

From: [REDACTED]
To: [London Resort](#)
Subject: Save Swanscombe Peninsula- Additional Submissions
Date: 15 March 2022 23:42:55

Dear Mr Smith,

This is a further submission on behalf of the 1500 members of Save Swanscombe Peninsula ('SSP') in response to the ExA's Procedural Decision of 1st February 2022.

Consultation by the Applicant – 1st February to 10th March

In common with many other IPs and APs we are aware of, the Applicant has made no approach to SSP for consultation or meetings between 1st February and 10th March. This includes no consultation with local communities nor with the many affected businesses in the shadow of compulsory purchase that we are in contact with. The Applicant's proposals continue to unacceptably blight the area and the local economy, and the Applicant has not made any reasonable endeavours that we are aware of to mitigate that impact.

Examination timetable

We have previously advocated the commencement of the examination in March on the basis that continued delay is both unfair and causing harm. Our position has not changed. We take it from the ExA's request in the Procedural Decision for a list of all engagement between 1st February and 10th March, that the extent of meetings and consultations undertaken by the Applicant, will be a material consideration in the ExA's decision whether the Examination should be delayed until July. In the context of the Applicant's continuing failure to consult with APs in particular (and we anticipate with other IPs also), we consider the prospects of the Applicant being able to demonstrate sufficient progress, to be remote.

We moreover consider that the commencement of the Preliminary Meeting on 29th March, followed by a deferment of over 3 months would not be consistent with S.98 of the Planning Act 2008, and the requirement for the Examination to conclude within 6 months of the last day of the Preliminary Meeting. A meeting, followed by a gap of over three months followed by a further meeting can be reasonably said to be two meetings. We consider the letter and spirit of the Planning Act 2008 is being stretched beyond reasonable boundaries and hope the ExA will forgive us for saying that in our opinion, the continued accommodation given to the Applicant here is baffling and inappropriate given that the ExA has acknowledged the harm being done by continued delay and also acknowledged the Applicant's manifest and multiple failures to properly progress the application to date.

Application to be examined

We believe it is likely the ExA will conclude on 29 March that the Applicant has shown insufficient progress to justify any extension. In those circumstances we refer to the ExA's comments in the Procedural Decision that the Examination, if starting in March, would be "on the basis of current documentation" and to "examine the application as currently before it".

In context we note with concern that the Applicant proposes (in the Schedule of Updated and New Documents of 15th February 2022) to submit no less than 159 new or revised documents on w/c 14th March. These documents refer to substantial and significant changes (including in all probability Material Amendments), which must be consulted on prior to acceptance (as the Applicant originally committed to, but then failed to meet those commitments).

On past experience we consider it highly likely that the Applicant will seek to introduce these documents into the Examination starting in March 2022 in order to circumnavigate reasonable and necessary scrutiny by Ips and Aps, including Statutory Consultees. We ask the ExA to resist any

attempt to introduce new documents into the Examination which would manifestly create unfairness, and add to the already unreasonable work burden placed on IPs.

In summary; please examine the application now in front of you, in accordance with your Procedural Decisions to date and end this damaging and unfair delay which is blighting lives and communities.

Yours sincerely

Save Swanscombe Peninsula