

Thurrock Council – LTC Task Force (16th October 2023)

Update on the first 3 months of DCO Examination (May – October 2023)

Introduction

1 The following sets out the key activities, events and submissions and the Council's involvement in the DCO Examination which began on 20 June 2023, following a Programming and Preliminary meeting on 16 May and 6 June 2023 respectively, which the Council attended, made submissions to and was represented. As a context, the Council made a number of submissions prior to the June Task Force meeting, which are set out below with weblinks.

2 The Planning Inspectorate (PINS) website is the single source of truth for all DCO application documents and there are two important links:

Main LTC Website showing all information and updates – [Lower Thames Crossing | National Infrastructure Planning \(planninginspectorate.gov.uk\)](https://www.planninginspectorate.gov.uk/lower-thames-crossing-national-infrastructure-planning)

PINS Examination Library containing all documents (updated regularly) – [TR010032-001818-C - LTC Examination Library.pdf \(planninginspectorate.gov.uk\)](https://www.planninginspectorate.gov.uk/tr010032-001818-c-ltc-examination-library.pdf)

3 The Submissions for the Programming and Preliminary meetings can be found on the Planning Inspectorate's (PINS) website, as follows:

Programming Meeting (16 May) – [PDA-007](#)

Preliminary Meeting (two submissions) (6 June) – [PDB-009](#) and [PDC-007](#)

4 In addition, the Council made submissions for Procedural Deadlines A, B and C on 5 and 26 May and 13 June 2023, which also can be found on the Planning Inspectorate's (PINS) website, as follows:

Procedural Deadline A (PDA) (5 May) – as for the Programming Meeting above.

Procedural Deadline B (PDB) (26 May) – as for the Preliminary Meeting above.

Procedural Deadline C (PDC) (13 June) – [PDC-008](#)

5 In addition, the Council also made two important submissions on 4 May 2023, prior to the Examination commencing – its Relevant Representation ([PDA-009](#)) and its Principal Areas of Disagreement Summary Statement (PADs) ([PDA-008](#)).

6 Finally, following the commencement by National Highways (NH) of its 'Minor Refinement Consultation' (MRC) (after acceptance by the Examining Authority (ExA) on 21 March 2023) on 17 May until 19 June 2023, the Council made its formal submission to NH, which has not yet been published by PINS or NH.

7 It should be noted that there are 10 Deadlines for written submissions from the commencement of the Examination on 20 June 2023 until its close on 20 December 2023. These deadlines cannot be missed and are regular and challenging.

19 June – 17 July 2023

8 The Council attended two Issue Specific Hearings (ISH1 and ISH2) on 21 and 22 June 2023, just after the commencement of the Examination, each lasting most of each day. The Council then made written submissions for each ISH at Deadline 1 (D1) on 18 July 2023, which summarised all its points for each ISH and which are set out below.

9 The Examination commenced on 20 June 2023 and then the publication of the amended Rule 8 Letter was issued on 3 July 2023 by the ExA ([TR010032-002408-LTC Rule 8 Letter and Annexes Amended APPROVED.pdf \(planninginspectorate.gov.uk\)](https://www.planninginspectorate.gov.uk/tr010032-002408-ltc-rule-8-letter-and-annexes-amended-approved.pdf)).

18 July – 14 August 2023

- 10 Deadline 1 (D1) on 18 July 2023 was a major ExA deadline and the Council made four written submissions, which are set out below:

Local Impact Report (LIR) of 250 pages and its 13 Appendices – [REP1-281](#) and REP1-282 – REP1-294 (the weblinks to which can be found in the Examination Library: [TR010032-001818-C - LTC Examination Library.pdf \(planninginspectorate.gov.uk\)](#))

ISH1 Submission – [REP1-296](#)

ISH2 Submission – [REP1-295](#)

Procedural Deadline D (PDD) – [PDD-001](#)

- 11 It should be noted that NH made 216 written submissions at D1 and there were a total of 438 written submissions, including the Council's submissions.
- 12 Deadline 2 (D2) was on the 3 August 2023 and again the Council made a written submission, which is: [REP2-093](#). NH made 77 written submissions at D2 and there were a total of 121 written submissions, including the Council's submission.

15 August – 19 September 2023

- 13 **ExA First Written Questions (ExQ1) (15 August)** – there were 250 questions with the majority addressed to NH (the applicant) and some 30 questions were required to be responded to by the Council and other local authorities generally or specifically. The response deadline was Deadline 4 (19 September 2023), which was met. The 250 questions can be found here – ([PD-029](#))
- 14 **Deadline 3 (24 August)** – the Council made its written submission responding to all relevant NH documents submitted at both D1 and D2. The submission consisted of a main report ([REP3-211](#)) and six Appendices A - F (consisting of the Council's Minor Refinements response and responses to NH's localised modelling work) that can be found in numbered sequence here – ([REP3-212](#)), ([REP3-208](#)), ([REP3-209](#)), ([REP3-210](#)), ([REP3-207](#)) and ([REP3-206](#)).
- 15 In addition, the Council has been working with NH to produce an updated Statement of Common Ground (SoCG) that was submitted at Deadline 3, which can be found here in a tracked changed format – ([REP3-093](#))
- 16 **Hearings W/C 4 and 11 September** – this was reserved for Open Floor Hearings (OFH) (largely for the public but open to all), Issue Specific Hearings (ISH) (covering the matters set out below), Compulsory Acquisition Hearings (CAH1 and CAH2) and an Accompanied Site Inspection (ASI) with the ExA and stakeholders, lasting three days with two days in the north – detailed agendas were issued in advance for each Hearing and a detailed itinerary for the ASI. The full list is, as follows:
- **ISH3 – Project Design (5 Sept)**
 - **ISH4 – Traffic & Transportation (6 Sept)**
 - **ISH5 – Tunnelling (7 Sept)**
 - **ISH6 – Mitigation, Compensation & Land Requirements (8 Sept)**
 - **ISH7 – Draft DCO (11 Sept)**
 - **CAH1 – The Applicant's Strategic Case (15 Sept @ 10am)**
 - **CAH2 – Objections (15 Sept @ 2pm)**
 - **ASI1 – ASI3 (13 and 14 September for north of river – ASI2 and ASI3)** – the Council was represented.

- 17 **Deadline 4 (19 September)** – this involved three submissions from the Council:
- Post Event Written Submissions summarising the Hearings (five ISH's and two CAH's)
 - Council responses to the 30 ExQ1
 - Commentary on relevant NH submissions at D3

[https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR010032/TR010032-004179-c%204%20and%2011%20Sept%202023%20\(if%20held\).pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR010032/TR010032-004179-c%204%20and%2011%20Sept%202023%20(if%20held).pdf)

<https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR010032/TR010032-004177-DL4%20-%20Thurrock%20Council%20-%20Responses%20to%20ExQ1.pdf>

<https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR010032/TR010032-004178-DL4%20-%20Thurrock%20Council%20-%20Comments%20on%20Applicant%E2%80%99s%20submissions%20at%20D3.pdf>

- 18 **Deadline 5 (3 October)** – this involved responding to NH submissions at D4, selectively responding to NH response to their ExQ1 (*some 200 questions) and preparing jointly with DPWLG, PoTL, Essex CC and NH an 'Output Paper' on Orsett Cock junction modelling and mitigation required by the ExA

[TR010032-004478-DL5 - Thurrock Council - Deadline 5 Submission.pdf \(planninginspectorate.gov.uk\)](https://infrastructure.planninginspectorate.gov.uk/uploads/projects/TR010032-004478-DL5 - Thurrock Council - Deadline 5 Submission.pdf)

Look Ahead: 10th October – 31 October 2023

- 19 The sequence of upcoming events and submissions during this period will continue to be intense and challenging and is, as follows:

ExA Second Written Questions (ExQ2) (10 October) – this is unknown at present but is likely to be less than ExQ1 and focussed on issues raised during the seven Hearings set out above.

Hearings and ASI4 between 16 - 24 October – there are five set, as follows:

- CAH3 (17 October) – unknown topic and agenda awaited.
- CAH4 (18 October) – unknown topic and agenda awaited.
- ISH8 (19 October) (Construction and Operational Effects (Non Traffic)) – agenda awaited.
- ASI4 (20 October) to the HS2 Chiltern Compound to view TBM – the Council will be represented
- ISH9 (23 October) (Environment & Biodiversity) – agenda awaited.
- ISH10 (24 October) (Traffic & Transportation) – agenda awaited.

Deadline 6 (31 October) – this will involve, as with D4, three submissions from the Council, which will be:

- Post Event Written Submissions summarising the various ISH's;
- Council responses to ExQ2; and,
- Selective commentary on relevant NH submissions at D4
- Updated SoCG jointly with NH
- Any further information requested by the ExA.

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