

From James Hose. My reference MANS-S57179

Please find the transcript of my oral submission delivered to the examiners during the afternoon session Friday 11th January.

I live on the Nethercourt Estate in Ramsgate. This is the closest estate to Manston airport and directly under the flight path. I have witnessed the changing fortunes of the airport and seen fortunes come and fortunes lost. The airport has never been viable due to its poor location on the Kent peninsular of Thanet.

**(Source: Commercial Viability of Manston Airport; AviaSolutions Final Report for Thanet District Council September 2016).**

Section 8.2 States; It is AviaSolutions view that having considered the stakeholder interviews and independent research and analysis into historic accounts and 'reasonable' adjustments for one-off costs that there is little prospect of a financially viable airport on the site.

Section 8.3 States; Our freight interviews indicated that the demand to use the airport for freight was very limited. This, in large parts, is due to two factors; the infrastructure investments that have already been made by the industry around Heathrow and Stansted, and the geographical location of the airport. Infrastructure, and the associated knowledge, skill and supporting industry at airports such as Heathrow and Stansted, as well as the major European hubs such as Frankfurt, and Paris, would be almost impossible for Manston to replicate. The geographic location of the airport, tucked into the corner of the UK, cannot compete with airports such as East Midlands for Integrator services that are sold as fast delivery, due to the increases in surface transportation times. The interviews did however indicate that charter services and ad-hoc freighter flights would certainly return, providing some revenue income for the airport. In summary, we conclude that freight would return to the airport in limited quantities, not dissimilar to the tonnage previously processed at the airport.

Manston has never been of National Significance except perhaps during the Battle of Britain but those days are far behind us.

Nostalgia makes for a poor business plan.

**Source: Dept of Transport; Airports National Policy Statement: new runway capacity and infrastructure at airports in the South East of England. June 2018 (Section 9(8) Planning Act 2008)**

**2.23** The Airports Commission consulted widely on its appraisal framework, which contained its criteria for sifting proposed schemes, and the Government is satisfied that the appraisal framework was appropriate. The Airports Commission received 52 proposals, with three options developed by the Airports Commission itself. The Airports Commission took advice from a number of relevant stakeholders, including NATS Holdings, the Civil Aviation Authority, Network Rail, and the Highways Agency (as it then was). The Government believes that the Airports Commission has analysed all the options put forward to the appropriate degree of detail, and discounted non-shortlisted schemes fairly and objectively according to the sift criteria. The Government does not consider that any of the non-shortlisted schemes represents a reasonable alternative to its preferred scheme.

**International connectivity and strategic benefits, including freight**

3.18 Heathrow Airport is best placed to address this need by providing the biggest boost to the UK's international connectivity. Heathrow Airport is one of the world's major hub airports, serving

around 180 destinations worldwide with at least a weekly service, including a diverse network of onward flights across the UK and Europe. Building on this base, expansion at Heathrow Airport will mean it will continue to attract a growing number of transfer passengers, providing the added demand to make more routes viable. In particular, this is expected to lead to more long haul flights and connections to fast-growing economies, helping to secure the UK's status as a global aviation hub, and enabling it to play a crucial role in the global economy.

In a column circulated online and in the media ██████████ claimed the granting of access denoted recognition that the project was of National significance, but in a rebuke to the MP, the Planning Inspectorate has made clear on its website that ██████████ is wrong. The Planning Inspectorate state that access: 'does not also determine whether any future application would be an NSIP, this decision can only be made at the time a formal application is submitted.'

If the owners wished to build an airport and construct new aprons, an air traffic control tower and a passenger terminal they could do so. They do not need to apply for a DCO. All this work could be done through a planning application.

**Source: Dept of Transport Guidance on the Preparation of Airport Master Plans 2004.**

7. The Air Transport White Paper set out for the first time in nearly twenty years a comprehensive view of future airport requirements in the UK. This was provided in the context of a framework of broader policy, which seeks to balance airport growth against the need to minimise impacts on those who live nearby and on the natural environment. Master plans provide a mechanism for airport operators to explain how they propose to take forward this strategic framework in the form of airport-specific proposals, designed to help inform the regional and local planning processes and facilitate engagement with a wide range of stakeholders.

8. Master plans will not have any statutory basis unless they are subject to the relevant plan-making provisions in the Planning and Compulsory Purchase Act 2004. The absence of an approved master plan should therefore not be relied upon by local planning authorities as grounds for refusal to consider planning applications. But the Government envisages that a master plan should provide a clear statement of intent on the part of an airport operator that will enable future development of the airport to be given due consideration in local and regional planning processes.

**The current owners closed the airport because it was losing money by the day.**

**House of Commons Transport Committee, Smaller Airports Ninth Report of Session 2014-15**  
39. Manston is a former RAF base. In 1989, a civilian airport, Kent International airport, was set up within the RAF facility. This airport was run from the current terminal building. In 1998, the Ministry of Defence put RAF Manston up for sale. All RAF operations ceased at the site in 1999. In 1999, Manston was purchased by the Wiggins Group, which oversaw the airfield's transition from a military base to CAA-licensed civilian airport. From 1999 to 2003, the Wiggins Group operated Manston as a cargo airport. In 2004, the Wiggins Group, which at this point changed its name to PlaneStation, purchased a new airline called EUjet. EUjet based five aircraft at Manston, which

attempted to compete as a passenger airport. In 2005, all EUjet operations were suspended and the airport went into liquidation.

**Source: Manston Airport under private ownership: The story to date and the future prospects. Kent County Council (Position Statement) March 2015**

New Zealand firm Infratil has written off the assets of its UK airports, Glasgow Prestwick and Manston in Kent. The company said it had reduced the value of both assets from £14.5m a year ago to zero. In each year that Infratil Limited owned Manston it incurred losses of more than £3 million per annum and wrote off the purchase price of £17 million.

American company called RiverOak Investment Corporation applied for a Compulsory Purchase Order through Thanet District Council while under Labour control and failed.

## MANSTON AIRPORT EXPLORATION OF CPO INDEMNITY PARTNER

To: Cabinet, 11<sup>th</sup> December 2014

Main Portfolio Area: All

By: Leader of the Council

Classification: Unrestricted

Ward: All wards

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**Summary:** To update Cabinet on the outcome of a soft-market testing exercise undertaken to identify a CPO indemnity partner for Manston Airport.

### For Decision

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#### 1.0 INTRODUCTION

- 1.1 Cabinet resolved on 31<sup>st</sup> July 2014 to carry out a soft-market testing exercise to identify a CPO Indemnity Partner – a third party who could cover the costs of compulsory purchase of the Manston Airport site. A progress report was received by Cabinet on 16<sup>th</sup> October 2014.
- 1.2 The purpose of this report is to inform Cabinet on the results of the soft-market testing. It does not address the wider options around the future of site, which will be considered separately as part of the Council's Local Plan process.

#### 2.0 PROCUREMENT PROCESS FOR A CPO INDEMNITY PARTNER

- 2.1 Expressions of interest were invited for a CPO indemnity partner. Counterparties expressing an initial interest were invited to respond to a questionnaire, composed of:
- Organisational and contact information
  - Project questions
  - Financial questions
- 2.2 The independent viability report produced by Falcon Consultancy was also made available to respondents.
- 2.3 Four counterparties requested a questionnaire; two submitted returns. (Parties A and B). Some discretion was shown over the 31<sup>st</sup> August 2014 deadline for questionnaire submissions. This allowed additional time for any party seeking to express an interest.
- 2.4 Both respondents submitting questionnaires were offered a meeting to discuss their responses more fully.

## 10.0 Recommendation

10.1 THAT NO FURTHER ACTION BE TAKEN AT THE PRESENT TIME ON A CPO OF MANSTON AIRPORT, ON THE BASIS THAT THE COUNCIL HAS NOT IDENTIFIED ANY SUITABLE EXPRESSIONS OF INTEREST THAT FULFIL ALL THE REQUIREMENTS OF THE COUNCIL FOR A CPO INDEMNITY PARTNER AND THAT IS DOES NOT HAVE THE FINANCIAL RESOURCES TO PURSUE A CPO IN ITS OWN RIGHT.

They again tried when the council was under UKIP control and failed a second time. On both occasions they failed to satisfy financial concerns.

**Source: Air Cargo Week**, "Manston Airport is expected to be subject to a compulsory purchase order (CPO), but no timetable for the purchase has been set, following the Thursday 7 May Thanet District Council (TDC) election win for the United Kingdom Independence Party (UKIP).

UKIP's election campaign included a pledge to carry out a CPO, which the previous Labour controlled TDC had deferred last year. Manston Airport closed on 15 May 2014. RiverOak subsequently made an offer to the TDC to be a CPO partner for the council. TDC leader elect, and leader of UKIP on the council, Chris Wells, tells Air Cargo Week (ACW): "I want Manston reopened as soon as possible. UKIP supports the concept of the CPO.

**Source: Air Cargo Week 30 Oct 2015** TDC says it will not continue with the CPO having taken legal advice. It says: "There remains the lack of evidence that financial resources are in place or proposed to be in place to acquire the land prior to the confirmation of the CPO despite the fact that the council is obliged to attempt to purchase the land by negotiation in parallel with the CPO process." The council also says: "There is insufficient evidence currently available for the Cabinet to be satisfied that a proposed CPO is likely to be successful which would justify its entering into an indemnity agreement."

We now have a separate company called RiverOak Strategic Partners applying for a DCO. A company that has no business links to the former of similar name.

**Source: KentOnLine**

The American investment company that was trying to acquire the former Manston site and re-open it as an airport has ended its involvement. A new UK-based company headed by Tony Freudmann, who was working with the American company, said in a statement that the American-based RiverOak Investments had sold its rights and interests to a new company he was heading.

"In December 2016 Riveroak Strategic Partners Limited (RSP), a UK registered company, purchased all rights and interests in the Manston project from RiverOak Investment Corp. RSP has kept the same professional team including lawyers and all other consultancies."

RiverOak Strategic Partners is a recent off the shelf company with no trading history and no visible financial assets. The only purpose of the company is as a vehicle to progress the DCO application.

**Source: Companies House**

RIVEROAK STRATEGIC PARTNERS LIMITED Company No. 10269461

Incorporated 8 July 2016

Class A Shares 9000 Nominal Value £0.9 Class B Shares 1000 Nominal Value £0.1

Total Number of Shares 10000 Total aggregate Nominal Value £0

Accounts for a Dormant Company made up to 31 July 2017

The DCO application is the only remaining way of applying for compulsory acquisition of the land formally know as Manston Airport.

**Source: Planning Act 2008**

**Guidance related to procedures for the compulsory acquisition of land**

To obtain compulsory acquisition they need to demonstrate that all reasonable alternatives have been explored. Additionally they need to demonstrate that the proposed interference with the rights of those with an interest in the land is necessary and proportionate. They also need to prove there is a compelling case in the public interest for the land to be acquired compulsorily.

I fear they fail on all counts. For that reason I oppose the DCO application.