



# Department for Transport

Department for Transport

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15 March 2022

Mr Rynd Smith  
Lead Member of the Examining Authority  
The Planning Inspectorate

By email only: [LondonResort@planninginspectorate.gov.uk](mailto:LondonResort@planninginspectorate.gov.uk)

Dear Mr Smith

**Application by London Resort Company Holdings for an Order Granting Development Consent for the London Resort**  
**Interested Party: The Secretary of State for Transport**

I refer to your letters of 1 and 14 February 2022 and the Relevant Representation submitted on 31 March 2021 on behalf of the Secretary of State for Transport.

### Property Matters

The Secretary of State for Transport is a land-owner as well as leaseholder and beneficiary of interests of a significant area of land included within the Order Land. That land is Crown land within the meaning of s.227 of the Planning Act (2008). The extent of the landholding – subject to verification – is shown in updated documents comprising the Book of Reference (Rev 01) [AS-006] and Crown Land Plans (Rev 1) [AS-001] as well as the Land Plans [APP-007]. The Secretary of State is an Affected Party and Interested Party in this Application. For the avoidance of doubt the Secretary of State has not issued any consent under s.135 of the Planning Act 2008 in relation to this Application nor is there any record of any request for consent having been received.

In your letter of 1 February 2022 you indicated that "*it appears that effective engagement between the applicant and a wide range of relevant statutory consultees and APs has all but ceased.*" You also asked Interested Parties and Affected Parties to submit their own list of engagements (consultation and meetings) with the Applicant undertaken between 1 February and 10 March 2022.

In the Secretary of State's Relevant Representation the following statement was made:

*"It is unclear within the "book of reference" precisely what is intended by LRCH concerning the proposed acquisition of and impact on the Department's property interests. Inclusion of the phrase "except those owned by the Crown" is used in relation to the plots (listed above). Further clarity is needed on this urgently."*

Nearly 12 months have passed since this statement was made and there has been no communication from the Applicant to the Department for Transport to address the questions on property interests raised in that Relevant Representation.

The response to your request of 1 February 2022 to provide a list of engagements with the Applicant between 1 February and 10 March 2022 on property matters is therefore short. There has not been any in relation to property, although please see comments below on wider rail matters. The Department repeats its request it made to the Applicant in March 2021, to hear from the Applicant urgently on the property impacts of the Applicant's proposal on the Secretary of State's landholdings. With the ambiguous reference to the Secretary of State's property interests in the Book of Reference and there having been no application for consent under s.135 of the Planning Act (2008), the Department does not understand how the Applicant considers it could deliver this proposed Project.

### **Rail Matters**

The Department for Transport (DfT) are responsible for working with industry stakeholders to set the strategic direction of the railway in England and Wales. Whilst the Department for Transport has had some engagement with the Applicant in regards to matters pertaining to rail (meetings were held 25 November 2021, 11 February 2022 and the most recent meeting on 10 March 2022 - alongside the wider rail industry), there are a number of significant issues which the Applicant and the rail industry have yet to resolve.

The rail industry and the Applicant need to agree on the necessary interventions required to transport visitors safely to the Resort by rail, as a sustainable mode of transport and London Resort should update their rail strategy accordingly. Failure to do so could lead to inadequate rail provision for Resort visitors, or mean visitors drive in private cars to the Resort at detriment of local traffic routes and to the environment. Therefore, the Department would advise the Applicant to increase engagement with the wider rail industry with a view to finalising the rail strategy and gaining agreement from the relevant industry parties, including but not limited to the Department for Transport.

Noting the need to make progress on agreeing a rail strategy with a coalition of industry support, the Department wishes to highlight the importance of the rail strategy in the Development Consent Order process:

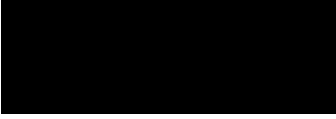
### **Response to 14 February 2022 letter**

In response to the points raised in your letter of 14 February 2022:

1. The Department does not have a view either way on whether the Application should be subject to examination now or delayed;
2. The Department does not intend to speak to any of the agenda items at the Preliminary Meeting but would like to receive joining details to attend;
3. Should the Examining Authority decide to proceed to commence the examination immediately following the Preliminary Meeting, the Department would like to register to attend the Compulsory Acquisition Hearing (and all other scheduled Compulsory Acquisition Hearings) provisionally listed to commence on 5 April 2022; alongside Issue Specific Hearing 1 (and all other scheduled hearings which include rail), provisionally listed to commence on 4 April 2022;

4. Until the Department has any clarity and receives engagement on the property matters from the Applicant the Department reserves the right to become more fully engaged in the examination of this Project.

Yours sincerely,



**Nick Lambert**  
**Deputy Director, Head of Property Portfolio and Advisory**  
**Department for Transport**