

12 May 2021

VIA EMAIL
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Dear Kath,

THE LONDON RESORT DEVELOPMENT CONSENT ORDER (BC080001)

PROGRESS REPORT 12 MAY 2021

On behalf of London Resort Company Holdings Limited (LRCH) we write in response to the Examining Authority's (ExA) letter dated 5 May 2021.

We welcome confirmation of the appointment of the ExA and look forward to working together in the coming months as the London Resort Development Consent Order (DCO) progresses through its Pre-Examination and Examination stages.

We also welcome the ExA's agreement to extend the period prior to the Pre-Examination Meeting in response to the exceptional circumstances associated with the post-submission notification of the Swanscombe Peninsula Site of Special Scientific Interest (SSSI). We clearly share the concern of the ExA for the overall DCO timeline to be progressed efficiently, promptly and fairly.

In this context, the ExA has identified the need for regular 'Progress Reports' to be submitted by LRCH over that period, starting 12 May 2021 (this letter and enclosures) and then every 4 weeks. We have, on this basis, calculated the subsequent Progress Reports to be due on 9 June 2021, 7 July 2021, 4 August 2021 and 1 September 2021. We trust that this is correct, but please do advise further if this is inconsistent with the ExA programme.

On the request of the ExA, we anticipate the Progress Reports will comprise a covering letter and two documents:

- i. a '*Schedule of updated and new documents*'; and
- ii. a '*Schedule of consultation*'.

Both documents will be updated on the four weekly intervals to highlight progress that has been made. It may be necessary to adapt the format over time to ensure the documents are as helpful as possible and capture all necessary information. We are confident that the documents will assist in identifying which Application documents may be updated and its timing, alongside an anticipated programme of consultation with consultees. This process will assist the general coordination amongst the parties and ensure there is clarity on updates and engagement, which ultimately ought to make matters proceed more smoothly at the Examination.

As this letter and enclosures are the first of such Progress Reports, the following paragraphs describe the approach taken within the two documents and explain how they should be read and interpreted.

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Schedule of updated and new documents (Ref: 8.1)

The purpose of this document is to provide a comprehensive list of revised and additional DCO application documents that LRCH anticipates will be submitted during the period before Examination and a programme for doing so. This document includes the information requested by the ExA, namely the title of the document; the anticipated scope of any changes or new material; the reasons for any changes or new material; the percentage completion and the anticipated date for submission.

In this document, we have listed all application documents and clearly identify where changes are presently anticipated (future Progress Reports may identify other changes emerging from engagement with consultees). Where changes are anticipated we have taken the opportunity to identify the reason for the amendment(s), namely – in direct response to the Swanscombe Peninsula SSSI Notification, in light of comments received through Relevant Representations, with the benefit of additional survey work undertaken since submission in December 2020, a newly identified requirement, at the request of statutory consultees or for a combination of these reasons.

To assist the ExA and Interested Parties in identifying the anticipated scale of change a grading system has been adopted, with 4 representing a completely new document, 3 representing a replacement / substantive changes to an existing document, 2 representing updates to existing document, 1 representing very minor updates to existing document and 0 indicating no update anticipated at this stage. A summary sheet at the front of the schedule identifies the number of documents that will fall within each category and again demonstrates the minor nature of the majority of the updates.

We recognise that our discussions with relevant consultees and our responses to questions raised by the ExA may justify the production of supplementary submissions that, for example, identify any refined or consolidated approach to a specific mitigation strategy. We see little merit in seeking to pre-determine these potential submissions and propose that they are identified in the subsequent Progress Reports.

We do, however, recognise the need to provide a comprehensive response to Natural England's Relevant Representations and confirm that this will be aligned with the production of the updated ES, as detailed in the attached schedule. Again, we would suggest that we will confirm progress in this regard as part of the subsequent Progress Reports.

In providing revised Application documents we can confirm we will adhere to the good practice of providing both clean and tracked change copies of any updated Application documents when they are submitted and ensuring any updates to plans are highlighted clearly. Revision numbers will be utilised accordingly.

Schedule of consultation (Ref: 8.2)

The purpose of this document is to set out the anticipated scope of the consultation for each consultee (primarily those on whom the document updates relate); the dates of any completed consultation (in the preceding four week period); the matters discussed; the anticipated frequency for any future consultation and the further matters to be discussed.

Programme

In addition to the timetable for the provision of the additional/revised Application documents and consultation set out within the above documents, the ExA has requested the Applicant provides an indicative programme as to how it envisages progress going forward and when the Preliminary Meeting may be expected. The Applicant's thoughts on an anticipated programme is set out in the table below and we would welcome the ExA's comments in response.

	Date
DCO Submission	31/12/2020
Acceptance	28/01/2021
Appointment of ExA	13/04/2021
Applicant's letter regarding additional time	15/04/2021
ExA confirmation of additional time	05/05/2021
Progress Report 1	12/05/2021
Progress Report 2	09/06/2021
Progress Report 3	07/07/2021
Progress Report 4	04/08/2021
Progress Report 5	01/09/2021
Final submission to PINS	03/09/2021
Preliminary Meetings	27/09/2021 - 18/10/2021
Examination	TBC

Materiality of changes

We have revisited PINS Advice Note 16: *How to request a change that may be material* (Version 2, March 2018) and, at this stage, remain of the view that the SSSI Notification should not necessitate any material change to The London Resort DCO application, either individually or cumulatively on the basis identified above.

I look forward to receiving the ExA's early response to the matters raised above.

Yours sincerely,



Christopher Potts
Director

- Enc. Schedule of updated and new documents (Ref: 8.1, Rev 00, 12 May 2021)
Schedule of consultation (Ref: 8.2, Rev 00, 12 May 2021)