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Case Team
Planning Inspectorate
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

Your reference

BC08000

Our reference

IGR/IGR/425169/16 UKM/117414875.1

15 March 2022

By Email Only: LondonResort@planning

Dear Sir/Madam

APPLICATION BY LONDON RESORT COMPANY HOLDINGS FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE LONDON RESORT – PROCEDURAL DEADLINE A

OUR CLIENT: HS1 LIMITED

We act on behalf of our Client, HS1 Limited. Our Client's unique reference number is LORN-AFP201. We have set out below our Client's responses to the points raised by the Examining Authority in its letter of 1 February 2022 and the Rule 6 letter dated 14 February 2022.

Examination timing and procedure

Our Client does not object in principle to the Applicant's request to delay the start of the examination until June or July 2022.

If the request is granted, however, our Client considers it imperative that the Applicant uses the additional time effectively. It should be prepared to engage effectively with our Client with a view to proactively addressing <u>all</u> concerns raised in our Client's Relevant Representation.

This includes obtaining the further information that is required regarding the impact of the proposed development on our Client's operations, the mitigation measures that may be possible and how these will be secured and funded. As well as this, there will need to be engagement on the numerous other matters our Client has raised in its Relevant Representation, but which the Applicant has not yet sought to discuss with our Client. There should also be proper engagement on the various legal agreements and Protective Provisions that are still required to be drafted.

Our Client also has concerns in relation to the costs that it and other interested parties will incur during the examination. The Examining Authority has highlighted in its letters of 21 December 2021 and 1 February 2022 that an award of costs can be made where a party behaves in an unreasonable manner. Our Client considers that it is unclear whether the Applicant has the financial resources to pay any such costs awards.

The Applicant is a special purpose vehicle, incorporated specifically to promote the London Resort project. The Funding Statement submitted with the application states

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that investors have been identified to fund the project, but "have chosen to remain confidential at present". The investors commitment to fund the project is, however, "subject to it receiving development consent". In our Client's view this means there must be some doubt as to whether funding is available to meet expenditure such as costs awards. As such, our Client requests that the Examining Authority requires the Applicant to demonstrate that such funding is available.

Use and participation in virtual events

Our client agrees with the Examining Authority's proposal to carry out the Examination using a mixture of virtual and in person events.

Request to be heard orally at preliminary meeting

Our client wishes to be heard orally at the preliminary meeting. We will be representing our client at the meeting and have registered using the Preliminary Meeting Involvement Form.

Provisional request to be heard at Issue Specific Hearing 1 ("ISH1") and Compulsory Acquisition Hearing 1 ("CAH1")

Our Client wishes to be heard at both ISH1 and CAH1 and we have confirmed this using the Preliminary Meeting Involvement Form. Our Client will wish to register additional speakers for these hearings. We assume that details of how to do so will be provided in due course, if the hearings go ahead, but should be grateful if you would please confirm this.

List of engagements

In accordance with the Examining Authority's request in its letter of 1 February 2022, we enclose a list of the consultation and meetings between our Client and the Applicant between 1 February and 10 March 2022.

If we can assist further, please do not hesitate to let know.

Yours faithfully



DLA PIPER UK LLP

¹ Funding Statement paragraph 4.4

² ibid

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