

London Resort

Responses to The Preliminary Meeting Information Form

Questions 10 and 14: Persons attending the meeting and wishing to use the form to provide a summary of oral submissions in writing

The Preliminary Meeting Information Form (PMIF) available on the National Infrastructure Planning Portal until 15 March 2022 enabled persons interested in the Preliminary Meeting who wish to attend to make written summary submissions using the form if they wished to do so. Where such submissions are made, the Planning Inspectorate publishes them.

This document published by the Planning Inspectorate provides a complete record of the written summary submissions from persons wishing to attend the Preliminary Meeting to make oral submissions, made using the PMIF.

The following IPs intending to attend the meeting to make oral submissions took the opportunity to make a written submission using the PMIF. Where a full submission was provided using the form, that is reported below. Where the respondent made clear that they would provide their full written submission in an emailed PDF document, this is also reported below.

Stuart Ray

I request that LRCH do not get an extension to the proceeding and start on the 30th March

I have set out everything that I need to say in this form

HS1 Limited

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 all 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, though, 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 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.

I will be submitting one or more supporting documents (.pdf files) by email

Port of London Authority

Agenda Item 3 - the PLA wishes to comment on the timing of the Examination, that is whether or not it ought to proceed on a March 2022 timescale

I will be submitting one or more supporting documents (.pdf files) by email

Thames Water

Discussion on Initial Assessment of Principal Issues and in particular how Thames Water capacity, funding timing and consistency with TWUL's investment plan should be considered as part of the "the water environment and soil and ground conditions" (Preliminary Meeting Agenda Item 10 and 11).

I have set out everything that I need to say in this form

Buglife - The Invertebrate Conservation Trust

Agenda Item 3- The examination should proceed immediately, with the proposed delay unjustified.

Agenda Item 10- Brief comments on the initial assessment of principal issues.

Agenda Item 11- We may wish to make brief comments on the examination timetable.

I have set out everything that I need to say in this form

Ebbfleet Development Corporation, Kent County Council and Dartford Borough Council

The LAs wish to set out their views on the timing of the submission of additional environmental information and the timing of the Local Impact Report

I will be submitting one or more supporting documents (.pdf files) by email

Ebbsfleet Development Corporation

I will wish to provide, if required, commentary with regard to progress made, principal issues and examination timetable.

I have set out everything that I need to say in this form

Merlin Entertainments Group

We wish to reserve the right to make submissions in the event of any changes to the Examination process or procedural requests which are made by the Applicant.

I have set out everything that I need to say in this form

Save Swanscombe Peninsula

S.98 of the Planning Act 2008 provides for the Examination of 6 months starting the day after the last day of the 'meeting' (singular) required by S.88. How would a deferment of 3 month's in the Preliminary Meeting (in the event of an extension to July 2022) satisfy S.98, when (in ordinary language) a meeting, followed by a gap of 2 to 3 months, followed by a further meeting, would comprise meetings (plural), and not a 'meeting'? We are concerned that the proposed procedure (in the event of an extension being granted) would therefore be inconsistent with statutory provisions in letter and spirit and would ask the ExA to address this apparent inconsistency.

I will be submitting one or more supporting documents (.pdf files) by email

Representative of AGB Cars Ltd and Others

(AGB Cars Ltd, AGB Developments Dartford Ltd, MJD Group, Sheerness Recycling, DMJ Group, Mosero Performance Ltd, JC Recovery Ltd, B2 Cars Ltd, Dokin Car Parts Ltd, S&S Global, Seamonix Services Ltd, E3 Motors London Ltd, Mehi Ltd, CD&A Ltd, Auto Centric Ltd, Nihang Ltd)

N/A.

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Natural England

Natural England will submit our written advice to the Examining Authority on the 15 March.

I will be submitting one or more supporting documents (.pdf files) by email

Network Rail Infrastructure Limited

We have registered to speak at the Preliminary Meeting on behalf of Network Rail to assist the Examining Authority.

Agenda Item 3

- o Network Rail has identified the need for further work to be undertaken prior to the examination commencing.
- o Network Rail continues to support a delay to the start of the examination to enable the further necessary rail assessment work to be carried out.
- o Without this work the rail impacts cannot properly be known and so neither Network Rail nor the Examining Authority will be in a position to meaningfully assess the mitigation measures needed to address those impacts

Agenda Item 11

- o If the Examining Authority is minded to start the examination at the end of March 2022, Network Rail asks that:
 - o any timetables or deadlines connected to the further rail assessment work be agreed with Network Rail (noting that this work will be carried out internally);
 - o rail specific hearings are scheduled to consider (i) the impacts of the proposals on the rail network; and (ii) the detail of rail specific mitigation measures which are required,
 - o any rail-specific hearings be scheduled later in the examination period to allow for the further assessment work to be carried out;
 - o a hearing sessions be scheduled to discuss protective provisions;
 - o further time be allowed for the submission of written representations by statutory bodies

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National Highways

Whilst National Highways cannot comment on the overall merits of curtailing delay, National Highways still considers that it will not be possible to reach agreement on the key outstanding issues in relation to the Strategic Road Network (SRN) by the end of March 2022 and therefore an examination commencing immediately following the preliminary meeting would result in a much more challenging examination for all parties. National Highways is committed to continuing to engage with the Applicant to seek to resolve the outstanding matters by Summer 2022, but the extent to which agreement can be reached on the key issues is dependent on the Applicant's making meaningful progress towards resolution with us.

National Highways would like to request that land transport (road and rail) matters are added as 'Additional Issues' to the Initial Assessment of Principal Issues. National Highways has previously raised concerns in relation to the adequacy of transport and access strategy and has noted that comments from other transport body consultees since the application was accepted raised concerns over the robustness and deliverability of the rail strategy in the Applicant's proposals. Any changes associated with the issues being raised by National Highways and others would require the Applicant to reassess the impacts on the SRN and demonstrate that the proposed mitigation is appropriate or whether further mitigation is required. This is likely to require an updated Transport Assessment to be submitted.

Subject to discussions at stage 1 of the preliminary meeting, National Highways has concerns that where new information is to be provided by the Applicant (such as an updated Transport Assessment) following the Preliminary Meeting, there would be insufficient time for National Highways and other Interested Parties to review this in order to respond as necessary during the examination. Therefore timescales set out in the Examination Timetable may need to be revisited to allow for sufficient time for review of new information and preparing related submissions, for example Written Representations which are currently proposed to be due by Deadline 2 on Tuesday 26 April 2022.

National Highways notes that the draft Examination Timetable provides for the ExA to publish "the ExA's preferred dDCO, proposed schedule of changes, or commentary on the dDCO" just before Deadline 8 (26 July 2022). Comments on this are then due at Deadline 9. The Applicant then submits its own final version of the dDCO at Deadline 10 but prior to this Interested Parties are not made aware of the ExA's thoughts on the responses received at Deadline 9. National Highways asks that the ExA considers providing an update on their position on the dDCO following the comments submitted at Deadline 9, and then allows further comments from Interest Parties on the dDCO at Deadline 11.

National Highways is grateful for the inclusion of road access considerations in the matters to be addressed at ISH1 but would query whether these should be dealt with at a separate

issue specific hearing, possibly combined with other transport related matters such as rail and river.

I have set out everything that I need to say in this form

Transport for London

Agenda Item 3: Subject to progression of discussions with the Applicant, TfL may wish to comment on the scope of further work proposed by the Applicant to assess the impacts on the transport network and mitigation that may be necessary. Dependent on progress on these discussions that has been made in advance of the Preliminary Meeting, this may influence the ExA's decision on whether to proceed to an immediate Examination or whether to delay until a June/July 2022 commencement.

Agenda Item 10: TfL considers that regional policy also needs to be included in item 1 of the ExA's Initial Assessment of Principal Issues as well as national and local policy. Specifically, TfL proposes that the London Plan and Mayor's Transport Strategy are important and relevant for the Proposed Development given that the Applicant forecasts that the majority of trips to and from the development will travel to, from or through London.

Agenda Item 10: The suitability, level of maturity, effectiveness and controls in the Rail Strategy Plan is listed as item 5(m) in the ExA's Initial Assessment of Principal Issues. TfL wishes to raise its concern that the impact on rail transport, and particularly the continued safe operation of National Rail services to and from central London, is not included as a standalone item. TfL considers the impacts of the Proposed Development on rail transport to be very significant and therefore proposes that this is considered by the ExA as a standalone principal issue. Any secondary impacts on London Underground, Elizabeth line or other public transport services in London should also be considered.

Agenda Item 11: TfL wishes to make representations on the Examination timetable. TfL notes that just before Deadline 8, the ExA proposes it will publish "the ExA's preferred dDCO, proposed schedule of changes, or commentary on the dDCO (if required)". Comments on these documents are then due by Deadline 9. The Applicant then submits its own final version of the dDCO at Deadline 10 but Interested Parties are not made aware of the ExA's views on the responses received at Deadline 9. TfL asks whether the ExA would be minded to provide an update on its views following the comments submitted at Deadline 9, and then allow further comments at Deadline 11.

Agenda Item 11: TfL may also wish to speak on the proposal set out by the ExA in Annex B of its Rule 6 letter of 14 February 2022 about the potential for the ExA to not utilise the full six-month duration of the Examination. TfL considers closing the Examination early would be

appropriate if at the mid-point there is no prospect of the ExA being able to make a recommendation for approval at the end of the full six months.

Agenda Item 11: Regarding arrangements for hearings, TfL requests that, given the scale of potential impacts, the ExA holds an Issue Specific Hearing on rail, road and river access and impacts so that the concerns of TfL and other Interested Parties can be fully explained and explored. The direct impacts of increased passengers and traffic flows will result in some highly complex secondary impacts such as the effect on the capacity of the wider rail network due to extended dwell times of trains at stations, and the potential need for mitigation at locations distant from the site of the Proposed Development. A summarised list of the transport issues that TfL considers should be covered at an Issue Specific Hearing were set out in section 2 of TfL's Additional Submission of 10 January 2022 (examination reference AS-104).

Agenda Item 11: TfL also considers that the Requirements in Schedule 2 to the draft DCO should be discussed at an Issue Specific Hearing. This is likely to be necessary to ensure that views of Interested Parties on the Requirements can be examined in sufficient detail so that they provide the necessary assurance that generated demand will be managed in accordance with the Transport Assessment.

I will be submitting one or more supporting documents (.pdf files) by email

Port of Tilbury London Limited (3 registrations)

Please see response to Response to Rule 6 Letter and previous PoTLL submissions.

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Please refer to this Interested Party's Relevant Representation, its letter to the ExA of 10 January 2022 and its response dated 15 March to the Rule 6 letter.

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the matters to be raised and referenced in any oral submissions have been set out in a single submission on behalf of PoTLL and I and a number of representatives have all registered individually to represent the same points which we will coordinate and make in one oral submission

I will be submitting one or more supporting documents (.pdf files) by email

DP World London Gateway

Please see Relevant Representation.

I have set out everything that I need to say in this form

The RSPB, Buglife, Kent Wildlife Trust and CPRE Kent

Agenda Item 3 - The examination should proceed immediately due to the time already lapsed and the proposed delay not being fully justified.

Agenda Item 10 - we may wish to make brief comments on the initial assessment of principal issues.

Agenda Item 11 Agenda Item 3 - The examination should proceed immediately due to the time already lapsed and the proposed delay not being fully justified.

Agenda Item 10 - we may wish to make brief comments on the initial assessment of principal issues.

Agenda Item 11- we may wish to make brief comments on the examination timetable.

Agenda Items 5, 8, 9 & 12 - we would like to reserve the right to make comments should they be considered necessary.

I have set out everything that I need to say in this form