

Minutes of the Meeting of the Lower Thames Crossing Task Force held on 17 September 2018 at 6.00 pm

- Present:** Councillors Peter Smith, Qaisar Abbas, John Allen, Andrew Jefferies and Tom Kelly
- Matt Jackson, Thames Crossing Action Group Representative
Westley Mercer, Thurrock Business Board
Linda Mulley, Resident Representative
- Apologies:** Councillors Terry Piccolo, Sue Sammons and Peter Ward
- In attendance:** Steve Cox, Corporate Director Place
Anna Eastgate, The Assistant Director of Lower Thames Crossing
Mat Kiely, Integrated Transport Officer
Luke Tyson, Directorate Business Manager
Tisha Sutcliffe, Democratic Services Officer
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Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

1. Apologies for Absence

Apologies were received from Councillors Terry Piccolo, Sue Sammons and Mr Peter Ward, Business representative.

2. Minutes

The minutes of the Lower Thames Crossing Task Force meeting held on 23rd April 2018 were approved as a correct record.

3. Items of Urgent Business

There were no items of urgent business.

4. Declaration of Interests

There were no declarations of interest.

5. Election of the Chair

Nominations were invited for the election of the Chair. Councillor Allen made a nomination for Councillor Smith to remain as Chair for the Lower Thames Crossing Task Force. All members agreed with this nomination and the Chair remained as Councillor Smith.

6. Verbal Updates: Consultation

The Assistant Director of Lower Thames Crossing shared a verbal update in regards to the Statutory Consultation. Officers were anticipating that the start date would be by the middle of October and would run for roughly 10 weeks although there had been no confirmation or advanced information received from Highways England. Officers were expecting to receive the information by the middle of October for, when the Task Force meet in October, November and December it will feature a heavy discussion regarding the Statutory Consultation and the materials that Highways England should have published.

The Chair expressed deep disappointment with the lack of engagement from Highways England and the disingenuous information being shared which was preventing issues from progressing.

7. Verbal Updates: Statement of Community Consultation

The Assistant Director of Lower Thames Crossing updated the Task Force on the Statement of Community Consultation. The Statement of Community Consultation is the start of the process and is an item that a promoter of a Development Consent Order is required to consult the Local Authority about the way in which a statutory consultation is to be conducted in its area. Thurrock Council received the information in August 2018 and Officers had worked across the Council to formulate a response. The document details the length of consultation period; where events will be held; where documents will be presented; and deposit locations and information points where people can collect feedback forms.

Thurrock Council produced a detailed schedule of comment in relation to the Statement of Community Consultation to ensure the consultation would be fair and accessible for all local residents and they were given the opportunity to share their feedback and to participate.

The Chair opened the Task Force to questions.

Mr Jackson, Thames Crossing Action Group Representative expressed concerns with the lack of performance from Highways England as they did not convey in their process what was going to be achieved. Highways England needed to be open and transparent on what they wanted to achieve and whether the community were going to understand the wording and structure of the documents. Mr Jackson also questioned how Highways England were going to inform residents about the upcoming Consultation.

The Assistant Director of Lower Thames Crossing commented that the Statement of Community Consultation did not contain any details or information about the consultation although they were fully aware of the dissatisfaction and engagement with the residents. Officers provided detailed information to Highways England in response to the Statement of Community Consultation. Highways England have regulations, guidance and its own

policy they were required to follow and the consultation will need to be published a couple of weeks before in a National newspaper, the London Gazette (for one week) and a local newspaper for at least two consecutive weeks. Thurrock had provided information to Highways England about the newspapers in the local area as well as the local consultation portal.

Mr Jackson, Thames Crossing Action Group Representative pointed out that in the past residents were not made aware of this and it was extremely important for residents to be alerted of what is occurring in their Borough.

Ms Mulley, Resident Representative shared concerns that Thurrock Gazette were publishing this information although those residents in the area most affected do not receive the Thurrock Gazette. The Assistant Director of Lower Thames Crossing explained that the relevant information would be published on Thurrock Councils website and they would ensure that residents are made aware. Officers would do all they can to provide this information to residents.

Ms Mulley, Resident Representative pointed out that Highways England had already booked for a consultation before Thurrock Council advised that they had received this information in August 2018. The Corporate Director Place said Officers want to ensure all Highways England Consultation events reflect the scheme and provides an opportunity for local people to engage and contribute. The Local Authority will do all they can to ensure people are aware of the consultation.

Councillor Allen asked for an update on the Health Impact Assessment.

8. Verbal Updates: Health Impact Assessment

The Assistant Director of Lower Thames Crossing verbally updated the Task Force with regards to the Health Impact Assessment. Health Officers from Thurrock Council convened a meeting with representatives from Essex County Council, Kent County Council and Southend on Sea Borough Council, as they had all signed a formal letter to Highways England which set out a scope of work of what they expect to see within the Health Impact Assessment. All the relevant Authorities signed the documentation on 15 August 2018 and it was forwarded to Highways England on 17 August 2018, however there had been no response from them and a reminder email was again sent the following week.

9. Verbal Updates: Planning Performance Agreement

The Assistant Director of Lower Thames Crossing updated the Task Force on the Planning Performance Agreement. Thurrock Council were in discussion with Highways England about agreeing a Planning Performance Agreement and the idea was that Highways England were to help resource the Councils requirement to respond to their consultation and to their Development Consent Order.

The Planning Performance Agreement had been promised for considerable time but despite the promise and a number of reminders Highways England had not been forthcoming with it. On Friday 14 September a document was received by Officers which was a Planning Performance Agreement template with very limited information included.

A request from Highways England was received for Officers to have a meeting with them to agree the work packages that would form part of the Planning Performance Agreement that the Council can be reimbursed for.

The Assistant Director of Lower Thames Crossing briefly outlined what a Planning Performance Agreement does to ensure that members of the public were aware.

The Chair shared concerns regarding the lack of engagement Highways England had shown with the scheme, even though they were still requesting a monthly update from the Council.

Mr Jackson, Thames Crossing Action Group Representative asked how Highways England can get a DCO. The Assistant Director of Lower Thames Crossing advised that Thurrock Council's role was, once Highways England submit their DCO application, they were to provide a response on the adequacy of Consultation. In that regard, documents and correspondence are being recorded between Thurrock Council and Highways England. The Assistant Director of Lower Thames Crossing had a list of items that were chased with Highways England on a weekly basis

Mr Jackson, Thames Crossing Action Group Representative asked how valid would it be for Highways England to gain the DCO, despite all of the things outstanding issues.

The Corporate Director Place expressed how difficult it was to predict and they were doing all they could as Officers to keep a record of all the correspondence and hold Highways England to account. However they will continue to do the right thing by being consistent and keeping track of all correspondence. Highways England were made aware of all concerns even though it was not being addressed.

The need for a Planning Performance Agreement was intended to help address the Council's concerns around the Lower Thames Crossing.

10. Verbal Updates: Correspondence

The Assistant Director of Lower Thames Crossing stated the item initially was included in the Agenda in anticipation that there would be more information to share with the Task Force in relation to outstanding points from Highways England.

11. Update on Mitigation Schedule

There are number of items on the Mitigation Schedule which Members will be aware of and was to be discussed with Highways England. In July a meeting with Highways England was held where they discussed a number of items on the Mitigation Schedule, which was positively received and welcomed by Highways England as a starting point of discussion and negotiation. Work would need to continue and keep the pressure on them to feedback something more formal.

Councillor Kelly said in terms of progress the Task Force had made, at previous meetings there were 50 questions asked by Members and there had been no response for around 6 - 7 months. Every month there were questions added and it was concerning that the questions were removed off the agenda. During a normal Committee meeting questions would be asked by Members and they would be answered there and then with no delay.

The Steve Cox, Corporate Director Place

Anna Eastgate

Mat Kiely, Intergrated Transport Officer

Luke Tyson, Directorate Business Manager understood why Councillor Kelly was concerned, however it was difficult for Officers as the Scheme was run by Highways England and they have no ability to answer the questions without information from Highways England. Although the questions were asked to be put on the Work Programme for previous meetings there would have been very limited update unless Highways England were prepared to attend the meetings to feedback.

It was suggested and agreed by all Members and the Chair for the questions to be placed on the Work Programme for upcoming meetings and be included in the agenda. The Steve Cox, Corporate Director Place

Anna Eastgate

Mat Kiely, Intergrated Transport Officer

Luke Tyson, Directorate Business Manager explained the difficulties there had been as the questions had been transposed into the Mitigation Schedule.

Councillor Kelly agreed for this to be included on the work programme and the agenda for subsequent meetings, he requested that the questions also be added to any future agenda.

The Chair highlighted on page 66 of the previous minutes that no further information would be provided until the Statutory Consultation, since April 2017 the Task Force and Officers had extreme difficulties with answering questions for residents and move forward.

Councillor Kelly questioned the traffic modelling data available for the junction between the A13 and the A1089. He also asked that if Highways England were failing to respond would the Highways department at Thurrock Council be able to do their own research, as the Council should not have to rely on Highways England to answer the questions about our Borough.

The Steve Cox, Corporate Director Place

Anna Eastgate

Mat Kiely, Intergrated Transport Officer

Luke Tyson, Directorate Business Manager advised that Officers had met with the Department of Transport on a number of occasions. Officers were ready to respond to the questions and it was important that Officers were prepared to analyse the model when accepted. The Members shared their concerns and were right to ask what this would mean for the Borough as they had not received any response to clarify.

The Chair asked if the Department of Transport had a separate entity that were looking at this directly, or would the financing of any investigation need to come out of the transporting budget or would any more funding be provided at a later date. Steve Cox, Corporate Director Place

Anna Eastgate

Mat Kiely, Intergrated Transport Officer

Luke Tyson, Directorate Business Manager advised a whole team across the Council were aware, along with a team of consultants who were briefed.

Ms Mulley, Resident Representative pointed out that over the summer the “red line” had drastically changed, which needs to be addressed as residents were being affected. The Assistant Director of Lower Thames Crossing explained the Local Authority were only made aware of this recently and had increased by approximately 70% in the borough and again in recent weeks to include additional residents in the Heath Road area.

Ms Mulley, Resident Representative expressed how appalling it was that Highways England failed to inform residents and Officers, as there were a number of residents that were unhappy including the residents in the public gallery at the meeting. There would need to be an item on the agenda on how this is affecting the residents.

The Chair agreed that many residents in Thurrock do not want the Crossing to be built and it was also concerning that Highways England had made changes to the “red line” without consulting residents.

The Assistant Director of Lower Thames Crossing understood and said she shares the frustration, unfortunately they cannot reassure residents that the “red line” would not be changed again in the future, although they have asked for reassurance from Highways England but there had been no response.

Ms Mulley, Resident Representative asked if there was any legal advice that could be given to residents that were being affected as there were a number of residents who were struggling with this and one individual had admitted to thoughts of suicide. The Assistant Director of Lower Thames Crossing responded that the Council as a Local Authority were unable to give any legal advice but they were able to provide information for affected resident to explore and organisations they can speak to about what help and advice they can get.

Councillor Cherry asked if the residents who were made offers under the discretionary purchase scheme had been told to keep it private. The Assistant Director of Lower Thames Crossing advised she was unclear on the terms of any agreements Highways England make to acquire properties but it is likely that there would be some form of confidentiality agreement.

12. Work Programme

The Work Programme was discussed and Members requested that the following to be added to the Work Programme:

1. Consultation to be explained
2. Deep dive A13 (A1089)
3. Mitigation Schedule
4. Presentation/detailed consultation

Councillor Allen asked if the east bound slip road could be included in the Work Programme for upcoming meetings.

Mr Jackson, Thames Crossing Action Group Representative explained that Tilbury Port were going to have an alternative route and Mr P Ward made a point at the last meeting that if the A1089 was to be declassified it would impact on residents.

The Assistant Director of Lower Thames Crossing advised that they were unable to discuss this matter as of yet as there were no clear details on this, however Highways England would be publishing this in October 2018.

Any other Business

The Chair asked if there was any other business to add.

Mr Jackson, Thames Crossing Action Group Representative highlighted that previous meetings with Highways England fell apart in relation to effects on Heath Road, and plans illustrated a closed road. Highways England had said the road would remain open but with the recent affected properties in Heath Road, this may mean that Heath Road may be closed again and this would also impact on residents. He stated the Task Force should be mindful of this.

The Chair shared the recent minutes regarding Highways England and thanked Mr Jackson for raising this during the meeting, as Highways England were failing to deliver and it is unacceptable.

The meeting finished at 7.00 pm

Approved as a true and correct record

CHAIR

DATE

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