurrock Council issued in March 2021 remain of concern.
- iii. **Local Traffic Counts** – The Council is concerned that no local road traffic counts (except on the A13) have been used to calibrate or validate the model. A comparison of the model flows compared to observed flows undertaken by Thurrock shows that, in general, traffic flows are low on local roads in the base year model and in particular, low on: the A1013; links near Orsett Cock; on A1014 The Manorway; and A1089 near ASDA. The Council has consistently and repeatedly raised concerns at meetings and via representations that the impacts on the local roads and junctions are likely to be underestimated as a result of the lower level of traffic on the local roads. Detailed junction assessments should be carried out, in any case, at key pressure points on the network, using accurate baseline traffic data, such as: Orsett Cock, The Manorway roundabout, ASDA roundabout, Daneholes roundabout and Marshfoot Road junction.
- iv. **Walking, Cycling and Public Transport** – HE is required to work towards a strategic network which provides for strong connections for walking cycling and public transport. It is the Council’s opinion that the proposals do not provide a strong network for walking and cycling and that the corridor hinders public transport connectivity within Thurrock and does not promote opportunities for cross river public transport connections. Mitigation recognises the importance of maintaining connectivity for walkers, cyclists and horse-riders and providing alternatives for vehicle use; however, the Ward Summaries identify several key routes will be closed for at least 5 years with no details yet of possible diversions. It is not acceptable to reconnect severed routes and maintain that that is an improvement in the network provision or is mitigation.
- v. **Cultural Heritage** – In terms of cultural heritage, particularly buildings, the issue is that historic/listed buildings and conservation areas (including the three Grade II listed buildings being demolished) are not mentioned, so the solution is for HE to include reference to them. The Operations Update does not mention cultural heritage at all.
- vi. **Surface Water and the Order Limits** – Order limits could be affected by changes to surface water storage structures, of which the Council has concerns over calculated discharge rates and ground water levels. HE should undertake detailed Ground Investigation work at this stage of the project to determine if the Order Limits will be affected by changes to surface water storage structures and the drainage strategy.
- vii. **Human Health** – The Environmental Impacts section of the document does not include a section on population and human health, which is to be included within the ES. Further information is required on the impact on Linford Allotments so the possible effects on human behaviour can be considered. Concerns are raised on the following sport and recreation facilities as they will be used by the local community:
 - a. Orsett Park Royals Football Club pitches.
 - b. Orsett Golf Club.
 - c. Thurrock Rugby Football.
 - d. Mardyke Valley/North Road.
 - e. Grangewaters Outdoor Education Centre car park.
 - f. Top Meadow Golf Club.

- viii. **Air Quality** – HE claim that LTC will improve the overall air quality across the region. The HEqIA submitted for the DCOv1 application however showed an overall disbenefit to the area, hence contradicting this claim. Updated GIS data should be provided to the Council for review to assess the air quality modelling for the revised transport model of this consultation as the summary provided in the Operations Update relates to the withdrawn DCO application.
- ix. **Noise** – Likewise, the reported noise modelling summarised in the Operations Updated relates to the withdrawn DCO application. Therefore, the Council requests that updated noise model is shared with the Council, prior to the next DCO submission. This is required so that the impacts can be assessed.
- x. **Climate and Carbon** – The Decarbonisation Plan was issued by the Government in July 2021, outlining the commitments and actions needed to achieve the decarbonisation of the transport system. HE should provide evidence and clarify how LTC fits into this plan, and how the measures will be incorporated.
- xi. **Map Reference Points** – Changes to the design are commented on by the Council, many of which the Council request further information on to understand the amendments. These include works in the river, the removal of the proposed jetty amendments to the Order Limits on Buckingham Hill Lane (set out on page 58-59 and 63), the Orsett Cock interchange, the proposed landscape design at the Mardyke Crossing and the design of Tilbury Fields which is subject to ongoing discussions.
- xii. **London Resort** – The current traffic modelling work shows no evidence that the impact of the resort has been included. With these flows included, it is very possible that any capacity is taken by the existing A1089 and mitigation at ASDA roundabout will prove even more necessary. The Tilbury area relies on a single access via the A1089 and local businesses may not be able to operate successfully with priority given to London Resort traffic.
- xiii. **Changes in Flow** – The Council has the following concerns, as outlined in the Report titled 'Review of the Effects of the LTC within Thurrock: DCO Cordon Model Review':
- a. Underestimation of base traffic flows, particularly at Orsett Cock, Manorway junction, A1013, A128/Rectory Road, and ASDA roundabout.
 - b. Increases in traffic flows at Orsett Cock and Manorway junctions.
 - c. Traffic flow increases on both the A13 and local roads including the A1014 The Manorway, London Road/Corringham Road, A1013 Stanford Road and A13/A176 junctions.
 - d. Adjustments have been made to zone loading points and addition of new network has been included without any model validation undertaken, thus resulting in local changes in traffic routeing and rat running, specifically noted at Rectory Road, Orsett. This also leads to concerns over an increase in traffic through Orsett village.
 - e. It is not known that as a result of the point above, whether traffic levels and therefore the delays at Orsett Cock are accurate representations of what could occur in the future with LTC in place.
 - f. HGV bans have been redefined; however it is not known how new bans specifically related to port traffic would be enforced. There are no detailed proposals (Note: enforcement is already a challenge and LTC will increase the risk of HGVs using the routes).

- g. Risk of higher use of Orsett Cock roundabout (and potentially The Manorway junction) for u-turning from the LTC to A1089 than modelled due to quicker journey times (and potential growth in traffic arriving from south of the River Thames and inaccurate future growth locations).
- h. Risk of higher use of the A1013 and Daneholes roundabout and routes through Chadwell St Mary than modelled due to quicker journey times (and growth not reflective of the future growth locations).
- i. The modelling shows there is an increase of nearly 14% total travel distance (pcu.kms/hr) with LTC, resulting in 9% to 11% increase in CO₂ emissions and 6% to 7% increase in NO_x.

The 'Junction Assessment and Mitigation Analysis' modelling shows that:

- a. The performance of some approaches to The Manorway and Orsett Cock roundabouts will be impacted by the introduction of LTC.
 - b. The off slips from the A13 at both The Manorway and Orsett Cock roundabouts are likely to block back on to the mainline and/or impact on the slip roads from the LTC.
 - c. The LTC causes the performance of the ASDA roundabout to significantly deteriorate.
 - d. Daneholes roundabout is at risk of regularly being used as a rat-run from the LTC, and any more significant use of the A1013 than modelled in LTAM would impact upon not only the traffic, but bus services that operate through the junction.
- xiv. **Bus Routes** – The Council request evidence that during this consultation, discussion with bus service providers have been made. Adverse impacts on bus journeys are a concern for employment areas within Thurrock, particularly from Basildon. Mitigation should be considered to improve the bus journeys for this route. National and government policy (NPS NN and GD 300) require new strategic infrastructure, like LTC, to provide for public transport connections, however HE states, without explanation, that “*there are currently no proposals to run local buses*”. The Council recommend this is reviewed.
- xv. **Operational Maps** – Additional scheme costs, flood risk and environmental disruption are the result of relocating proposed pond POS08-001 as a consequence of the additional junction immediately north of the Northern Portal tunnel entrance. HE should review the location of this structure with the view to limit its disturbance. The Council has noticed that the distance between drainage storage features is significant and ask HE to give consideration to using open SuDS features across the scheme. The Essex SuDS Design Guide outlines the LLFA policy, however, further details are required on the management of surface water run-off around the Northern Portal of the tunnel.

2.32 Ward Impact Summaries – North of the River: Parts 1 and 2

Summary

- 2.32.1 This document sets out the Council's comments on the Ward Impact Summaries and responds only to the Wards north of the river.
- 2.32.2 The key themes of concern to the Council are:
- i. LTC will have long-term impacts and 6-8 years of disruption that may or may not be mitigated. Relevant to all wards, there is a lack of real benefits for the Council from LTC, in terms of provision of open space, increased connectivity, active travel, investment, and legacy in terms of local regeneration.

- ii. Key strategic issues for existing communities and future growth, in all/multiple wards, are set out below:
 - a. Without guaranteed delivery of South Ockendon/TLR junctions or LRN mitigation schemes, there is no certainty that LTC will support connectivity, sustainable growth and the Local Plan.
 - b. Poor local connectivity and a failure to explicitly plan for and design a scheme with the objective of supporting the delivery of strategic sites for housing and economic growth including new Garden Village Communities and future port expansion.
 - c. Need to address the impact of noise, air quality, severance and flood risk considerations which has led to an increase in land take in certain locations thereby further reducing the supply of land for development.
 - d. Greater emphasis should be placed on active travel and public transport has been overlooked. The scheme provides enormous opportunity to enhance active travel and public transport the local level, which improves health and the environment, and mitigates against a range of adverse impacts such as air/noise pollution and relieving congestion.
- iii. Generic non-specific ward information is coming through into the ward summaries from technical and other documents, but it does not provide the level of granularity to inform ward level impacts relating to health and wellbeing of local residents.
- iv. Although health is being picked up in terms of the health profile that is provided within each ward summary it is not being carried through to the impacts and in determining what mitigation is required to support and protect the health and wellbeing of local residents. Similarly health inequalities are mentioned, but there is no clear information about what mitigation will be employed to reduce these inequalities.
- v. Throughout each of the ward summary chapters' reference is made to changes in air quality, noise and other environmental factors as temporary but there is no clear definition of what is meant by the term 'temporary' in the context of the project. This should be made clearer to allow an informed understanding of potential impacts and we reserve the right to comment fully when this has been updated.
- vi. Throughout the ward summaries there is an inconsistent application of the methodology to different environmental elements. For example, mitigation measures to reduce the impact of light pollution at night is considered for heritage but there is no mention of this in relation to population and human health. Similarly, green bridges as a form of mitigation are mentioned in relation to habitats and biodiversity, but omitted for population and human health.
- vii. General conclusions made about different environmental factors do not appear to be consistently applied across the environmental sections of the document. For example, in the Chadwell St Mary Ward Summary it is concluded that there will be no significant noise impacts in the noise and vibration section of the report. However, paragraph 630 and the corresponding bullet points state that there will be significant adverse effects relating to noise.
- viii. There is more up-to-date data which could be used to inform the health profiles for each ward summary. This information is available via Public Health England's Local Health website. We would also advise that HE ensure that all relevant ward level health data be included in each ward summary to ensure that all vulnerable groups and populations are accounted for, in determining impacts and associated mitigation needs

- ix. Only broad and non-specific information relating to factors that will affect the health and wellbeing of local residents in wards are outlined in this document. The impact of traffic and public transport links is included, however it is not explained how these effects will be felt in the surrounding wards by the local population.
- x. Although in the initial section it states that Archaeology is to be assessed within these wards this has not happened. The assessment of the Scheduled Monument at North Stifford is very poor. Considering this is a nationally important heritage asset equivalent to a grade I listed structure there is very little detail provided when as a result of LTC this will be completely destroyed. It is known that important non-designated assets will be destroyed, however there is no attempt within the ward summaries to describe their presence or the impact of the development on them. The document does not appropriately assess the historic environment impacts, with the exclusion of the majority of the archaeological data. As a result of this omission there is no assessment of the archaeological impact of the road proposals. In some places the summary in the table does not correlate with the information within the more detailed text.
- xi. There is a high degree of uncertainty regarding the hazards and mitigation of historical contamination.
- xii. Feedback has been provided by the Council on cordon construction models for each ward. Updated construction modelling evidence has not been provided within the consultation, yet the consultation documents appear to be based upon this out-of-date data. Without this updated evidence, the Council cannot fully comment on the construction impacts relating to traffic.
- xiii. Further to the strategic modelling that HE is undertaking on the Strategic Road Network, detailed assessment should be carried out where there is significant impact on the LRN.
- xiv. During construction and operation, the effects of light pollution have not been considered, particularly in relation to 24/7 construction hours and in wards that already have existing health issues.
- xv. Increases in traffic on local roads will detrimentally affect air quality. In this response the Council has highlighted concerns in the following areas:
 - a. Tilbury Fields.
 - b. Buckingham Road (Linford).
 - c. The A1089.
 - d. Dock Road and Calcutta Road.
 - e. Fort Road.
 - f. The A13.
- xvi. The Council is concerned that insufficient work has been undertaken to enable HE to make firm commitments as to the type and amount of material that can be transported by marine transport including via PoT and PoT2. At present whilst contractors are encouraged to investigate this further as part of their MHPs and TMPs there is no firm commitment to do so. Maximising use of marine transport will help reduce impacts on the road network and local communities during the construction period and help reduce the schemes environmental and carbon impacts.

- xvii. Construction relating to tunnelling works at the northern tunnel compound in East Tilbury will be undertaken at night. This will have noise, vibration and health impacts.
- xvi. There are general statements and construction methodologies describing new bridges and structures being 'built offline' or 'temporarily realigned'. Given the scale of works required there is little specific information given in relation to these works within the consultation material.
- xvii. There is a lack of information on potential temporary diversions of several roads within various wards.

Recommendations

- i. Real benefits in terms of provision of open space, increased connectivity, active travel, investment, and legacy in terms of local regeneration should be realised. Mitigation and other measures that will benefit the Council need to be legally binding through obligations, Agreements or independent monitoring and verification of CoCP, Travel Plans, wider network improvement, for example.
- ii. LTC needs to address the key strategic issues for existing communities and future growth, in all/multiple wards, as set out in summary paragraph ii. above.
- iii. Specific ward information should be provided in the ward summaries to inform ward level impacts relating to health and wellbeing of local residents.
- iv. Health should be carried through to the impacts and in determining what mitigation is required to support and protect the health and wellbeing of local residents. Similarly clear information about what mitigation will be employed to reduce health inequalities is needed.
- v. It needs to be made clear what is meant by 'temporary' in the context of the project when referencing changes in air quality, noise and other environmental factors.
- vi. The methodology should be applied consistently to different environmental elements throughout the ward summaries. See summary paragraph f. above for some examples of where this has not happened.
- vii. General conclusions made about different environmental factors and effects need to be applied consistently throughout the document.
- viii. More up-to-date data, available via Public Health England's Local Health website, could be used to inform the health profiles for each ward summary. We would also advise that HE ensure that all relevant ward level health data be included in each ward summary to ensure that all vulnerable groups and populations are accounted for, in determining impacts and associated mitigation needs
- ix. A further understanding of how closures, diversions and other traffic management measures will impact on different wards throughout the duration of the construction phase will be important in accurately determining appropriate mitigation measures for Walkers, Cyclists and Horse-riders. Where WCH routes are affected, appropriate publicity and clear, high quality signage should be used to inform local residents.
- x. The impact of the development on the non-designated assets needs to be identified, especially as the road running through these wards bisects one of the largest cropland complexes in the County, many of which are associated to the scheduled monuments within or adjacent the corridor. To provide an accurate assessment of the impact of the proposal the archaeological deposits recorded in the Local Historic Environment Records

need to be assessed as part of this phase of work. This has been undertaken as part of the initial work but an understanding of the impact needs to feed into this document.

- xi. HE should identify whether or not there are credible potential sources of contamination, and although it is understood that further intrusive investigation and ground condition assessments are to take place during detailed design, their effects should be identified as core mitigation.
- xii. The updated construction modelling evidence, which the consultation documents appear to be based on, should be provided to the Council. Without this updated evidence, the Council cannot fully comment on the construction impacts relating to traffic.
- xiii. HE should undertake detailed traffic assessments where there is significant impact on the LRN (e.g. junction capacity assessments, shuttle working/contra flow/temporary signal assessments, swept path testing on unclassified roads to check the feasibility of HGV use and if any widening is needed, etc.) and outline what mitigation is proposed to accommodate additional traffic. This should be detailed in the Traffic Assessment. Details should be provided on traffic monitoring and enforcement within wards, both before and during the construction period.
- xiv. Impacts from light pollution should be included during and post construction.
- xv. Additional air quality monitoring is required on local roads as this will affect residents.
- xvi. HE should make firm commitments as to the type and amount of material that can be transported by marine transport including via PoT and PoT2.
- xvii. Further information is needed to understand the mitigation in place for residents in the East Tilbury near the northern tunnel compound as construction work will occur at night.
- xviii. Additional site specific drawings and information are required by the council and other stakeholders on the final schemes design of bridges and structures. The scope, construction methodology, working areas, programme during construction and its likely impacts including associated construction logistics, proposed traffic management and other mitigations measures that would be needed to support delivery and minimise impacts on the local community is also required.
- xix. The Council require more information when and when temporary road diversion within wards occur. Without this information, the Council cannot assess the impacts of these.

2.33 You Said We Did (YSWD)

Summary

- 2.33.1 This section does not provide a summary and recommendations for the YSWD report, as the detail is provided in the summary report and other appendices.
- 2.33.2 An overall comment about this YSWD document is that unlike the DCOv1 Consultation Report, which only acknowledged that 9 design changes had been made following 3 consultation (reported within the Council's Adequacy of Consultation response), the YSWD does the opposite.
- 2.33.3 Every single design or project change made following each of the previous consultations has now been listed and summarised in a series of Tables. Unfortunately, it is not clear that often the reasons for a change were not directly due to a consultation response, but as a direct response to required mitigation following further impact assessments or what a result of normal design development within the project; both of which should not be attributable to

responses to consultation. Overall, this is considered false and misleading and clearer reasons for changes should be set out.

- 2.33.4 These claimed changes are provided in clear maps from Pages 352 – 381, but all they illustrate are changes that were reported in earlier consultations, but which are the only result of necessary scheme mitigation (such as noise barriers) or scheme design development (changes to utility diversions or the Mardyke Viaduct) and not responses to previous consultations. In addition, these maps do not show the adequacy of some of these changes, which are challenged elsewhere in the Council's Consultation Response.
- 2.33.5 Furthermore, it is not clear from this YSWD document what additional material is offered beyond summarising the contents of the DCOV1 Consultation Report into a public facing document. Could this be clarified?
- 2.33.6 The subheadings under which the YSWD document is structured, such as 'need for LTC', 'preferred route selection' 'route north of the river' are considered too broad to be helpful and do not follow the necessary Ward breakdown in the Ward Summaries, which would be more helpful. It would have been more helpful to structure this document around the Wards to offer the public more clarity.
- 2.33.7 Clearly, HE is responding to a very narrow focused objective of relieving congestion at the Dartford Crossing. This is potentially at the cost to local communities and with unresolved impacts. LTC helps to resolve one historic problem, but creates new ones for Thurrock. HE, in doing so, is not observing the Government's own aspirations to decarbonise the transport network and LTC scheme objectives that also include supporting sustainable local development.

3 Summary Response on HE Compensation Policy and Thurrock Council's Land Interests

3.1 Summary of comments on 'Your Property and Compensation or Mitigation for the Effects of Our Road Proposals' Document

Summary

- 3.1.1 In the most part, the policy, 'Your property and compensation or mitigation for the effects of our road proposals', simply refers to and re-states legislation that provides LTC with options for mitigating scheme impact both to the environmental and to local residents.
- 3.1.2 The measures for local residents include options in respect of increased noise (including planting, noise insulation and noise payments), expenses for suitable temporary moves and off-line discretionary home purchase. The policies, in most cases, do not go further than the statutory position and provide limited comfort due to their discretionary nature and lack of specific details (including application process, response timeframe and support etc.). Further no support is offered for local businesses or other property uses outside of residential.

Recommendation

- 3.1.3 Our key recommendations in respect of each policy are set out below. In all cases, further application information should be published – for instance, there are very limited details within the policies in respect to response timeframes or procedures for claiming.
- i. Environmental mitigation
 - a. To date, no specific proposals have been provided. This will be required, and detailed engagement will be necessary in respect of the same, in order to assess the level of mitigation proposed, suitability and whether the proposals are sufficient.
 - ii. Off-site planting agreements
 - b. Clarity required on whether available for all property uses and whether there is a qualifying level of impact.
 - c. The burden should be taken off of the landowner in terms of maintenance and restriction of land use.
 - iii. Noise insulation
 - a. The offer should be extended to all property types that can evidence a detrimental impact due to the Scheme.
 - b. The distance of a property from the operational road or construction works should not be a limiting factor.
 - c. Information should be published clarifying what level and type of noise mitigation will be provided.
 - iv. Noise payments for movable homes
 - a. Eligibility should be based on noise impact and not limited by distance from the Scheme.

- b. The compensation level proposed is not a fair level and should be enhanced.
 - v. Reasonable additional expenses to move into temporary suitable alternative residential accommodation
 - a. Policy should not be limited to adjacent properties only.
 - b. Other comparable schemes have provided additional support in this regard, such as: assistance with identifying a suitable TSARA; support to local businesses; additional considerations such as related medical expenses; exterior home maintenance; and enhanced support for vulnerable persons and shift workers.
 - vi. Off-line discretionary purchase:
 - a. An Offer Zone should be created within the Scheme red-line with any hardship requirement removed. This will provide certainty for landowners within the impacted area and will help combat any market stagnation.
 - b. The offer should relate to all property types and both a Home Relocation Assistance Scheme and a Business Support and Relocation Scheme should be offered, in line with offerings on comparable infrastructure schemes.
- 3.1.4 Please see Appendix J (1) for our detailed consultation response.

3.2 Summary of Thurrock's Land Interests Impact

Summary

- 3.2.1 Our review of the Council's land interests has identified 174 land parcels that are impacted by the LTC scheme. The Statement of Reasons and Map Books 1, 2 & 3 which inform the most recently provided draft DCO application dated June 2021, identify three types of parcel that will be affected by the Scheme. These are categorised as:
- i. Permanent
 - a. 61 impacted parcels.
 - b. The majority of land registered to the Council in this category is classified as amenity land and verges, with additional parcels incorporating playing fields and residential land.
 - ii. Temporary
 - a. 16 impacted parcels.
 - b. The majority of the parcels are required on a temporary basis for access and can be classified in the most part as verges of highways land.
 - iii. Rights
 - a. 97 impacted parcels.
 - b. The majority of the parcels can be classified as highways verge or amenity land but there are some parcels where rights are being sought in regard to (and adjacent to) public buildings and residential land.

- c. A large number of the Rights acquisitions have an associated temporary possession being sought in order to facilitate the relevant Rights works and/or acquisition.

Recommendation

- 3.2.2 The Statement of Reasons includes some (limited) justification and explanation for the sought compulsory powers and land requirement. However, this document is light on detail including (*inter alia*) on design justification, mitigation proposed, predicted local impact, acquisition dates and exact land take and timeframe for temporary possessions. It is hoped that this further information can be provided in detailed engagement meetings between the parties.
- 3.2.3 We have tried to arrange these detailed engagement meetings with HE but these have yet to commence and it is vital that these commence at the earliest opportunity. Our responses are subject to change depending on the outcomes of those engagement meetings.
- 3.2.4 Please see Appendix J (2) for our detailed consultation response.

4 Recommendations and Next Steps

4.1 Recommendations

- 4.1.1 The Council strongly recommends that HE enter into detailed discussions about all comments made within this Summary Review and the supporting Appendices to ensure that meaningful engagement about all issues is undertaken prior to DCOv2 submission.
- 4.1.2 Furthermore, it is imperative that the Council understands HE's position on each issue/comment raised and has opportunities for discussions with HE on all matters, prior to any DCOv2 re-submission, which should then be followed by a written response from HE to the Council's comments. Notwithstanding this, all the issues raised in this Consultation Response will be included within the Issues Logs and therefore be part of the emerging SoCG.
- 4.1.3 It is understood that not all of the many issues/comments contained within this Consultation Response will be accepted or agreed by HE, even after further discussions. Also, probably even less may result in changes to the LTC scheme design, improvements to the deleterious effects on Thurrock residents and businesses, its consequential mitigation provisions, its legal commitments within control documents or indeed its in-scope legacy provision. However, the Council believes that there are many critical, valid and acceptable points that could be built into the scheme prior to re-submission that would greatly improve the scheme. Such changes, if accepted by HE, would offer the Planning Inspectorate (PINS) a greater chance of dealing with all such issues within the 6-months period of the Examination, otherwise it will be challenging, as so many issues will be outstanding and the SoCG would be substantively negative.
- 4.1.4 At present, the LTC project seems determined to make its DCOv2 re-submission in November 2021, some two months following completion of this Community Impact Consultation. The Council believes this to be both impractical, if a quality DCO submission is the driver, and, is likely to lead to a further recommendation from the Council for the scheme's Adequacy of Consultation to be rejected by the PINS. The Council therefore recommends that DCOv2 re-submission is not made until at least Spring 2022 to allow these discussions to be undertaken in a proper and thorough way.

4.2 Next Steps

- 4.2.1 The Council's consultation response will be submitted after the public submission deadline of 8 September 2021, following discussions with HE concerning the Council's governance processes.
- 4.2.2 The full report will be uploaded to the Council's website following Council approval/acceptance of its contents and shared with other key stakeholders, including PINS, in the interests of openness and transparency.
- 4.2.3 The Council believes that most of the HE 'control' documents are not technically adequate, do not follow best practice and do not offer either sufficient detail or adequate commitments that can be relied upon by the Council and the public following any DCO grant. These inadequacies are detailed in the accompanying Appendices and we strongly recommend significant amendments.
- 4.2.4 This Summary Review attempts to distil the Council's main issues/comments into a more cogent form. It therefore recommends that the above-mentioned discussions with HE focus on this Summary Review, whilst also accommodating the detail within the Appendices.

Appendix A (1) Outline Traffic Management Plan for Construction (oTMPfC), (2) Framework Construction Travel Plan (FCTP) and (3) Wider Network Impacts Management and Monitoring Plan

Appendix AA Traffic Modelling Issues

Appendix B (1) Outline Site Waste Management Plan (oSWMP) and (2) Outline Materials Handling Plan (oMHP)

Appendix C (1) CoCP including the (2) REAC

Appendix D DCO Schedule 2 Requirements and Explanatory Memorandum

Appendix E Design Principles

Appendix F Outline Landscape and Ecology Management Plan (oLEMP)

Appendix G Ward Impact Summaries North of the River Parts 1 and 2

Appendix H (1) Construction Update and (2) Operations Update

Appendix I You Said We Did (YSWD)

Appendix J (1) Your Property and Compensation or Mitigation for the effects of our road proposals (2) Thurrock Council's Land Interests

Appendix K Utilities Response