

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

20 April 2022

Our Ref: PoTLL/LR/PREEX/3

Dear Ms Haddrell,

Planning Act 2008

Application for the London Resort Development Consent Order

Response to Withdrawal of Application

1. As you will be aware, Port of Tilbury London Limited ('PoTLL') was an Interested Party in relation to London Resort Company Holdings' ('the Applicant') application ('the Application') for the London Resort DCO ('the Scheme') since its submission in January 2021.
2. Since submission, PoTLL has submitted a Relevant Representation ('the RR') [RR-772], a response to the Procedural Decision of the Examining Authority of 21 December 2021 [AS-094] and a response to the Rule 6 Letter [PDA-153]. These submissions followed PoTLL's response to the Applicant's statutory consultation and PoTLL's efforts to engage with the Applicant both before and after the Application was submitted.
3. PoTLL was both an Interested Party and also an 'Affected Party', being that the Application contained a request to compulsorily acquire the interests of PoTLL, as set out in the RR. Through its Examination submission, PoTLL objected to those compulsory acquisition proposals, particularly in light of the lack of protections for PoTLL's statutory undertaking within the Application documentation.
4. PoTLL considers that it therefore would have the ability to make an application for costs pursuant to section 95 of the Planning Act and the provisions of the DCLG 2013 Guidance relating to costs in a Development Consent Order context.
5. However, PoTLL has decided on this occasion not to pursue a claim for costs against the Applicant. This is in the spirit of seeking a continued co-operative relationship with the Applicant as it continues to develop the details of the Scheme, in particular responding to PoTLL's position that the Scheme is not compatible with PoTLL's own Freeport development proposals for the land sought to be acquired and utilised by the Scheme for car parking.
6. In this regard, PoTLL considers that the Applicant has taken the appropriate approach of withdrawing the Application, so that the impacts of the Freeport, and of the SSSI



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designation of the Kent Site (as defined in the Application documentation), along with other matters, can be fully thought through.

7. Whilst PoTLL has made this decision in relation to costs, its fundamental concerns about the Scheme, and the lack of meaningful engagement from the Applicant in seeking to resolve those concerns from statutory consultation through to the withdrawal of the Application, still exist.
8. As such, PoTLL expects, with the Application now withdrawn and the pressures of the Examining Authority's timescales relieved, that the Applicant will now engage fully with PoTLL to ensure that its statutory undertaking is protected and that the transformational economic benefits of the Freeport, and of Port of Tilbury expansion more generally, are able to be reached without interference from the Scheme, or any amendments to it.
9. In this context, PoTLL looks forward to working constructively over the coming months with the Applicant to enable the Scheme and PoTLL's interests to co-exist in a fashion which enables sustainable economic growth to be delivered on both sides of the Thames Estuary.
10. If you have any further questions on any of these submissions, please do not hesitate to contact our legal advisers at Pinsent Masons LLP, [REDACTED]
[REDACTED]

Yours sincerely,

[REDACTED]

PETER WARD
COMMERCIAL DIRECTOR
PORT OF TILBURY LONDON LIMITED