

THAMES CROSSING ACTION GROUP

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20th March 2024

Ref: TCAG/IPA/240320

Sent via email to nick.smallwood@ipa.gov.uk

Dear Mr Smallwood

We know that the Infrastructure and Projects Authority will likely be working on your Annual Report for 2023-24, and wanted to contact you to share evidence that we have in regard to the proposed Lower Thames Crossing (LTC), so that those reviewing LTC for your report are not purely reliant on National Highways.

We believe this to be of particular importance in light of the fact that the Office of Rail and Road are currently investigating National Highways performance. Not to mention the fact that by National Highways' own admission in their own Annual Reports, failure to deliver the proposed Lower Thames Crossing successfully is an existential threat to their organization.

We also believe that for too long now there has been a lack of transparency in regard to information about LTC; as well as too much misleading and outdated information being presented to Government about the project too.

We realise that your report involves reviewing a lot more than just the proposed LTC. However, since the proposed LTC is such a huge project in the Government Major Projects Portfolio, we feel that scrutiny of the project that includes independent evidence would be in the public interest.

We have highlighted some of the major points below. We would very much appreciate this being reviewed by those assessing the proposed LTC project for your Annual Report 2023-24, and for your regular assurance reviews of the LTC. We would also be more than happy and welcome the opportunity to discuss our evidence with you/your team further.

Thanks and kind regards

Laura Blake

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Lower Thames Crossing evidence

Introduction

Thames Crossing Action Group represent those who are opposed to the proposed £10bn+++ Lower Thames Crossing road project.

As a community group we have years of knowledge and experience of the project, as well as of our local area.

During the LTC Development Consent Order (DCO) examination the Planning Inspectorate specifically stated that they would appreciate our attendance at hearings, and present our written submissions throughout the process.

Indeed, we participated in the whole DCO process, and before that participated in every single LTC consultation.

We have had a seat on Thurrock Council's LTC Task Force committee, and regularly attend the associated meetings.

Over the years we have met and communicated with various National Highways/LTC representatives, as well as MPs, Ministers, Local Authorities, and various NGOs in regard to the proposed LTC.

We feel we have an excellent overview of the project as a whole, the history of the project, and extensive knowledge and experience of the proposed LTC that puts us in a position to be able to share evidence that we feel will be beneficial to your assessment and review of the project for your Annual Report.

Reason for submitting evidence

The screenshot shows a table from an Annual Report with columns for years (13/13 to 22/23), Project Name, Dept, and Description. The 'Lower Thames Crossing' project is listed with a status of 'Amber' from 15/15 to 22/23. A legend at the bottom identifies the status colors: Green, Amber/Green, Amber, Amber/Red, Red, Reset, and Exempt.

Annual Report		Project Name	Dept	Description								
13/13	14/14	15/15	16/16	17/17	18/18	19/20	20/21	21/22	22/23			
		Amber	Amber	Amber	Amber	Amber	Amber	Amber	Amber	Lower Thames Crossing	DFT	The Lower Thames Crossing (LTC) is a proposed new expressway connecting Kent, Thurrock and Essex through twin-bored tunnels under the Thames. It will almost double the road capacity across the River Thames east of London and is the largest single road investment project in the UK since the M25 was completed more than 30 years ago. As a vital part of the UK's transport infrastructure, it will act as a catalyst for national and local economic growth. Building a reliable, modern new road that is fit for the future will help connect the nation's busiest ports to the distribution hubs in the North, Midlands and beyond. It will improve network resilience and the performance of the existing crossings at Dartford, transforming the regional and national road network. LTC will open up new markets for businesses and create tens of thousands of new jobs and hundreds of apprenticeships during its construction.

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In the Delivery Confidence Assessments (DCA) chart on page 56/82 the IPA Annual Report on Major Projects 2022-23¹, the proposed LTC is shown on the DCA scale as having improved slightly over the years, moving from Amber/Red to Amber. The DCA scale is described as “an evaluation from the IPA or the SRO of a project’s likelihood of achieving its aims and objectives, and doing so on time and on budget.” It is unclear whether the evaluations of LTC have been conducted by IPA or the National Highways’ SRO (Senior Responsible Owner) for LTC.

Since 2016 when the project rated Amber/Red the cost of the proposed LTC has risen significantly, and the poor Benefit Cost Ratio continues to drop, this must surely increase risk.

This is particularly pertinent considering the proposed LTC would cost more per km than the cancelled northern leg of HS2, and that there are better and more sustainable alternatives that have not been adequately considered.

Since 2016 there have been numerous policy and legislative changes that are hugely relevant to the proposed LTC, and again add to the risk.

Since 2016 more and more evidence has become available that the proposed LTC fails to meet scheme objectives, and would be hugely destructive and harmful, again adding to the risk.

It therefore makes us wonder what information National Highways are providing to IPA reviewers to have reached the conclusion that the proposed LTC has been moved from Amber/Red to Amber since 2016.

We believe our evidence shows that far from improving the likelihood of successful delivery and level of associated risks, the proposed LTC should be urgently reviewed and scrapped, before more public money is wasted on a project that is simply not fit for purpose.

Evidence

Cost and BCR

Over the years since 2016 the cost of the proposed LTC has risen from £4.1bn up to £9bn (as at Aug 2020). And is predicted by many, including MPs² to end up being £10bn+++.

Since 2016 the adjusted Benefit Cost Ratio (BCR) has dropped from 3.1 to 1.22 (as at Aug 2020).

But these figures are as at August 2020. This is evidenced in the fact that Figure 8 of the National Audit Office Road enhancements: progress with the second road investment strategy (2020 to 2025) Report – 25 Nov 2022 stated that the current estimated cost was between £5.3 billion and £9 billion as at August 2020.

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Additionally, it states that there had been a cost increase since March 2020 of c.£1.9 billion. This suggests that the cost between March 2020 and August 2020 was around £1.9bn.

The cost according to RIS2 announced at the Spring Budget on 11th March 2020 was £6.4-£8.2bn.

If you add £1.9bn onto that it would be £8.3-£10.1bn.

Yet clearly in August 2020 (the point that the cost has increased by c£1.9bn) the lower end of the cost bracket alone is £5.27bn so had actually dropped compared to the lower end of £6.4bn that was stated in March 2020.

These numbers simply do not add up, and we feel are misleading to say the least.

Not only that but if the cost rose c£1.9bn between March 2020 and August 2020 then how much must the estimated cost have risen following around a two year delay in the resubmission of the DCO application, and the 2 year rephasing that was announced by Government in March 2023?

This is also despite the LTC Development Director being quoted in Jan 2020 as saying that he was “confident” that changes would not result in the project going over £6.8bn³. This clearly isn’t the case with the upper end of the cost bracket now up to £9bn, and the ORR since reporting an estimated cost of £8.3bn.

How are we supposed to believe it would still be within the estimated bracketed cost?

In fact, during the Issue Specific Hearing 1 Continuation Hearing⁴ of the LTC DCO Examination, one of the examiners actually quizzed National Highways on what rate of inflation was used for assessments, and concluded that she found the rate used seemed to be very much underestimated and wildly out of touch!

When and where	Cost	BCR	Adjusted BCR
2016 Consultation Summary Business Case ⁵	£4.1-£5.7bn	2.1-1.5	3.1-2.2
2017 Preferred Route Announcement ⁶	N/A	N/A	N/A
2018 Statutory Consultation Case for the Project ⁷	£5.3-£6.8bn	1.5-2	
2020 Prior to Spring Budget	£5.4-£6.8bn		
2020 Spring Budget – RIS2 ⁸	£6.4-£8.2bn		
2020 DCO v1 Outline Business Case (Aug 2020) ⁹	£5.27-£9bn*		1.46*
2022 DCO v2 (Oct 2022)	£5.2-£9bn ¹⁰	0.48	1.22 ¹¹
2022 National Audit Office Report (25 Nov 2022) ¹²	£5.3-£9bn*		
2022 Accounting Officer Assessment ¹³ (Dec 2022)	£5.27-£9bn*		1.46*
2023 ORR Annual Assessment (18 July) ¹⁴	£8.3 bn**		

*as at August 2020

** reporting year detailed as 2021-22

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The table above highlights the estimated cost and BCR at key points in the process.

This clearly highlights that prior to the Secretary of State for Transport's Preferred Route Announcement the estimated cost was between £4.1bn-£5.7bn, and is now up to £5.27-£9bn. The adjusted BCR has dropped from 3.1 to 1.22. As previously stated these figures are as at August 2020, and that bearing in mind the previous details above, even that is questionable, and is predicted by many (including MPs) to rise above £10bn, which would of course then lead to the already low BCR dropping even further.

Clearly the LTC DCO application is using out of date estimated costs as at August 2020. The Secretary of State will therefore be making a decision on whether to grant the DCO for the proposed LTC based on outdated information, as the Full Business Case (FBC) won't be made available until after a DCO is made. How can this not be considered anything other than a huge risk, particularly when we are talking about a project with such a huge and complex expensive project?

We believe it is extremely risky to not update the scheme costs until the FBC stage, after the DCO decision has been taken. It also undermines transparency and democracy that the public do not have access to the very latest figures.

In the Combined Modelling and Appraisal report submitted as part of the DCO application¹⁵ in October 2022, in P90 scenario in the CAPEX costs sensitivity tests the BCR was reduced to 0.80. We consider it is highly likely CAPEX costs have increased since the Outline Business Case in 2020, especially with construction inflation running so high.

Fails scheme objectives

The proposed LTC scheme objectives as laid out in the LTC DCO Application Need for the Project document¹⁶ are:

1. To relieve the congested Dartford Crossing and approach roads and improve their performance by providing free-flowing north-south capacity.
2. To improve the resilience of the Thames crossing and the major road network
3. To improve safety
4. To minimise adverse impacts on health and the environment
5. To support sustainable local development and regional economic growth in the medium to long term
6. To be affordable to government and users
7. To achieve value for money

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Points 1 and 2 - FAIL

The Dartford Crossing has a design capacity of 135,000 vehicles per day, yet regularly has 180,000 per day. That means we'd need to see a reduction of more than 25% to bring it back below design capacity. Design capacity is the point up to which it should be free-flowing.

Yet according to National Highways the proposed LTC would take around 19% of traffic away from the Dartford Crossing, dropping to 13% by 2045.

Independent analysis of official NH traffic modelling by Thurrock Council concluded that it would be as low as 4% in the am peak hour, and 11% in the pm peak hour. Also, that the Dartford Crossing would be back to today's traffic levels within 5 years of the proposed LTC opening, if it goes ahead¹⁷.

There are currently more than 3000 incidents at the Dartford Crossing per year. With traffic expected to stay above design capacity high numbers of incidents are likely to remain. However, National Highways have not planned for how traffic would migrate between the two crossings when there are incidents, if LTC goes ahead, and there wouldn't be adequate connections¹⁸. This would result in more congestion, pollution, and chaos.

Point 3 - FAIL

National Highways forecast 2,147 additional accidents over 60 years, including 26 fatalities, 220 serious injuries and 3,122 slight injuries if the LTC goes ahead¹⁹.

The proposed LTC would also be a 'smart' motorway by stealth²⁰, despite government cancelling all new 'smart' motorways. It would not have a hard shoulder, it would use 'smart' technology, and is being designed to motorway standards. It would therefore be a 'smart' motorway by stealth.

Point 4 - FAIL

The proposed LTC would create a toxic triangle²¹. There is evidence that the whole proposed LTC route would fail against the newly set legally targets for air pollution inc PM2.5²² that form part of the Environment Act.

It is also estimated to emit around 6.6 million tonnes of carbon²³, which is again not compliant with the Government's legal commitment to Carbon Net Zero.

It would destroy greenbelt²⁴, wildlife and habitat²⁵, woodlands²⁶ including ancient woodland, agricultural land²⁷ including grade 1 list land, solar farms²⁸, communities, homes, businesses, lives, health²⁹ and so much more.

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Points 5,6, and 7 – FAIL

Local authorities and major stakeholders, including the ports voiced serious concern about the impact of the proposed LTC would have on the local and regional economy during the LTC DCO Examination.

The proposed LTC is far from being sustainable, and there are better and more sustainable alternatives, such as rail improvements³⁰ between Ashford and Reading that would negate the need for the proposed LTC.

User charges and poor design of the proposed LTC would mean that it would not be affordable for users³¹. The adverse impacts to health would also have an associated cost to the NHS, which we do not believe is calculated as a disbenefit within the BCR.

As already detailed the proposed LTC most definitely would not be affordable or value for money. And that doesn't even take into account all the other associated costs that have been distanced from the LTC project to separate standalone projects, despite them being as a directly result of the proposed LTC. This is a false economy³².

We fail to see how it can be in the nation's or public interest to grant a DCO on a project that fails to meet scheme objectives.

National Highways and LTC Inadequacies

Over the years, National Highways have failed to carry out adequate consultations, and withheld and avoided sharing information until the DCO examination, and even then the Planning Inspectorate had to request further information where it was lacking. They have failed to hold meaningful engagement with many including Local Authorities, NGOs, residents, and major stakeholders.

National Highways had to withdraw their first DCO application, as the Planning Inspectorate were due to refuse the application because of inadequacies. They failed to identify the Port of Tilbury expansion plans, which further delayed the process.

Their ecology surveys have already proven to be inadequate. For example, throughout consultations and the DCO examination they categorically stated that their surveys showed no sign of a particular woodland, The Wilderness, being Ancient Woodland. Our evidence to Natural England proved otherwise when NE awarded The Wilderness Ancient Woodland status. A section of the same woodland is also amongst the first in the country to be added to the brand new Long Established Woodland Inventory, a new category added by Government to protect important mature woodlands. Other surveys are already years out of date and being questioned by experts.

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The proposed LTC passes through areas with similar chalky grounds to those where HS2 continues to have serious issues with sink holes and other issues.

There have been numerous attempts to greenwash the proposed LTC, including National Highways attempts to associate Hole Farm Community Woodland with the project as environmental mitigation/compensation, despite the fact that Hole Farm Community Woodland is being progressed regardless of whether LTC is granted permission or not.

The proposed LTC is not in keeping with Government's own 25 Year Environment Plan (25YEP)³³. We also believe that it would fail against some aspects of the new Environment Act, including in regard to air quality.

Our country is one of the most nature depleted in the world, and whilst the new Biodiversity Net Gain (BNG) requirements for NSIPs do not come in until Nov 2025, we find it questionable and concerning if Government were to push ahead with the proposed LTC (which would not meet the new BNG requirements) knowing that construction is not planned to begin until after Nov 2025.

There were still many outstanding issues at the end of the LTC DCO examination, and when the recommendation report reaches the Secretary of State for Transport it is highly anticipated that there will be need for further post event consultations.

The National Audit Office have voiced concerns about the proposed LTC in regard to value for money³⁴.

The Transport Select Committee published their damning report of RIS2³⁵ (which includes LTC) saying that it is time to reconsider expensive complex enhancement projects, and road projects don't come more expensive or complex than the proposed LTC.

The Climate Change Committee not only said that new roads should only go ahead if they can be proven not to increase carbon emissions, but have also called for an urgent roads review.

The current legal challenges by Client Earth, Good Law Project, and Friends of the Earth in relation to Government's Carbon Budget Delivery Plan (CBDP), the country's economy-wide decarbonisation plan, has included powerful evidence from Lord Deben³⁶. This is relevant to the proposed LTC since National Highways claims of carbon emission reductions are based on speculation and assumptions. During the DCO examination they had no details of what would happen if contractors failed to meet their carbon emission targets.

There have already been discussions as to the likelihood of legal challenges, should the proposed LTC be granted, creating additional risks to the project.

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We believe National Highways continue to spread propaganda and misleading information to try and put a positive spin on this hugely destructive, not fit for purpose project because failure to deliver it successfully is an existential threat to the organisation. This is why truly independent scrutiny is needed, along with a full and urgent review of the proposed LTC, before more public money is wasted. As a country we cannot afford another failing huge and complex project as has happened with HS2.

Footnotes

- ¹ <https://assets.publishing.service.gov.uk/media/64c91eae8b1a71e86b05df3/IPA-Annual-report-2022-2023.pdf.pdf>
- ² <https://youtu.be/shDXT6p6l1k>
- ³ <https://www.newcivilengineer.com/latest/lower-thames-crossing-boss-confident-changes-wont-add-to-6-8bn-cost-29-01-2020/>
- ⁴ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010032/TR010032-002349-ISH1%20Part2.html>
- ⁵ https://highwaysengland.citizenspace.com/ltc/lower-thames-crossing-consultation/user_uploads/lower-thames-crossing-consultation-summary-business-case.pdf
- ⁶ <https://www.gov.uk/government/news/new-lower-thames-crossings-to-cut-congestion-and-create-thousands-of-jobs>
- ⁷ https://highwaysengland.citizenspace.com/ltc/consultation/supporting_documents/LTC%205%20The%20Case%20for%20the%20Project.pdf
- ⁸ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/871978/road-investment-strategy-2-2020-2025.pdf?fbclid=IwAR1zVjsJCNRM824tSMpU5poQUem2hpMmoQ9OtoDsrJ_U6Uvj3J2qD5P_Qls
- ⁹ https://nationalhighways.co.uk/media/w3rlnoz/ltc-abc-2022-foi-3385-ic-182335-r3f3_redacted.pdf
- ¹⁰ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010032/TR010032-001251-4.3%20Funding%20Statement.pdf>
- ¹¹ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010032/TR010032-001321-7.7%20Combined%20Modelling%20and%20Appraisal%20Report.pdf>
- ¹² <https://www.nao.org.uk/wp-content/uploads/2022/11/Report-Progress-with-the-second-road-investment-strategy-2020-to-2025.pdf>
- ¹³ <https://www.gov.uk/government/publications/government-major-projects-portfolio-accounting-officer-assessments/lower-thames-crossing-accounting-officer-assessment-december-2022#regularity>
- ¹⁴ <https://www.orr.gov.uk/sites/default/files/2023-07/annual-assessment-of-national-highways-performance-2023-web.pdf>
- ¹⁵ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010032/TR010032-001321-7.7%20Combined%20Modelling%20and%20Appraisal%20Report.pdf>
- ¹⁶ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010032/TR010032-001291-7.1%20Need%20for%20the%20Project.pdf>
- ¹⁷ <https://democracy.thurrock.gov.uk/documents/g6420/Public%20reports%20pack%2022nd-Jan-2024%2018.00%20Lower%20Thames%20Crossing%20Task%20Force.pdf?T=10>
- ¹⁸ <http://www.thamescrossingactiongroup.com/incidents-ltc-dartford-crossing>
- ¹⁹ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010032/TR010032-001321-7.7%20Combined%20Modelling%20and%20Appraisal%20Report.pdf>
- ²⁰ <https://www.thamescrossingactiongroup.com/ltc-smart-motorway-by-stealth/>
- ²¹ <https://www.thamescrossingactiongroup.com/ltc-toxic-triangle/>
- ²² <https://www.thamescrossingactiongroup.com/lower-thames-crossing-pm2-5/>
- ²³ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010032/TR010032-001587-6.1%20Environmental%20Statement%20Chapter%2015%20-%20Climate.pdf>
- ²⁴ <https://www.thamescrossingactiongroup.com/ltc-greenbelt-destruction/>
- ²⁵ <http://www.thamescrossingactiongroup.com/ltc-impacts-on-wildlife>
- ²⁶ <https://www.thamescrossingactiongroup.com/impacts-of-ltc-on-forests-and-woodlands/>

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- ²⁷ <https://www.thamescrossingactiongroup.com/ltc-impacts-on-farming/>
- ²⁸ <https://www.thamescrossingactiongroup.com/ltc-impacts-to-solar-farms/>
- ²⁹ <https://www.thamescrossingactiongroup.com/ltc-health-impacts/>
- ³⁰ <https://www.thamescrossingactiongroup.com/rail-and-tram-alternatives/>
- ³¹ <https://www.thamescrossingactiongroup.com/ltc-user-charges/>
- ³² <https://www.thamescrossingactiongroup.com/cost-of-the-proposed-ltc/>
- ³³ <https://www.gov.uk/government/publications/25-year-environment-plan>
- ³⁴ <https://www.nao.org.uk/press-releases/progress-with-the-second-road-investment-strategy/>
- ³⁵ <https://committees.parliament.uk/publications/41071/documents/199999/default/>
- ³⁶ <https://friendsoftheearth.uk/climate/lord-deben-intervenes-climate-high-court-legal-challenge>