

9 March 2016		ITEM: 18 (Decision 01104362)
Cabinet		
Lower Thames Crossing - Council Consultation Response		
Wards and communities affected: All	Key Decision: Key	
Report of: Councillor Oliver Gerrish, Portfolio Holder, Highways and Transportation		
Accountable Head of Service: Ann Osola, Head of Service, Transportation and Highways		
Accountable Director: Lyn Carpenter, Chief Executive		
This report is Public		

Executive Summary

This report sets out the Council's position in relation to Highways England's consultation on route options for a proposed Lower Thames Crossing, including representations made to Planning, Transportation, Regeneration Overview and Scrutiny Committee at its Evidence Gathering Session and Meeting of the 9th February. It seeks Cabinet endorsement of this, together with the emergent findings of the Council's technical experts, as the basis for the Council's formal response to the Consultation which will be agreed at Full Council on the 23rd March.

1. Recommendation(s)

That Cabinet:

- 1.1 Receives a report from Planning, Transportation, Regeneration Overview and Scrutiny Committee, following its meeting of 2nd March (to be tabled at the meeting).**
- 1.2 Endorses the points set out in paragraphs 3.1 to 3.6 as the basis for the Council's formal response to Highways England's Lower Thames Crossing (LTC) Consultation, setting out the Council's implacable opposition to all route options through Thurrock which will be presented to Full Council at its meeting of 23rd March.**

- 1.3 Writes a letter to the Rt. Hon. George Osborne, the Chancellor of the Exchequer, requesting that funding for a Lower Thames Crossing be reviewed on the basis that available evidence fails to demonstrate that the economic and transport benefits outweigh harm to the environment.**
- 1.4 Agrees that officers seek further expert opinion to investigate the implications of Highways England's proposals for a LTC: i) on pollution from vehicles and the effects on the health of residents, and ii) that any economic, social or transport benefits are not out-weighed by the environmental harm caused by the scheme; and that proposals for future work are brought back to Cabinet as appropriate.**

2. Introduction and Background

- 2.1 Highways England has published options for a Lower Thames Crossing with consultation taking place between 26 January and 24 March 2016.
- 2.2 Throughout the process of public consultations, Thurrock Council's policy towards another Lower Thames Crossing has been "opposed to government plans for a further river crossing in Thurrock and committed to continue campaigning, alongside residents, on this issue". This was agreed on 28 November 2012, unanimously reaffirmed on 25 November 2015 and again confirmed by all Councillors at Full Council on 27 January 2016.
- 2.3 Prior to the commencement of Highways England's consultation the Council organised a public meeting on 25 January. The consultation material had not been shared with the Council at this time.
- 2.4 Prior to the Planning, Transportation, Regeneration Overview and Scrutiny Committee (PTR O & S) meeting on the 9 February 2016, a Lower Thames Crossing Witness Session took place where representations from Thurrock residents, businesses and community groups, as well as political representatives, were heard. The questions raised by these groups included concerns about the health and environmental impacts, especially due to increased air pollution, noise levels and loss of the Green Belt, and the value for money achieved from the 14% traffic congestion reduction on the existing crossing.
- 2.5 PTR O & S at its formal session received a synopsis of the Witness Session, a presentation on the LTC Route Options from Highways England, and representations from Councillors and one of Thurrock's MPs. Appendix 1 provides Minutes of this meeting.
- 2.6 The resolutions of PTR O & S have been actioned as follows:
 - i. The Committee noted all representations from interested parties; which are included in the Minutes attached as Appendix 1 of this report.
 - ii. The Director of Planning and Transportation has liaised with Highways England to ensure that Lower Thames Crossing consultation materials

and maps are made available to Thurrock Council and members of the public. All Members were contacted to ascertain the needs of their wards and 22,000 questionnaires and 2,000 maps were requested, of which, at the point of writing this report, Highways England have supplied half of the requirement.

- iii. The Chair of the Committee in agreement with Group Leaders prepared the letter, contained in Appendix 2, to the Secretary of State for Transport. The letter challenges the evidence on which the case for a crossing is made and requests an extension to the consultation period due to concerns over the inadequate information and consultation resources. It also requests the names and addresses of the 300 Thurrock residents and property owners who have received letters from Highways England informing them that their properties may be required for the new Crossing. No response has yet been received from the Secretary of State. However, Highways England have advised that they are unable to supply this information as it is covered by the Data Protection Act.

- 2.7 A further public meeting was held at the Tilbury Cruise Terminal on the 25th of February 2016 which was attended by approximately 1000 people, the majority of whom were vociferously against any further river crossing in Thurrock. Presentations were received from the Council Leader, Thurrock's two MPs and Highways England, followed by questions from the public. A common theme in points raised by the audience was a desire to revisit Corridor Option D (a crossing to the east of Thurrock at Canvey Island).

3. Issues, Options and Analysis of Options

- 3.1 Based on evidence gathered to date, and the preliminary findings of Thurrock's expert advisors, it is proposed that the Council's response to the Lower Thames Crossing Consultation covers the following points:

Thurrock Council is implacably opposed to any Lower Thames Crossing through Thurrock for the following reasons:

- The strategic case tests have not been met, particularly regarding the rationale for the scheme;
- The preferred scheme is in conflict with Thurrock's strategic growth plan;
- The preferred scheme could prejudice the delivery of the much needed A13 upgrades that are already planned and essential to the growth plan;
- The route options A and C fulfil completely different strategic functions;
- Inadequate notice was taken, or weight attached to the information provided by Thurrock Council to Highways England;
- The environmental harm that would be caused by the scheme is not out-weighed by any economic, social or transport benefits;
- The public interest 'compelling case' required for CPO has not been met;

- There is no clear headway between the options considered and the preferred scheme in terms of the costs and benefits of each option;
- The traffic movement data on which the appraisal relies is historic (2001 Census) and does not satisfy the Department for Transport's own requirements to base assessment on more recent data.

- 3.2 Highways England's assessment of the scheme uses two 'benefit to cost' ratios (BCRs) for each option – an Initial BCR, which excludes Wider Economic Benefits and Reliability impacts, and an Adjusted BCR, which includes Wider Economic Benefits and Reliability impacts. Routes 3 and 4 have an initial BCR of between 2.2 and 2.7 and an adjusted BCR of between 3.3 – 3.9. There is not much difference between them; Route 3 has the slightly higher BCR and there are differences for both routes depending on whether there are eastern or western links in Kent. The “benefits” in the BCR are substantially made of the journey time savings arising from traffic using the new route. Given there are significant questions over the accuracy of the traffic modelling and the likely level of benefits, then identifying a preference for a particular route is clearly premature, until more accurate data is available concerning contemporary journey patterns and tangible benefits that we can have confidence in.
- 3.3 Forecast traffic volumes on Routes 3 and 4 are broadly similar, at around 77,000 annual average daily traffic movements (AADT) in 2025 rising to 89,000 vehicles (AADT) in 2041. At the existing Dartford Crossing, traffic volumes in 2025 are predicted to be around 14% lower than a scenario without the new crossing. By 2041, traffic volumes at the Dartford Crossing are predicted to be 7% lower than the without scheme scenario, as any spare capacity on the existing crossing is utilised by previously suppressed traffic and new traffic growth.
- 3.4 The objectives of the scheme are to promote economic growth and reduce congestion at the existing crossing. Clearly the modelled 14% diversion of traffic from the existing Dartford Crossing is very low and is unlikely to make a significant difference to general traffic conditions at the existing crossing and more importantly the 14% will not address the existing problems at the Dartford Crossing. For example, closure due to high winds and delays on the approach to the tunnels due to oversized vehicles. The number of vehicles crossing the river with the new crossing is going to increase from around 140,000 vehicles to 240,000 vehicles in 2041. In the event of an incident at either crossing, the implications of that higher level of vehicles diverting has not been assessed and could significantly reduce any modest benefit arising from the 14% diversion in normal traffic conditions.
- 3.5 In addition to the concerns relating to the arguments allegedly underpinning the case for a Lower Thames Crossing through Thurrock, serious concerns have been expressed with regard to the manner in which the present consultation has been undertaken. Problems have arisen with regard to the capacity of consultation venues and the availability of 'hard copy' questionnaires and maps. Furthermore, in the course of the consultation,

following remarks by Andrew Jones MP, Route Option 1 appears to be up for consultation without like-for-like comparison data being available in order for consultees to express informed views.

- 3.6 The Corridor Option D was ruled out following the 2009 study on the basis that it appeared to bring very limited congestion relief to the existing Dartford Crossing and future traffic forecasts, coupled with the relatively high scheme costs meant that they would be unlikely to provide value for money. Since the time of the 2009 study, the Sadler's Farm junction has been constructed and flows on the A130 have increased significantly, with traffic levels beginning to exceed design capacity triggering the requirement to change sections of the A130 to 3 lanes in each direction. It can be argued that the original 2009 study may have significantly underestimated the traffic flows and the routes which drivers may wish to take, and hence the evidence should be re-examined.
- 3.7 In light of the concerns expressed in paragraph 3.6, and the concerns expressed at the public meeting of 25th February, the Leader of the Council, together with other Group Leaders and the PTR O & S Chair, have written again to the Secretary of State for Transport requesting that the present consultation be halted until such time as adequate and up-to-date consultation information is available. Arguably the environmental evidence base is insufficient to enable environmental assessment to support route selection. The validity of assumptions made in the environmental assessments relating to the traffic modelling and the resulting direct, indirect and cumulative environmental impacts is doubtful.

Recommendation to write to the Chancellor of the Exchequer

- 3.8 The flaws in the evidence presented in the consultation cast serious doubt as to whether the environmental harm that would be caused by the scheme outweighs any economic, social or transport benefits. It is proposed Cabinet writes to the Chancellor, George Osborne, drawing his attention to the questionable value for money of the scheme.

The Need for Further Evidence Gathering

- 3.9 Given the issues raised in the course of the consultation it is behoven on Thurrock Council to gather further information on the issues set out below :
- Potential pollution impacts and the potential impact on the health of Thurrock residents;
 - The quantum of environmental harm likely to be caused by the scheme in relation to any economic, social or transport benefits.

Cabinet is therefore asked to agree that officers investigate resources to better inform these lines of investigation, with proposals being brought back to a future Cabinet meeting.

4. Reasons for Recommendation

- 4.1 The recommendations support an effective and integrated Council response to Highways England's proposals for a Lower Thames Crossing.

5. Consultation (including Overview and Scrutiny, if applicable)

- 5.1 This report has been informed by the feedback from: i) representatives of the local residents, businesses, community groups and local parties; ii) a special PTR O&S hearing; iii) dialogue with parties across a wider geography who have opinions on a Lower Thames Crossing through Thurrock; and iv) technical expert advice on the implications of the Highways England's options on the economy, growth and transport.

6. Impact on corporate policies, priorities, performance and community impact

- 6.1 The Council's objections to Highways England's Lower Thames Crossing proposals are aligned with Council's corporate plan priorities of "improving health and well-being" and "promoting and protecting our clean and green environment".

7. Implications

7.1 Financial

Implications verified by: **Sean Clark**
Director of Finance and IT

The Council has agreed a budget of £30k for 2015/16 and £50k for 2016/17. Any expenditure will need to be kept within these budget limits or met from other existing budgets.

7.2 Legal

Implications verified by: **Vivien Williams**
Planning and Regeneration Solicitor

The Local Government Act 1986, Code of Recommended Practice on Local Authority Publicity requires that the Council's consultation response 'provides a balanced and factually accurate view in a fair manner'.

7.3 Diversity and Equality

Implications verified by: **Natalie Warren**
**Community Development and Equalities
Manager**

There are no direct equality implications resulting from this report. Any final decision regarding the Lower Thames Crossing will need to be informed by an equality impact assessment with due consideration to the health impact of the proposal on all people with protected characteristics.

7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

The proposed scheme will have varying degrees of impact upon the Borough in terms of the environment, economic growth and the delivery of the Council's regeneration agenda.

8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- Planning, Transport, Regeneration Overview & Scrutiny 9 February 2016 report: Lower Thames Crossing – Highways England's Options
- Cabinet 10 February 2016 report: Lower Thames Crossing – Highways England's Options
- Highways England consultation documents are available at:
<https://highwaysengland.citizenspace.com/cip/lower-thames-crossing-consultation>
- The consultation is also available through Thurrock Council's website at:
<https://www.thurrock.gov.uk/thames-crossing/thames-crossing-campaign>

9. Appendices to the report

- Appendix 1 - Minutes of PTR O & S Committee 9th February 2016
- Appendix 2 – Letter to Secretary of State 11th February 2016

Report Author:

Ann Osola
Head of Service
Highways & Transportation