

ADEQUACY OF CONSULTATION REPORT
PROJECT: THE LONDON RESORT PROJECT
APPLICANT: LONDON RESORT COMPANY
HOLDINGS

EXECUTIVE SUMMARY STATEMENT
ON BEHALF OF INTERESTED PARTIES ON
SWANSCOMBE PENINSULAR INDUSTRIAL ESTATES

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EXECUTIVE STATEMENT

1. Introduction

This Executive Statement summarises the consultation and engagement failings of London Resort Company Holdings (LRCH) in dealing with the land owners, businesses, tenants, pension funds and other interested parties in relation to their NSIP for The London Resort Project, a DCO Application for which was submitted to The Planning Inspectorate on 4th January 2021.

2. Background

2.1 There are four industrial estates (referred to within this document as the Northfleet Estates) directly impacted by the proposals: Kent Kraft Estate, Northfleet Industrial Estate, Manor Way Business Park and Rod End Industrial Estate.

2.2 There are approximately 140 businesses located on the estates, potentially employing 2,500 people directly and a similar number of local people indirectly.

2.3 Over the last decade the businesses have been impacted by HS1, 2008 economic downturn, Brexit, Coronavirus pandemic and since 2012 the LRCH project, all of which have severely blighted their operations and ability to trade. However, the businesses are still vibrant and trading successfully.

2.4 **It is important to note that at no time has LRCH shown any regard for these businesses. In their original letter to the SoS (25th March 2014) the Applicant makes no reference to the existence of the industrial estates describing the site as *“The peninsular is mainly post industrial brownfield and largely derelict”*.** As an aside it also fails to recognise the adjoining Swanscombe Marshes, home to other forms of critically sensitive wildlife.

2.5 There is little regard to the Northfleet Estates in the Applicant’s subsequent Scoping Reports (November 2014 and June 2020), thus demonstrating that the original Site Assessment is severely flawed.

2.6 Furthermore, the plan submitted by the Applicant accompanying its request for NSIP status for the project initially included the Manor Farm Business Park and Rod End Industrial Estate but **did not include the Kent Kraft Estate and the Northfleet Industrial Estate** which were both taken within the redline at a later date without any consultation with interested parties or the Secretary of State MHCLG.

2.7 The issues in paras 2.4 to 2.6 were raised by a representative of the businesses with the Secretary of State MHCLG in a letter, dated 15th October 2020 and copied to local politicians, but no direct reply was received. It is still considered that the project was granted NSIP status on the basis of erroneous and misleading information and thus should have been subjected to additional scrutiny by the Government to avoid wasted civil servant’s time and taxpayer’s money.

2.8 Finally, and **most importantly**, both The Planning Inspectorate and MHCLG have confirmed that they did not visit the site and relied on the veracity of the Applicant’s reports and letters. Thus they had NO knowledge of the Northfleet Estates presence and wrongly accepted the statements made by the Applicant without due scrutiny.

3. Consultation/Engagement with Northfleet Estates

3.1 The Northfleet Estates parties did not - and still do not - welcome the proposals but, in any dealings, wanted to be treated with respect and professionally. It was explained to the Applicant and its Chief Executive at the time that relocation would be massively disruptive to all the businesses and the likelihood of finding suitable relocation sites was unlikely. Subsequently, all parties have explored the option for suitable replacement locations and there are very few available locally, especially for those businesses requiring specialist Environment Agency licences. The Applicant accepted these complications and informed them that there was no intention to use CPO Powers to acquire any properties, a good working relationship ensuring that both parties achieved their objectives. LRCH even offered to establish a property guide website but that bore little fruit.

3.2 Thus the Estates parties established a working group (Peninsula Management Group - PMG) to help with liaison and to assist the Estate's individual parties. This included a specific Property Working Group in co-operation with representatives from the Applicant. It was made clear on numerous occasions to the Applicant that PMG could not represent individual parties and the Applicant had to engage with individual parties.

3.3 The Estates parties are not large wealthy companies able to afford professional representation but the Applicant offered to pay any such reasonable costs in any negotiations. PMG did employ a Public Affairs Consultant but this was for a limited period to give strategic and professional public affairs advice.

3.4 Several individual parties employed professional services and presented options to the Applicant, encouraging them to either purchase their properties or work with them to relocate them so that they could have certainty of continuity of business. The Applicant failed to pursue any of these pro-active opportunities.

3.5 Furthermore, PMG highlighted to the Applicant opportunities to purchase vacant buildings so they could get a foothold on the Estates to show a clear indication of intent, a suggestion they never pursued at any time over their eight year involvement, presumably because they had no suitably available funds despite having several times announced publicly that they were about to do so.

3.6 Further suggestions made to the Applicant included integration of the Project's back office operations with the existing industrial estates on the east side so that the critically sensitive businesses (ie manufacturing etc) would not be impacted by the scheme. It must be remembered that these businesses were not within the original NSIP Direction Order plan. Such a suggestion was flatly refused by the Applicant.

3.7 Additionally, PMG suggested to the Applicant, whose parent company owns Ebbsfleet United Football Club, that the scheme could be reconfigured to include the Club's site and the Club relocated to minimise the impact on the businesses and costs on the Applicant. This was again flatly refused.

3.8 Initially the applicant announced that they would purchase dockside land on the eastern edge of the Peninsular to relocate the businesses but this was then withdrawn.

3.9 After July 2018, all communication and contact between the Applicant and PMG ceased despite PMG representatives requesting updates and further information. It was only in July 2020 that the Applicant decided to resurrect contact, albeit very meaningless and disorderly.

3.10 Despite the very best attempts by PMG, there was very little traction with the Applicant and most communications to them went unanswered.

3.11 It became evident in late DECEMBER 2020 just how unprepared the Applicant was to deal with the businesses when several businesses received letters from The London Resort (signed by Pierre Yves Gerbeau), dated 18th December, outlining the opportunity to engage with them. **Any responses sent from the businesses or interested parties by e-mail received an automatic e-mail response from the Applicant stating the contact address no longer existed. In addition telephone calls to the given number went unanswered and were eventually just cut off.**

3.12 In the letters, the applicant claimed to be offering a 30% uplift to businesses and occupiers. This, however, is only applicable if they sign a five-year option agreement allowing the applicant to purchase at any time with or without a CPO. No draft contract has been issued to any business setting out the terms. A five-year option agreement does not reflect their statements that they would intend to commence work immediately.

3.13 It is evident that the Applicant has not undertaken a full assessment of all property owners, businesses and interested parties and has not made any real attempt to contact individual parties to discuss relocation options etc prior to the DCO Application being submitted.

3.14 ***The words of a former Chief Executive, during a visit to the Estates, summarised LRCH's position: "I didn't realise all these businesses are here and I don't know how we are going to relocate them"***. The existing Chief Executive has not had the courtesy to either contact or visit the estates or meet the businesses.

4. Consultation on Applicant's Scheme

4.1 The Applicant undertook several public consultations at different stages but because the businesses never knew if their premises were to be included within the redline boundary, they were left in a state of limbo. It was only after the penultimate consultation in 2015 that it was confirmed all the industrial estates were to be included within the red line boundary.

4.2 Because the Applicant did not have a comprehensive and robust database of all the interested parties on the Swanscombe Peninsular industrial estates, they were unable to specifically advise the individual businesses about the public consultation.

4.3 As late as mid/late November 2020, prominent businesses were still receiving notifications about the public consultation which ended in early-September. As these businesses were well known to the Applicant as owners that had been present at PMG/LRCH meetings and had entered into discussions with LRCH about their business relocation it was inexcusable. It is known that many businesses - and their employees living locally - received no notification about the Applicant's final public consultation.

4.4 Several parties reported considerable website problems when trying to submit responses to the Applicant's final consultation in September 2020 including the author who didn't receive an initial confirmation of submission and thus had to resubmit a response.

5. Summary

5.1 The Applicant has failed to consult/engage effectively with all parties covered by this report.

5.2 The Applicant has systemically failed to identify all individual interested parties on the four industrial estates on the Swanscombe Peninsular.

5.3 The Applicant failed to give due regard to the presence of the industrial estates in its application for an NSIP Direction Order and in subsequent Scoping Reports and the final DCO Application.

5.4 The Applicant has included many businesses and properties not included within the original redline plan that accompanied the letter requesting NSIP status for the project.

5.5 The Applicant has made little effort to negotiate with individual businesses to reach agreement about relocation to new premises or suitable compensation.

5.6 Despite many attempts to ensure thorough co-operation and liaison with the Applicant, PMG and several of its members have at times faced a 'stone-wall' barrier with no acknowledgement or response to communications and specifically over the period 2018 to 2020.

Dan Bramwell

Bramwell Associates (Public Affairs)

On behalf of Swanscombe Peninsular Industrial Estates

11th January 2021

The contents of this Report are factually correct and supported by at least the following individual parties, all of whom have representation on one or more of the industrial estates:

Buckland Dartford Ltd
L D Property Services Ltd
St Georges Transportation Services Ltd
Mobius Recycling
Crossways Recycling
Gainhold Ltd
Dutemann Ltd
GPB Engineering Ltd
Michael's Bridal Fabrics
Swimer Textiles Ltd Retirement Benefit Scheme (RBS)
St Georges European Removals & Storage Ltd (the landlord)
St Georges European Ltd (the tenant)
M.J.Bristow Pension Fund
Mambo Direct
Mr and Mrs Cantwell (unit B1)

Vitesse Investments Ltd
John Povey Haulage
Ace Car Breakers
RTS Waste
Sabotcastle Ltd
Cocoba Ltd
Chase Garage Ltd
Northfleet Estates Ltd
Blazon Fabrications Ltd
Fathers Finishers Ltd
Quddos Printing Services
DPS
AGB Cars Ltd

Abbey Computers Directors Trust
UBH Consulting Ltd
Glo Productions Ltd
Lancebox Ltd
Broomwade Ltd
Ebbsfleet storage
CEB Solutions Limited
BWC Haulage Ltd
Skip Master Limited
Marunda Electrical Services Ltd
Trail Services Ltd

Natural Stone Installers Ltd
Beautiful Bodies Ltd
VMC Concrete
Proact Ventures Ltd
Hillcross Hygiene
Green Lane Recycling
AM Motor Services
Classic Colour Printers
FMCS Ltd
J D P Properties Ltd

Reference

Responses as below to the Applicant's June 2020 Scoping Report, all of which are contained in the SoS's Scoping Opinion, dated 28th July 2020, are drawn to your attention as these query site use and site assessment with particular reference to the impact on the existing businesses:

- Kent County Council, letter from Stephen Dukes, dated 20/7

The displacement of existing businesses from Manor Way, Northfleet and Kent Kraft industrial estates needs to be given more detailed attention as there are limited alternative locations for some of the uses that businesses on these industrial estates practice. This could have implications for neighbouring authorities such as Medway Council.

- Ebbsfleet Development Corporation, letter from Mark Pullin dated 17th July, paras no 4.8 and Chapter 7, Table 7.2

- Gravesham BC, Memo to Leader dated 20th July, para 4.14

4.14 There are a significant number of local businesses that will be displaced and the Borough Council would expect the developer to work businesses to assist in the process of seeking their relocation. Within Gravesham the Council can assist in this process....

- Dartford BC, letter from Sonia Bunn, dated 20th July, Comments on page 2 of 'Comments on Scoping Report'

The Council would like to understand the impacts with regard to displacement of employment uses on the proposed site, particularly as these are predominantly "bad neighbour uses". Where is it anticipated that they will go? Will the services they provide still be available to the local communities? What is the consequence of the loss of these local business for the local communities, in terms of both employment, the services they provide, as well as impact on the businesses themselves?