

Lower Thames Crossing TR010032

Deadline 8 Submission

Thames Crossing Action Group

Unique Reference: 20035660

DEADLINE 8 (5th December 2023) / Submitted 5th December

Introduction

1. Thames Crossing Action Group represent those who are opposed to the proposed LTC.
2. Our Deadline 8 submission includes our comments in regard to:
 - Report on Implications for European Sites (RIES) [[PD-048](#)]
 - Examining Authorities 3rd Written Questions (ExQ3) [[PD-046](#)]
 - The ExA's Commentary of the draft DCO [[PD-047](#)]
 - Post event submissions
 - Deadline 7 submissions
3. As always, we have done our best to review and respond to as much as we can with our limited time and resources, and we hope it is found to be helpful. It should go without saying that there has not been enough time either for this, or any deadline, for us to review and comment on all aspects that we would like to in an ideal world. Thus there should be no misunderstanding that just because we may not have commented on something doesn't mean that we necessarily agree or support it. In fact generally you can be assured that in regard to NH proposals we will very likely have issue and concern.
4. Should you need any further clarification or information please do not hesitate to ask. We thank you for your time and consideration as always.
5. We would also like to take this opportunity to thank the PINS Case Team, and the ExA for your time, help, and assistance, as well as your inclusion of our group within the examination, it has been much appreciated, and we will continue to contribute in any way we possible can. Thank you.

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Comments on 'Report on Implications for European Sites (RIES)

6. We have concerns about the adverse impacts to European Sites (and indeed all sites).
7. We wish to raise a few points in regard to the RIES:
 - Firstly, to highlight that we feel it questionable that those in the Epping Forest area were not included in LTC consultations, considering the adverse impact to Epping Forest SAC.
 - Secondly, that we have concerns that Unexploded Ordnance (UXO) surveys have only been desktop, which we do not consider to be adequate when we're talking about an area that is so impacted with UXO due to the vicinity to London, forts and airfields etc.

It has been proven in regard to The Wilderness that desktop surveys are not necessarily adequate. With the risk of UXO, including chain reactions from trigger events, that could even trigger the SS Richard Montgomery which would impact both upstream and downstream if the worst happened, we believe more consideration needs to be given to this risk, due to the potential threat to European Sites.

- Thirdly, in regard to ecology surveys, we do not believe that many of the surveys are up to date enough for an adequate assessment, particularly following the 2 year rephase announcement too.

It is not good enough to suggest that further surveys would be carried out prior to construction, because adequate assessment should be carried out before the decision on whether to grant the DCO or not is made.

- Finally, with the proposed LTC estimated to emit 6.6 million tonnes of carbon, if it goes ahead, we would like to voice our concerns that at a time of climate emergency this puts European areas, and indeed all areas at risk, because climate change and carbon emissions do not know or care whether an area is considered a designated site, or who lives there or what happens there. If we do not get it right when it comes to climate change, including carbon emissions, and act with the urgency and importance that is needed the consequences will be deadly for us all.

We would therefore ask that climate change impacts also be considered in regard to the RIES, since all European sites are impacted by climate emergency, and 6.6 million tonnes of carbon emissions is not acceptable at a time of climate emergency.

Comments on ExQ3

Q2.1.1 - A47 Judicial Challenges in the Court of Appeal

8. We note that it is stated that "*Dr Boswell provided an update at Deadline 6 [REP6-171] to which the Applicant has not yet responded. The Applicant's response is sought at Deadline 7.*"
9. Deadline 7 Submission - 9.163 Cover Letter and Submissions for Deadline 7 [REP7-001] states that their responses to IPs comments at D6 can be found in Document Reference 9.175, which has been assigned reference [REP7-186].
10. However, we can find no response by NH in regard to Dr Bowell's D6 comments. We find this completely unacceptable.
11. Additionally, Q2.1.1 goes onto to say "*However, at Deadline 7 and at each successive deadline until the closure of the Examination, the Applicant and Dr Boswell are requested to put in a position statement explaining any changes to the circumstances of this litigation. The statements should cover both substantive change (if any judgment or relevant direction or order of the Court is made) and procedural matters (including an update on the anticipated timing of hearings and possible judgment). If there has been no change since the previous deadline, please enter a 'nil return'.*"
12. We have been unable to locate any further D7 update from NH in this regard, which again we find completely unacceptable. Avoiding responding to IPs comments seems to have been a common theme throughout not only the examination, but the consultation stage prior to examination too.

Q5.1.1 and Q5.2.1 - Delay to proposed ban on the sale of new petrol and diesel cars

13. We question how transparent NH have been in regard to their use of claims of how the ban on the sale of new petrol and diesel cars would affect the proposed LTC. It seems that they have been using the ban by 2030 as reasoning when it suits their needs as a benefit, but now this has been delayed they are trying to state it is not relevant. How can they have it both ways?
14. For example, they stated an 80% reduction in carbon emissions because of the ban of new petrol and diesel cars in 2030¹.

¹ <https://nationalhighways.co.uk/our-roads/lower-thames-crossing/news-and-media/news/government-decarbonisation-plans-drive-down-projected-carbon-emissions/>

15. Additionally, we would just like to put on record that we still have serious concerns that we do not believe NH have adequately considered and assessed the new legal targets within the Environment Act.
16. Regardless of what NH state about monitor stations, air pollution will exist whether there is an official monitor or not, and it is our communities who will be breathing that pollution. Professor Karen Lucas stated that the whole proposed LTC route would fail against WHO-10 standards for PM2.5, and we believe this would still be the case.

Q11.1.4 - Wildlife pond provision

17. All creatures should be considered, as the ecosystem is all connected, that is the nature of biodiversity.
18. For instance, bats will feed off insects that are often found around ponds/water courses, so safe connectivity for them to access their food sources is essential, especially when their existing food sources would be destroyed/impacted.

Q11.1.6 - Green Bridges and habitat connectivity

19. It concerns us that NH are putting so much weight behind green bridges in their environmental claims, but at the same time there is no data/evidence to show any level of success with green bridges. How can something with no proven benefit be considered mitigation, compensation, or a benefit?
20. Regarding lighting, we know that some 'green' bridges would have lighting, such as North Road, South Ockendon as one example.
21. Considering that NH keep stating that 'green' bridges would be used by bats, which are nocturnal creatures, lighting must surely be considered a deterrent. Plus, as previously stated, NH have admitted that there is no proven mitigation for bats when it comes to new roads.

Q11.1.7 - Green Bridges

22. We do not believe that the ExA should consider that any of the 'green' bridges would be effective.
23. This is largely because we believe that NH have only added them in an attempt to greenwash a hugely destructive and harmful project.

24. The fact that they have stated that most, if not all, of the 'green' bridges are for bats go some way to prove this, as they themselves have admitted in another DCO that there is no proven mitigation for bats, when it comes to new roads.
25. As highlighted above lighting on bridges would not be conducive for nocturnal creatures.
26. Let's be clear these are not proper wildlife bridges, they are bridges with a token bit of grass and maybe a couple of plants (if they survive).
27. Thong Lane South bridge is a clear example of the 'green' bridges being detrimental to wildlife rather than beneficial and effective, as it would guide wildlife to a busy road T-junction with no safe passage.

Q11.1.8 - Loss of Ancient Woodland and Effects on SSSIs and Local Wildlife Sites

28. We hope that NH will not attempt to use the excuse of them not knowing The Wilderness was ancient woodland when they were planning the route, as we have been telling them it is for years, and they have chosen to ignore us.
29. Ancient Woodland should not be destroyed and impacted unless there is a really good reason, in the interest of the nation, and since there are better and more sustainable alternatives that would avoid the ancient woodlands that are under threat, the proposed LTC should not go ahead.
30. We would also question how the route selection, and reassessment of the route selection and alternatives, can be considered adequate, as NH chose to ignore us telling them it was ancient woodland, despite the evidence, instead designing the proposed LTC to go through The Wilderness, whilst avoiding the nearby landfill site.
31. The same can be said in regard to the affects on SSSIs, Local Wildlife Sites and Sites of Importance for Nature Conservation. The proposed LTC is the wrong project in the wrong location, we need and deserve better.

Comments on the ExAs Commentary on draft DCO

QD1 – Title of the dDCO

32. We still stand by our comments that we believe the proposed LTC to be a 'smart' motorway by stealth, and therefore object to the A122 designation of the proposed LTC, as we consider it should be designated a motorway, not an A-road.

QD8 – Documents being recorded in the dDCO

33. Whilst we do not profess to be experts on dDCOs and all the official and technicalities of such documentation, we do wish to comment that we do not believe that just because something has to some extent become an established practice does not mean it should automatically be considered the way forward.
34. We would suggest that all sections of the dDCO need to be as extensive and effective as possible to ensure everyone is able to use the documentation in the easiest and best way going forward, should the worst happen and the DCO is granted. It should not be simply progressed 'as it usually is' just because, we need to ensure that nothing can be overlooked, as this would be a huge and hugely destructive and harmful project, if it goes ahead, so all possible protection and provisions need to be in place.

QD11 – Articles

35. The dDCO is not an easy document to comprehend for some of us, who are not used to such documents. We would simply and respectfully ask that the dDCO articles include a way of ensuring The Wilderness being added to the Ancient Woodland Inventory is recognised and secured within the dDCO, as we feel NH have been trying to get away with destroying and impacting this special site for years now, and have no faith that if the worst happens and the DCO is granted that NH would do the right thing.

QD12 – Time limits

36. We do not believe that 28 days is long enough for some parties to be able to process and react in 28 days. For instance, we agree that Local Authorities and other organisations will have procedures whereby such matters need to pass through committees and processes, and cannot be expected to fast track things, without time for adequate consideration and process, simply to meet a 28 day deadline or risk issues. Any deadlines need to be fair and reasonable for all those concerned.

QD46 – Commence, begin, preliminary works

37. We note that the ExA has concerns about this wording, and it will come as no surprise to anyone that we have no confidence in NH doing the right thing, so we agree that more needs to be done to clarify and secure clear wording and protections so that NH cannot try to get away with anything.
38. We believe that following all the delays to date, and the fact that failure to deliver the LTC successfully is an existential threat to NH as an organisation, NH will do all they can to protect their own interests, rather than what is necessarily right and in the best interests of everyone else.

QD74 – Road User Charging for residents

39. Since road user charging is supposed to assist in traffic flow at the crossings, we do not believe that the wording in para 5 of Schedule 12 really covers which residents would be offered local residents discount, if the proposed LTC goes ahead.
40. Thurrock and Dartford residents are currently entitled to Local Resident Discount. However, if the proposed LTC goes ahead, it is our understanding that only Thurrock and Gravesham residents would be entitled to Local Residents Discount for the LTC.
41. This means that when there are incidents at either crossing some local residents would be subject to having to pay the full amount to cross, despite them being entitled to Local Residents Discount, if they are forced to use the other crossing to the one they are entitled to use as a local resident.
42. Considering the chaos that would result when there are incidents at either crossing, due to the poor design of the proposed LTC, and lack of adequate connections, local residents would not only be subject to additional cost, but also the chaos, congestion and pollution.
43. We also believe that it would be beneficial that there be some kind of provision to ensure that any Local Resident Discount scheme is provided at an adequate level of service, unlike the current scheme, which leaves a lot to be desired, with users often experiencing issues.
44. The level of service, particularly for local residents has dropped considerably since the DartCharge office was moved away from the crossing too. Before local residents could pop into the crossing office, now it's all over the phone and online with systems that have major issues and are not user friendly.

Post event submission

45. We would like to begin by again offering our apologies for not being able to attend the hearings in person or virtually. The reason for this is as explained to the ExA via our email to the PINS case team, and should in no way be interpreted as a lack of willingness or desire to participate in the examination. We would like to clarify that we have watched all recordings of the November hearings, and the following is our written post event submission, which we hope will be helpful.

Issue Specific Hearing 11 (ISH11)

Kent Downs Area of Natural Beauty

46. We agree and support the comments by others that the proposed LTC wouldn't conserve or enhance the AONB and AONB setting.
47. We agree that the new legislation will need to be taken in to account, and that the impacts to the Kent Downs Area of Natural Beauty are significantly adverse and of concern to us and others.
48. We do not agree with NH statement that there would be areas that would benefit from improved tranquillity as a result of the project. We do not believe that the project would offer any real benefits in the reduction of traffic issues that are currently suffered. As previously stated the Dartford Crossing would remain over capacity, even if the LTC goes ahead, and NH are not planning for how traffic would migrate between the two crossings, when there are incidents, and there would not be adequate connections.
49. For example, when there is an incident at the Dartford Tunnels, and traffic tries to migrate to the LTC, they would come off the M25 onto the A2 coastbound, only to find there would be just one single lane from the A2 onto the LTC. How can this be conducive to conserving and enhancing the AONB, it's setting, and tranquillity?
50. In regard to the ExA seeking further clarity between application versions from 2020 (the now withdrawn DCO application), and the current application being examined, and NH still failing to answer questions that the ExA have put to them on this, we would simply like to state that this kind of lack of meaningful engagement has been an ongoing issue throughout the process.
51. NH seem to think they can just get away with doing, or not doing, whatever they want, which is completely unacceptable from a government organisation.

52. With regard to NH comments about constraints for planting the 'green' bridges, we would respond by saying that we consider this to be just another example of the fact that the proposed LTC is the wrong project in the wrong location, and that there are better and more sustainable alternatives.
53. In response to comments about sympathetic signage, we would highlight the fact that we believe there would need to be considerable signage, particularly in the vicinity of the LTC/A2/M2 junction since it would be quite complex with all the various connecting roundabouts etc, and the fact that people would need to be guided when they make a wrong turn onto the LTC and need to find their route back to where they should be. In addition, there would of course need to be signage about user charges, user restrictions etc. With such complex junctions there is no doubt in our mind that the visual impact of the signage that would be needed would have a negative impact.

Coalhouse Fort

54. We are concerned about the potential of contamination from the nearby toxic landfill and coastal erosion that occurs in this area.
55. We also share concerns about ensuring any habitat is prepared and completed adequately at the right time, before any 'works' begin, if the LTC goes ahead. It worries us that NH said, "where possible", as it will come as no surprise to anyone that we simply do not trust NH to do the right thing, and what they consider possible and what is possible could be different things, as their interest will be focused on doing what suits their wants and needs over that of wildlife.
56. Also land in this area is flood plain, so we have concerns about what would happen if land that naturally would act to take flood water has been turned in to wetland. Where would the flood water go if the land is already wet? This is particularly relevant since the surrounding land will also be raised considerably from the landforms in this area.

Nitrogen Deposition and other Woodland Compensation/ Mitigation

57. We question whether NH have properly assessed the impacts to The Wilderness?
58. Firstly, because clearly they have obviously not carried out adequate surveys to have been able to identify that the woodland is indeed Ancient Woodland, as has officially now been confirmed by Natural England.
59. Secondly, as the site is now designated as Ancient Woodland and Long Established Woodland, so should now be given extra protection and status in assessments, as a designated site.

60. Since they failed so badly on their surveys of The Wilderness, we have to question what else they have failed to record and assess, both at The Wilderness, and indeed other locations.
61. We also still question, and voice our concern, frustration, and anger that Hole Farm Community Woodland is being considered as environmental mitigation and compensation, as the community woodland will go ahead regardless of whether LTC is granted permission or not.
62. As a community we do not consider something that would be provided regardless as compensation in any shape or form.
63. Additionally, for so much environmental mitigation/compensation to be such a distance away from where so much of the destruction and impacts would be happening is completely unacceptable.
64. With much focus on Bluebell Hill area in regard to nitrogen deposition, we would just again highlight our view that if there is so much adverse impact in this area due to the LTC, if it goes ahead, then why was Variant C route ruled out?

Issue Specific Hearing 12 (ISH12)

Replacement Open Spaces

65. We agree with Gravesham's description of Southern Valley Golf Club not strictly being a private golf club, but that anyone (willing to pay their fee) could play. See photo of golf club sign pasted below.



66. We do not consider Chalk Park to be any kind of replacement or alternative leisure option, as both proposed 'parks' are dumping ground for spoil within the project, and subject to pollution from the tunnels and traffic.
67. How many people would say they'd prefer to live near to Chalk Park complete with the LTC running through it and all the associated negative impacts, rather than having Southern Valley Golf Club there?
68. We would also highlight that since the golf club closed there has been anti-social behaviour issues, so there has already been a detrimental impact of losing the site, in this regard and the general loss of the golf club within the community.
69. If the road goes ahead, there would also be a loss of tranquillity to the area, as the LTC would run through the area.
70. The reason the golf club closed/sold to NH was due to the uncertainty of the LTC making it no longer viable to continue with so many unknowns preventing them for truly being able to plan and operate the business.
71. This fact was detailed in a Facebook post by the Directors² of the golf club as captured and pasted below.



72. We feel it disingenuous of NH to try and suggest that it had already closed before they purchased it, as though it would have closed anyway, as KentOnline quoted LTC Exec Director, Matt Palmer as saying³:
*"We are sorry for the impact our proposals would have on the Southern Valley Golf Club, which is unavoidable due to the selection of a route that aims to reduce the impact on nearby homes and sensitive habitats such as ancient woodland.
We have been engaging with the owners of the land for a number of years and are currently in active discussions with them to reach a voluntary agreement to purchase the land, which we are aiming to complete at a time and in a way that best supports the landowners."*
73. Clearly both these points clarify the reason for the golf club closing, it was due to the length of time to finalise the deal that it closed prior to the deal being completed.
74. We'd also like to highlight to the ExA that the golf club was also a wedding/event venue, and whilst we can no longer access the information we once viewed, our understanding is that the golf club may have planned on investing in improvements to the events facility/services had they not sold to NH. Sadly, the golf club website is no longer accessible to verify this, but regardless of possible future plans, the club did have events facilities.
75. It is also our understanding with NSIPs that if they don't go ahead NH are supposed to give the original owners first right to buy back the property/land. We would therefore question why they did not seem to mention this as a possibility if the LTC doesn't go ahead?
76. Open Space is something that we have always had issue with, as generally where it is being proposed is an area that already is/has open space! How can they say for instance that they are replacing and bettering the open space at the Ron Evans Memorial location? There is already open space, open space is open space. What changes that open space is having a busy, polluting major road running through it and the community.

Heads of Terms

77. With Miss Laver mentioning preliminary works and the potential need for officers during this period, we question this too. We assume that environmental works will form a large part of preliminary works, since that kind of work would need to be carried out prior to construction. Ensuring Local

³ <https://www.kentonline.co.uk/gravesend/news/golf-club-closes-over-lower-thames-crossing-uncertainty-270124/>

Authorities are supported for such officers is essential.

78. We share Thurrock Council's concerns regarding what should and shouldn't be included as preliminary works. We question when preliminary works would begin? Bearing in mind the 2 year rephase of the project we are concerned that we could be living with construction compounds for some time before works begins.
79. We also agree with Thurrock Council that there needs to be provision in the DCO to ensure commitment from NH to fulfil things like SEE and Community Funding.
80. We have serious concerns that NH are not willing to offer mitigation for Orsett in regard to diverted traffic. Orsett is a small village that would be greatly impacted by the proposed LTC, if it goes ahead. It is essential that all impacts to Orsett, and other communities, are minimised as much as possible, and definitely mitigated, if not also compensated for such impacts, especially considering how huge the project is and the duration of the works, if the LTC goes ahead.
81. It concerns us, but doesn't surprise us, that there is such a level of disagreement between Local Authorities and NH on these matters, as in our experience over the years, NH have always failed miserably when it comes to meaningful engagement and doing the right thing.
82. Things like ensuring noise reduction through road surfacing is important for our communities, but it is essential that since this would be needed as a direct result of the LTC, if it goes ahead, that Local Authorities are being provided with the funding to cover the ongoing cost, because as stated this needs doing more often and therefore also causes most cost and issues associated with such works being carried out.
83. Ongoing costs to Local Authorities, due to a direct result of the LTC, particularly when the LTC is utilising and impacting the local road network need to be secured, and cannot be left for Local Authorities to have to find.
84. We note that Essex County Council highlighted that Essex place services, on behalf of Essex, Thurrock and Havering, have an agreement with Oxford Archaeology. We do question and have worries that this is the same company that NH have used for LTC investigative works, as it appears that one company, who are largely being paid by NH would apparently be marking their own homework in this regard. We would have thought it would be in the best interests to have another company to ensure effective and

efficient monitoring is carried out in this regard.

85. We have concerns that the Secretary of State would be responsible for aspects that could be handled by Local Highways Authorities, if that is the case, since local authorities know their areas better than the Secretary of State. Also, as Local Highways Authorities are more accessible to deal with if communities need.
86. We would like to stress our agreeance that people will want to talk to their elected members or officers in regard to issues with LTC, if it goes ahead, as we simply do not trust NH. NH only have themselves to blame for that, due to our community's experience of dealing with NH over the many years to date.
87. Any financial agreements between NH and Local Authorities must take into account rising costs, since the project has been rephased by 2 years and cost will only rise further over the years. Since we have always been led to believe that construction would be 6-7 years, and we all know how these huge projects overrun, and with the 2 year rephase in addition, this could easily end up being a 9-10 year period or longer, which obviously clearly means rising costs over that time frame.

Community Funds

88. Upon reviewing the Heads of Terms document [REP4-145] we wish to question the Wards detailed in Table 7.2, as there seems to be some confusion over how the Wards are being listed. For example, the Wards in the Thurrock column of the table don't seem to match up with unitary wards as per Thurrock Council's website⁴ or the OS Map⁵ for Unitary Wards.
89. We highlight that it is important that the ability to apply for Community Funding should not be linked to only those that NH have previously identified as being impacted, as we do not believe that NH have necessarily got that right, and there is potential that other areas, that NH failed to identify as being impacted, could be impacted once works begin. It is important that anyone in any area that is impacted be in a position to seek funding, and not be limited because of NH previous inadequate assessments.
90. We are cautious about Essex Community Foundation's involvement, as we are not familiar with their level of knowledge and understanding of the Thurrock and/or Havering area, because as Thurrock is a Unitary area there is

⁴ <https://www.thurrock.gov.uk/wards-and-polling-stations/wards>

⁵ <https://www.ordnancesurvey.co.uk/election-maps/gb/?x=564888&y=181000&z=6&bnd1=UTA&bnd2=UTW&labels=on>

often a disconnect from Essex, and Havering is obviously a London borough.

91. In regard to Table 7.3 – Proposed make-up of panels, we would like to see more clarity on the make-up of the Representative from the local community. We believe that this should stipulate that there be at least one local community representative from each of the four areas, or ideally that it should be proportionate to the distribution of funds. This would ensure fairness, because as it is written now we could end up with four representatives from Brentwood, or four from Essex for example, which would not sit favourably to other areas, as there needs to be someone who is familiar with each of the local areas within the make-up of the panel.
92. We also note the breakdown of the community fund in paragraph 7.3.7 which shows a breakdown of funds allocating 75% within Thurrock, 15% within Havering, and 10% within Brentwood.
93. We would question what the breakdown of community funding has been so far?
94. The only information that we have located to date⁶ doesn't seem to make it very clear, and also appears to include Hole Farm in the Brentwood area, which must have cost a considerable amount of money to purchase.
95. To be clear we are not asking for a specific breakdown of how much each successful applicant received, more as to whether there has been a fair distribution of community funds to date, as put simply we have no faith or trust in NH at all, and should the worst happen, and LTC goes ahead, we need to be sure that impacted communities are treated fairly.
96. Further clarity is needed particularly due to the purchase of Hole Farm because it is so controversial.
97. We also believe that if NH wish to claim Hole Farm as environmental mitigation and compensation for the LTC, if it goes ahead, then the cost of purchasing Hole Farm should be covered by the LTC budget and not Designated Funds⁷.
98. This is public money that is being spent by NH, and it appears to us that there is something not sitting right with what has been going on in regard to Hole Farm on NH's part.

⁶ <https://nationalhighways.co.uk/our-roads/lower-thames-crossing/community-hub/investing-in-communities/>

⁷ <https://nationalhighways.co.uk/our-work/designated-funds/>

99. We would also note that NH had an LTC Community Fund of £250,000⁸ for 2023 alone. In one of the associated press releases for that NH stated, "*Between 2020 and 2025 the Lower Thames Crossing is investing more than £30 million in projects across the region...*". Yet the total proposed Community Fund (covering a 7 year period) is valued at just £1,890,000. We would question how and where the remainder of the £30 million is supposed to be spent, and who controls how and where it would be spent? Not forgetting that the £30million is supposed to be spent between 2020 and 2025, and the project would not start work until 2026, if permission is granted, due to the 2 year rephase. It is unclear to us what is/would be covered by Designated Funds, and what would be covered by the project budget.
100. We also note that 1 of the 3 other projects NH stated they compared funding amounts to has been completed, so how can they deem the amounts for the other two to be proven adequate and successful?
101. Additionally, we note that the proposed LTC is a much larger and more complex road project than any other in the country. We would be interested to know what percentage of the overall cost of those projects their community funds were and how LTC compares in that regard.
102. It is our understanding that the A14 Cambridge cost was £1.5bn – the community fund £450,000, the A303 Stonehenge cost estimated £1.5-£2bn – community fund £500,000, and the A428 Black Cat cost estimated £810-£950m – community fund £250,000.
103. The estimated cost of the proposed LTC is officially up to £9bn as of Aug 2020 (and estimated to be £10bn+++ by many including MPs), the community fund £1.89m.
104. The proposed LTC would cost roughly five times as much as the A303 Stonehenge for example, yet the community fund would be less than 4 times as much.
105. The cost of the project must surely in some way reflect the amount of work involved and impacts, and thus could be a reasonable way to judge potential impacts to communities. Particularly when you consider the length of the proposed LTC and just how many communities it impacts.
106. We also note that two of those projects that NH referred to have been subject to long legal challenges, which has delayed the projects, so we feel it limits and could devalue to community funding if the LTC becomes subject to

⁸ <https://nationalhighways.co.uk/our-roads/lower-thames-crossing/news-and-media/news/reveal-of-successful-community-fund-projects/>

legal challenge as the £1.89m will be worth less by the time work starts, if it goes ahead.

107. In response to NH claim that someone in year 6 of the project potentially getting more money, we would say that with cost rising it is more likely that people seeking funding in year 6 would be getting less than those at the beginning of the period.
108. If the Community Fund is only being proposed for a 7 year period, but is supposed to cover the construction period, we would suggest that this should be amended to an annual amount for every year of construction, to cover the eventuality, that many expect, the project would over run, as huge projects often do.
109. If as Havering suggest there will be additional criteria stipulated later on, we would agree with them that this must surely be something that could be detailed now, particularly as LTC have already awarded the 2023 LTC Community Fund, so one would assume any future criteria would or should be of a similar nature and be able to be disclosed and detailed now, rather than later.
110. We also share concerns that NH having too much control over the funds, which could lead to them avoiding spending the community funds, which would be in their favour. We are particularly concerned about this since there has been such a lack of meaningful engagement between NH and other parties to date. We also have concerns that they may hold the level of opposition to the project against communities. Put simply, and we imagine it would be no surprise to anyone, we do not trust NH, because of our experience with them to date.
111. We do not feel that the affected communities are and would get a reasonable and fair deal out of what is being offered, compared to the scale and duration of the impacts of the proposed LTC. Rather that it seems NH make claims to try and put a positive spin on the project, when it suits their needs, rather than having a genuine care and concern for us and our communities.
112. We would also question what happens after construction has finished and issues may arise once the LTC is operational, if it goes ahead? How would communities be funded in such instances to ensure things that may have been overlooked or poorly assessed be covered financially?
113. We certainly feel there will be impacts that NH have either failed to acknowledge now, or have failed to carry out what we consider to be

adequate assessment to identify potential future issues which we believe would occur, if the LTC goes ahead.

114. We have previously voiced concerns for example on just how much would be left to the construction contractors to decide, which would leave a lot of room for impacts to communities that may not have been adequately assessed and considered.
115. As a community action group, we also wish to draw to the ExA's attention the fact that TCAG was noticeably not included in the Community workshops that NH held. Just another reason why we continue to have no faith or confidence in NH/LTC.
116. Finally, we just wish to stress again that we and many others do not believe that there will any benefits to our local communities, and that far from solving the problems suffered due to the Dartford Crossing, the proposed LTC would actually just add to the congestion, pollution, and chaos, as well as being hugely destructive and harmful, as it is simply not fit for purpose.

Project Delivery and Control Documents

117. Whilst we appreciate that this topic is generally of a more technical level, and for Local Authorities and major stakeholders etc, we would like to comment that we agree that is very important that there is more clarity on what is to be considered preliminary works, should the LTC go ahead.
118. As others have said, it also appears to us that NH may be attempting to put some major works within the preliminary works stage, which is of great concern to us.
119. We support any calls from IPs that assist in ensuring that preliminary works are limited to only what is considered absolutely essential and minimal, and that all control documents etc are written, presented, and secured in a way that allows for easy reference and handling for all moving forward, should the worst happen and LTC goes ahead.
120. We have no faith or confidence in NH or their contractors to do the right thing, and based on previous experience over the years and from investigative works, we envisage that if the LTC goes ahead there would very likely be numerous issues that will occur and need to be addressed, so having measures in place to deal with these issues efficiently and effectively is essential, along with them being presented in a way that anyone who may need to consult them can easily gather the info they need, whether that be an officer at the council, or indeed a member of the public.

Carbon and Energy Management Plan (1st Iteration)

121. We too, like Miss Laver, question what happens if the carbon targets are not met, as the harm would then have been done, and since we are talking about such a serious environmental issue, closing the door after the horse has bolted is not acceptable, and is a great concern.
122. NH simply saying that it would reflect on them is not good enough either. Just look at how little they cared that the infilling of bridges in such a poor way reflected on them.
123. We also voice concern that NH have not been transparent and clear on carbon emissions to date, and have often attempted to mislead in this aspect, as we have previously highlighted. They have made previous claims about carbon reduction, yet failed to be able to back up such claims when questioned further by ourselves and others.

Issue Specific Hearing 13 (ISH13)

Orsett Cock and Ports Access

124. Whilst we have not been privy to the cordoned models etc that Thurrock have, as local residents we know our local area, and how busy the Orsett Cock, A13, A1013, A1089 can be.
125. We know that the proposed LTC would bring a considerable amount of extra traffic onto the Orsett Cock junction. This is particularly obvious since NH are proposing utilising the junction within the LTC project in order for it to be able to operate.
126. We know that traffic needing to use the new A1089 south connecting road would need to use the Orsett Cock. We have particular concerns that in addition to what would largely be a significant increase in this HGV traffic, a slip road off of a slip road from a roundabout to two major port routes (the A1089 and A13) could increase accidents too, so our concerns include not only congestion issues and the associated pollution, but also safety concerns.
127. In addition, as we have detailed previously if the LTC goes ahead, there would not be adequate connections for traffic to migrate between the two crossings when there are incidents, this too would result in more traffic issues at and in the vicinity of the Orsett Cock.

128. We have noted in ongoing consultations throughout the process that the colour coding used for traffic modelling, in many locations, but particularly the Orsett Cock, simply doesn't make sense as the colours change so much on the actual roundabout between exits. How can there be such a change in the amount of traffic when there are no entrances or exits on that section? It seems like NH have just gone crazy with their coloured markers in the most random way!
129. We have also questioned the predicted levels of traffic in the do nothing scenario in this area, particularly on roads like Rectory Road. We have never been provided with an explanation that explains why NH believe the traffic levels would worsen as much as they like to suggest. We do not buy into their predictions and since we have not seen any evidence to support it we again question how they can suggest that the LTC would offer betterment. It seems like complete fabricated nonsense to us, as a community that knows our local area better than NH do.
130. The times we generally notice an increase in traffic through Orsett for instance will be when there is an incident either on the A13 or in the vicinity of the Dartford Crossing (the latter resulting in region wide issues). Since the proposed LTC would not solve the issues associated with the Dartford Crossing, which would still remain over capacity, and because of the lack of adequate connections for traffic to migrate between the two crossings, that increase in traffic would not be improved, only added to.
131. We do not agree that it wouldn't be a problem, because traffic is contained to the LTC/A13 slip roads, as noise and air pollution etc doesn't just stay put, particularly PM2.5. Neither do we believe there wouldn't be any accidents due to the connecting roads, as they are complex and there are a number of lane changes needed where traffic would be crossing over each other, which would no doubt lead to accidents or near misses, which adds to the general road users risk, but also to those of us in the local community who would still be using the junction regularly as we do now, so it would increase our risk levels, due to the extra traffic.
132. We do not believe or trust NH that the increase in traffic would only be during peak hours, and would question their reasoning behind this claim, as we cannot see any logical reason for it, since traffic using the junction would not be directly linked to general rush hour operations. Plus NH are not modelling and considering the inclusion of traffic attempting to migrate between the two crossings due to incidents at either crossing. Whilst NH do not consider that to be a needed or usual scenario by industry standards and guidelines, as a community we know living with it all the time that incidents at

the crossing is most definitely a regular occurrence sadly.

133. How can NH state that there would be no traffic backing up onto the A13 mainline, when clearly the diagram being shown highlighted the lanes from the LTC to the Orsett Cock as being at a standstill. Where do they think traffic coming off the A13 would go if the connecting roads are not moving, or moving so slowly?
134. We do not need traffic modelling qualifications or detailed modelling to know that the issues we can identify from such basic info, would result in increased congestion, pollution, and safety concerns in our local community to an unacceptable level that we do not feel is either being recognised by NH, let alone being mitigated and compensated, should the worst happen if the LTC goes ahead.
135. We do not feel that NH have adequately presented and represented the inclusion of this junction into the project (in order for it to operate) throughout the consultation period. Particularly as it was barely included in any visual/video material of the proposed route. This means that there will still be many in the community who are not fully aware of the extent of what is being proposed.
136. What's more we would again stress that we feel this is just another one of many examples as to why the proposed LTC is the wrong crossing in the wrong location, as there simply isn't genuine scope to add a junction connecting the A13 and A1089 with such a project in a safe and adequate manner.
137. We would also add, for the avoidance of any confusion, that as a community we can in no way see how the addition of the LTC would offer any benefits or betterment to the Orsett Cock area (or anywhere) in fact we see it would be quite the opposite.
138. In a more general way we wish to comment that we have concern that NH are still presenting 2030 as the opening year for the LTC, if it goes ahead. Since Government have rephased the project by 2 years, we feel this needs to be taken into account, as clearly the claimed benefits are unlikely to be as 'beneficial' as NH are claiming by the time the LTC actually opened, if it goes ahead. It is known that year on year the 'benefits' lower. We would therefore respectfully ask that the ExA kindly consider this fact, since NH have not provided updated modelling information to reflect the at least 2 year rephase, and it is unclear at what point between 2030 and 2045 the years they have been quoting things worsen and to what extent.

139. In specific regard to comments made about traffic in Orsett village, and since it was specifically mentioned that there is no school in Orsett, we wish to put on record the fact that there is indeed a school in Orsett, along with a hospital, and the village being a conservation area.
140. We are very concerned that the impacts of this increase in traffic in Orsett has not been included in the ES assessment. This is simply not acceptable, and we believe is also not policy compliant. Where is NH duty of care to the people of Orsett?
141. The fact NH seem to be suggesting it is not LTC related but A128 traffic related is also not acceptable, particularly since the A128 would be an attempted migratory route between the two crossings when there are incidents at either crossing due to its connection to between the A13, A127 and M25.
142. In regard to the worsening of traffic, and the project not meeting what NH predict. If NH are so confident in their assessments and predictions etc, then they should have not problem in putting some requirements in place to ensure that is safeguarded since it would be in the wider public interest. If there is any hesitance to include such requirements in a way that ensures measures to ensure the predicted outcomes are delivered, then this suggests that NH are not as confident in their predictions and modelling etc which then leads to the question that if they are not confident why should anyone else be!?

Issue Specific Hearing 14 (ISH14)

143. We agree with the comments made by Gravesham that there should be the necessary copies of relevant documents, which are kept updated, available to the public. Particularly since there will be delays, should permission be granted for the proposed LTC, as there is no doubt at all that in such circumstance there will be issues due to the scale and complexity of the project.
144. We feel it important that the issue of 'commence or begin' is resolved in the public interest, as currently it seems to us that the wording/definition is simply in NH favour and nobody else's.
145. In regard to NH comments about the start of compulsory acquisition period and the potential for Judicial Review, we would argue that the compulsory acquisition period nor any preliminary works of any kind should begin until any JR (including any subsequent appeals) have concluded.

146. We know that NH have started carrying out preliminary works on schemes such as the A428 and A47 whilst the schemes were in the Court system. On the A47 scheme, this included works which have now been paused due to the Appeal case, indicating that the works started may not be "reversible".
147. For NH to attempt to manipulate their ability to start CA/works sooner than any JR (including appeals) have been determined is wrong, and completely unacceptable. We would ask that there is provision and requirement that the right to JR and appeal is protected, along with ensuring no CA/works can begin until such time as any and all rulings have been passed down.
148. Although the compulsory acquisition period being extended may cause additional stress and blight for residents, it is essential that NH respects the rule of law and allows any JRs and appeals to be heard and determined before starting work or compulsorily acquiring land.
149. We agree that discharging should be handled by Local Authorities, and that there would be option for appeal to go to the Secretary of State if needs be. We feel this leaves discharge in the hands of those closest and more accessible to the communities that would be impacted.
150. As a more general comment upon listening to this hearing, it seems to us that NH appear to be making a number of last minute changes in their D8 submissions. A number of these appear to be on aspects that we believe should have been dealt with much earlier than this stage, and we have to question why that is.
151. Also, that NH seem to simply be sticking to their guns on what they have said previously on so much, rather than genuinely attempting to have meaningful engagement with others. This does not surprise us, as it has sadly and frustratingly been the norm in dealings with NH. We have concerns that NH appear to feel that they can be a law unto themselves, rather than meaningfully engage with others.

Comments on D7 submissions

Deadline 7 Submission - 9.174 Deadline 7 Hearing Actions [REP7-185]

152. Sections 5.7 and 5.8 comment on The Wilderness. We await NH response to our D7 submission in regard to the fact that The Wilderness has now been designated Ancient Woodland.

153. However, we wish to comment on paragraph 5.8.3 specifically, which states:

5.8.3 As has been stated previously, the horizontal and vertical alignment of the Project through the area of The Wilderness is heavily constrained by the existing landfill site to the south. A further review of the highway alignment design was undertaken to assess whether the impact on The Wilderness could be minimised further. This concluded that the impact on The Wilderness has already been minimised as far as reasonably practicable.

154. We do not consider this to be an acceptable response, since there is a requirement to avoid harm to Ancient Woodland, so to simply state that The Wilderness could not be avoided due to the nearby landfill is unacceptable.

155. Clearly there is another alternative, and we have been questioning why NH are proposing to go through The Wilderness (an ancient woodland) to avoid going through the landfill site for years.

156. We believe the avoidance of the landfill site simply comes down to NH deciding it would be quicker, easier and cheaper for them to avoid the landfill, and so they are instead proposing to destroy and impact The Wilderness, which shows a lack of duty of care to the irreplaceable woodland.

157. We would ask that NH be asked to justify why they have chosen to go through The Wilderness rather than the landfill, and why they deem it acceptable to destroy and impact The Wilderness knowing there is an alternative.

158. Finally, for now on this D7 submission, we would again highlight that this is just another one of many examples of why the proposed LTC is the wrong crossing in the wrong location, as the routing is not really supportive of the proposed route. If all the examples of why the LTC is the wrong crossing in the wrong location are considered cumulatively, we believe it shows the scale of how true this repeated statement is, and why the proposed LTC should not go ahead, particularly when there are better and more sustainable alternatives.

Deadline 7 Submission - 9.177 Applicant's responses to Interested Parties' post-event submissions at Deadline 6 [REP7-188]

159. In response to NH comments on our comments on ISH9 in regard to The Wilderness we would comment that we do not agree with their claim that the replacement pond would be suitable as it would help serve reptiles and amphibians already in this location. The creatures already in the area must surely already have a suitable habitat else they would not be there.
160. This would be in a similar way to the creatures at The Wilderness existing there due to favourable habitat for them there. However, this irreplaceable habitat would be destroyed and impacted, if the proposed LTC goes ahead. Therefore, how can a replacement pond a distance away on the opposite side of the busy B186/North Road be considered suitable? It can't.
161. NH suggest that the loss of one pond would not impact bats at The Wilderness, or the natural spring and watercourses. We would ask what evidence NH have to back up such a claim? What evidence do they have that there would be adequate food and options for the bats, if the proposed LTC goes ahead? What evidence do they have that the watercourse would still support the local wildlife and habitat once the proposed works have been carried out, if LTC goes ahead? For them to simply make such a claim but provide no evidence to back this up is again unacceptable. We will certainly not blindly just trust such claims just because NH say so, we know better than to do that!
162. There would be a loss of irreplaceable ancient woodland habitat and impacts to highly valuable long established woodland. This would change the whole ecosystem in the area, and we are not aware of any evidence of assessments of how this would impact biodiversity, the watercourses, wildlife and habitat.
163. The very fact that ancient woodland is irreplaceable and long established woodland is considered to be so valuable is because of their importance to the natural environment.
164. The impacts of destroying and impacting ancient and long established woodland does not just effect the actual woodland that is destroyed and impacted, but that which surrounds it too, as woodlands are complex and connected underground over considerable distances.
165. To suggest that they can carry out so much destruction and harm to such irreplaceable and valuable woodland and that it has no consequences to the existing biodiversity is ridiculous and unacceptable.

166. Again, this is of particular note since there is an option for NH to avoid harming The Wilderness, as they are choosing to go through it rather than going through the nearby landfill site.
167. In NH response to our comments at ISH9 on agricultural land loss and impacts we find their suggestion that they have designed the project to avoid agricultural land take to be disingenuous.
168. As well as the agricultural land taken for the actual road/route, there has also been many acres taken in the name of environmental mitigation and compensation along and surrounding the whole proposed route. This is ludicrous considering the food security issues in our country, and the environmental impacts of needing to import more produce due to a lack of agricultural land in our own country, which is an issue that will only worsen if we continue to allow projects like the LTC to destroy and impact our agricultural land.
169. We would ask what evidence NH have to back their claim that there would be no coastal erosion since there is no change proposed for the river frontage? It doesn't have to be that they are proposing to make changes to the frontage as such, because changes in water levels and water flows, where flood waters will and won't be able to flow as a direct result of proposals in the project would have consequences that could result in coastal erosion.
170. An obvious example is the proposal to create wetlands which would change where water currently floods. With the addition of the proposed landform that would be raised considerably, this too would impact how and where flood and general water flow can go. When water cannot take the route it does now it will have to find an alternative flow, which would have consequences that could impact the frontage and add to coastal erosion.
171. In regard to the NH response to our comments regarding Hole Farm, the fact that NH are sticking to their guns on this matter doesn't mean that they are right. The inclusion and claims made about Hole Farm have been questionable from the first mention of the proposed Hole Farm Community Woodland, which is clearly a greenwashing attempt for what would be a hugely destructive and harmful project that is not fit for purpose. In addition, we still believe there is creative accounting going on, and that nobody should consider something that will be progressed regardless of whether LTC is granted permission or not as either environmental mitigation or compensation.