

THAMES CROSSING ACTION GROUP

www.tcag.info
admin@thamescrossingactiongroup.com

Please accept the following as our official response to the National Infrastructure Planning Reform Programme Consultation,

1. Please provide your name, and position and organisation summary if applicable

Laura Blake – Chair, Thames Crossing Action Group (TCAG). As a group we represent those who are strongly opposed to the proposed £8.2bn Lower Thames Crossing (LTC) road project. The reasons for our opposition to the LTC and further details about TCAG can be found on our website www.tcag.info

2. Please provide your email address

admin@thamescrossingactiongroup.com

3. What could government, its arms-length bodies and other statutory bodies do to accelerate the speed at which NSIP applications can be prepared and more generally to enhance the quality of submissions? (no more than 300 words)

Acceleration of the process should not be the focus, rather the quality and adequacy of the process to ensure the right decisions are made efficiently and effectively through adequate and meaningful engagement.

There is evidence of distinct and repeated inadequacies of consultation, including biased representations by applicants in favour of their projects instead of clear, informative, and balanced realistic information and materials. Sharing cost, environmental impacts, and realistic visuals of the project should be compulsory throughout the process.

Ensuring adequate consultation from the start would ensure smoother running of the whole process, rather than applications being built on and progressed on bad foundations that just get worse and worse.

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National Highways withhold too much information stating it won't be available until DCO documentation is released. We believe this is being done to hinder us as NH know there will be huge amounts of documents and limited time to review and respond to them during DCO process. More needs to be done to ensure the withholding of so much info in this way.

More needs to be done to move away from applicants believing the DCO is a tickbox process and that they will be granted DCO regardless, as that seems to be the general attitude, and more respect for the process should be shown.

4. Following submission, are there any aspects of the examination and decision process which might be enhanced, and how might these be improved? (no more than 300 words)

With projects like LTC the sheer volume and complexity of the documentation will be overwhelming. If the applicant refuses to share the supporting documentation prior to acceptance of the DCO application then adequate time needs to be allowed for all parties to be able to take the time to read and understand said documents.

PINS should have control over decision and lengths of times needed subject to individual needs for each NSIP, some may require longer than others, and the applicant should not be responsible for any of the decision making process of the DCO process such as length of each section of the process etc.

If the applicant does not stick to the timeframes set then PINS should be able to reject the application rather than keep delaying, putting the onus back on the applicant to ensure they are adequately prepared (such as in the case of London Resort)

The applicant has funds and staff to support their application, yet many Interested Parties are participating with little or no funding and limited resources, this imbalance needs to be

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addressed/taken into account to ensure IPs are given a fair chance to participate on a level playing field.

5. Where a development consent order has been made, what impediments are there to physically implementing a project which could be removed? (no more than 300 words)

It seems questionable to us that the Secretary of State for Transport is the one who gets to decide whether to grant a DCO or not. After all they have a vested interest, it is them who give instruction to National Highways for the projects, and it is them who is behind the Road Investment Strategy and associated budgets. They are instructing NH to submit the applications on their behalf and then they are approving it. This has become more apparent in recent times as DCOs are being granted against the advice of PINS.

Why are the government spending huge amounts of taxpayers money on the DCO process and PINS to implement the examination only to be overridden by the SoS? This also then leads to further legal challenges and additional time and cost to taxpayers.

The bar for the overall DCO process for NSIPs is far too low and in the favour of the applicant, this needs to be addressed to ensure a fairer and more democratic process.

6. How might digitalisation support the wider improvements to the regime, for example are there any specific aspects that you feel could benefit from digital enhancements? (no more than 300 words)

Whilst we understand the need for legalities to be covered on the PINS website, we feel it is also important that the site is user friendly and not intimidating, which it currently is. The S51 tab is hidden

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away and often holds lots of relevant info which may be missed by the public unless they discover it usually by luck. There should also be notifications anytime anything is added or updated to the project pages, including S51 advice. Notes of meetings that are uploaded to S51 advice should also be more comprehensive and not just notes that are approved by the applicant, as that leaves room for them to manipulate the information available to the public. It would also be helpful if all info and documents are uploaded quickly as it currently often takes some time for things to be available.

Things should be set up online so that it is easy for Interested Parties to be notified throughout the process to make it as easy as possible for them to participate throughout the process, rather than the onus being on the IP to try and figure things out and find out how they can participate after they have registered as an IP. The email notifications currently seem to put the onus on the IP figuring out what has been added or what possibilities there are to participate rather than clear instruction and invitations.

7. What issues are affecting current NSIPs that would benefit from enhanced cross-government co-ordination including government departments and arms-length bodies? (no more than 300 words)

There doesn't appear to be enough joined up thinking, or actions to back up aims of various departments and bodies across government. For example the Committee on Climate Change has advised against road building due to carbon emissions yet hugely destructive and harmful road projects are still being progressed. Budgets are being spent in a contradictory fashion on other things such as spending on improving biodiversity, tree planting, health, improving air quality etc, at the same time as progressing with hugely destructive and harmful road projects. Government are increasingly saying one thing but doing the opposite. We need joined up thinking with actions to back up the

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talk. NSIPs are often questionable and challenged due to lack of clear and meaningful engagement and guidelines.

8. Does the NSIP regime successfully interact with other consenting and regulatory processes and the wider context within which infrastructure projects operate? (no more than 300 words)

There seems to be very little if any successful interaction between processes. For instance how long did it take, along with the legal threat from Transport Action Network for government to finally agree to review the roads policy? The policy is outdated and not compliant with legal commitments that the UK have made. If policies are not legally compliant they should be immediately suspended until such time as reviews and updates have been made. This would also help ensure that NSIP are processed in way that is in keeping with UK law and negate the need for the ever growing legal challenges that have and are currently needed due to outdated policies.

9. Are there areas where limits in the capacity or capability of NSIP applicants, interested parties and other participants are resulting in either delays or adversely affecting outcomes? (no more than 300 words)

National Highways using specialist security services contracts to spy on the public as we go through DCO/NSIP process is a civil liberties matter which needs addressing. Everybody should have the right to take part in the democratic process without concern of such actions as this. To allow applicants to behave like this towards those taking part in the democratic process could adversely affect outcomes.

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10. Is there anything else you think we should be investigating or considering as part of our end-to-end operational review of the NSIP process? (no more than 300 words)

There are areas of the process that should be carried out by independent parties, rather than the applicant to avoid bias. Consultations always appear to be in favour of the applicant/project rather than a realistic representation. Nowhere in the LTC consultation were the negatives of the project presented. It should also be compulsory for the applicant to give a balanced presentation and not just promote support of their project. Consultation questions should be set, received, logged by an independent party to avoid biased consultation.

11. Please confirm how you interact with the NSIP regime? promotor / local planning authority / statutory consultee / lawyer / consultant / member of affected community / other (please specify).

Thames Crossing Action Group represents those who are strongly opposed to the proposed Lower Thames Crossing. Our interaction with the NSIP regime is therefore as members of affected communities.

We thank you for the opportunity to participate in this consultation, and thank you for your time and consideration of our response. Should you need any further clarification of the points we have raised please do not hesitate to contact us.