

27th October 2021

Kath.Haddrell@planninginspectorate.gov.uk
LondonResort@planninginspectorate.gov.uk

Kathrine Haddrell
Case Manager
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Kath,

THE LONDON RESORT DEVELOPMENT CONSENT ORDER (BC080001)

PRODEDURAL DECISION RESPONSES AND PROGRESS REPORT 27 OCTOBER 2021

London Resort Company Holdings (LRCH) is writing to the Planning Inspectorate on this occasion to provide some context to the activity being undertaken in this pre-Examination period.

LRCH was justifiably proud to have submitted the DCO for the London Resort on 31st December 2020 and delighted when this was Accepted in late January 2021. As a privately funded commercial scheme the ability to move into the pre-Examination phase was important for the project, and its partners which include world-class intellectual property (IP) partners (i.e. the film, TV and electronic games partners whose brands will make the London Resort so spectacular) and funding organisations.

The effect of the decision by Natural England in March 2021 to notify that much of the Swanscombe Peninsula (and land at Ebbsfleet Central) would be designated as a Site of Special Scientific Interest (SSSI) was not unexpected and the London Resort had identified significant off-site land for ecological habitat enhancement, alongside the very substantial ecology work within the order limits. LRCH and many other parties, including Ebbsfleet Development Corporation (whose UK Govt flagship regeneration scheme is very significantly impacted), has submitted significant objections to the SSSI based on the evidence base and assessment by Natural England. The final decision by Natural England's Council is on 10th November 2021 and obviously there will be much focus on the outcome.

The Planning Inspectorate has recognised the exceptional circumstances around Natural England's actions and the importance of ensuring the consequences of a SSSI are captured in the documentation ahead of the important Examination phase. LRCH has committed to prepare and consult on a revised Environmental Statement (ES) and also those documents which are also materially impacted by the SSSI.

As requested, we have been undertaking a review of the documentation, including the ES baseline to highlight changes and we deal with this below. The consequences on programme of ensuring a suitable baseline and assessment is in place, and consulted upon where appropriate, has been reviewed further and again is addressed in this letter.

The reason for LRCH writing direct is that whilst the SSSI matter has led to consequences for various parts of the evidence base and documentation we have been working closely with partners and are keen to confirm to the Planning Inspectorate that the commitment to proceed remains strong, which is very important. We intend to announce the next key IP partners in the coming weeks which will showcase world renowned brands, along with partnerships with global technology firms.

Procedural Decision

This letter sets out LRCH’s response to the latest procedural decisions from the Examining Authority (ExA) and addresses these in the same order as the last letter from the ExA.

Procedural Decision 1 – Preliminary Meeting

LRCH notes the ExA’s approach to finalising the date of the Preliminary Meeting (PM) after it has had an opportunity to review the LRCH’s submissions. This position is in line with the guidance and has been previously agreed by both LRCH and the ExA.

Procedural Decision 2 – Environmental Information

LRCH has sought to provide an explanation of the status of both the baseline information and assessment associated with the Application. Table 1.1 below has sought to identify which ES topics remain valid and which require updates to the baseline information and/or the assessment (this is triggered by the SSSI implications, or where there is need to update ahead of Examination to ensure the most suitable data set and outputs is before the Interested Parties).

Where information is indicated as being valid, LRCH considers that the baseline information and assessment is sufficiently current both now and at the point of the anticipated start of Examination. Where information is indicated as requiring revision or updating, LRCH considers that these topics may not be sufficiently current at present for the purposes of Examination and is currently updating these so that they are current, and thus better for consideration by the ExA and Interested Parties.

The need to update the information resulted from the exceptional circumstances associated with the notification of much of the Site as a SSSI – a position which the ExA and the LRCH have corresponded upon previously – and the revised timeline.

Table 1.1. Environmental Statement (December 2020)

Status of baseline information and assessment

Chapter	Topic	Document Reference	Status of baseline information and assessment
2	Site description	6.1.2	Baseline information and assessment are being revised and updated – minor changes to reflect the SSSI notification of the Site.
4	Project development and alternatives	6.1.4	Baseline information and assessment are being revised and updated – to reflect the SSSI notification of the Site.

Chapter	Topic	Document Reference	Status of baseline information and assessment
5	Relevant law and policy	6.1.5	Baseline information and assessment are being revised and updated – to reflect the SSSI notification of the Site.
7	Land use and socio-economics	6.1.7	Baseline information and assessment are being revised and updated – to reflect both the SSSI notification of the Site and the content of the relevant representations.
8	Human health	6.1.8	Baseline information and assessment are being revised and updated – to reflect the content of the relevant representations.
9	Land transport	6.1.9	Baseline information and assessment are being revised and updated – to reflect the SSSI notification of the Site.
10	River transport	6.1.10	Valid – no change to either the baseline or assessment
11	Landscape and visual effects	6.1.11	Baseline information and assessment are being revised and updated – to reflect both the SSSI notification of the Site and the content of the relevant representations.
12	Terrestrial and freshwater ecology and biodiversity	6.1.12	Baseline information and assessment are being revised and updated – to reflect the SSSI notification of the Site.
13	Marine ecology and biodiversity	6.1.13	The assessment is being revised and updated – to reflect both the content of the relevant representations and consultation to date.
14	Cultural heritage and archaeology	6.1.14	Baseline information and assessment are being revised and updated – to reflect the SSSI notification of the Site.
15	Noise and vibration	6.1.15	Baseline information and assessment are being revised and updated – to reflect the SSSI notification of the Site.
16	Air quality	6.1.16	Baseline information and assessment are being revised and updated – to reflect the SSSI notification of the Site, including incorporating EU Directive Assessment.
17	Water resources and flood risk	6.1.17	Baseline information and assessment are being revised and updated – to reflect the both SSSI notification of the Site and the content of the relevant representations.

Chapter	Topic	Document Reference	Status of baseline information and assessment
18	Soils, hydrogeology and ground conditions	6.1.18	Valid – minor changes to the baseline to reflect the SSSI notification of the Site.
19	Waste and materials	6.1.19	Valid – minor changes to the baseline and assessment to reflect the both SSSI notification of the Site and the content of the relevant representations.
20	Greenhouse gases and climate change	6.1.20	Valid – no change to either the baseline or assessment.
21	Cumulative, in-combination and transboundary effects	6.1.21	Baseline information and assessment are being revised and updated – to reflect both the SSSI notification of the Site and the content of the relevant representations.
22	Conclusion and mitigation commitments	6.1.22	Baseline information and assessment are being revised and updated – to reflect both the SSSI notification of the Site and the content of the relevant representations.

In line with the advice from the ExA, LRCH considers that all of the information to be submitted to the ExA will be up to date and, as such, not result in a delay and/or disruption to the Examination.

Procedural Decision 3 – Consultation

LRCH has reviewed the Interested Parties it has identified it should be consulting with whilst it prepares its new and updated material. To note, LRCH has done this regularly throughout the lifecycle of the Project, including at various points in 2021.

LRCH has not identified any new consultees to add to their list of consultees since the start of 2021. One consultee, Dartford and Gravesham NHS Trust, has asked to be involved again – having engaged in the Project previously. LRCH will engage with all statutory and non-statutory consultees at the point of consultation on the revised information on the Project.

In addition to the above, the LRCH has identified those Interested Parties with whom it would be appropriate to agree a Statement of Common Ground (SOCG) with. It is considered that the SOCGs would benefit the LRCH, consultee and ExA.

Programme

Taking into consideration the awaited Natural England Council decision on 10th November 2021, the document updates and engagement with key stakeholders then our current estimate for the pre-Examination period is to undertake the 30 days consultation period on the revised ES, and other materially updated documents, in February/March 2022.

It is anticipated the LRCH team will require four weeks to revise the documents following the consultation which will allow the submission of the documents to the Planning Inspectorate in April/May 2022.

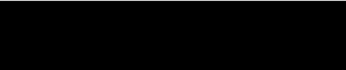
General

LRCH would like to thank the Planning Inspectorate and the ExA for adopting a pragmatic and helpful approach to the exceptional circumstances resulting from Natural England's SSSI notification.

Whilst the timeline has moved, LRCH welcomes the opportunity to revise documentation to ensure the best information is considered at Examination, and also the importance of fairness to all Interested Parties in having visibility on the revised material ahead of the Examination.

LRCH will make good progress on the SOCGs with key parties (and some are already underway) which will further assist the ExA in knowing the outstanding matters.

Yours sincerely,



PY Gerbeau

Chief Executive

London Resort Company Holdings

