

MANSTON AIRPORT DEVELOPMENT CONSENT ORDER EXAMINATION
SUBMISSION FOR DEADLINE 3
COMMENTS ON ANY RELEVANT REPRESENTATIONS (RRs)
FROM LOCAL BUSINESS AND INTERESTED PARTY, FIVE10TWELVE LTD

1. Statistical Analysis of Aggregated RRs

- 1.1. As the ExA will be aware, this DCO application has elicited an extraordinary number of Relevant Representations, (“RRs”), amounting to approximately 10 times the average for DCO applications
- 1.2. It is therefore impractical to respond to each and every RR individually. We have taken the approach of conducting a statistical analysis of all RRs and aggregating common and recurring comments into a coherent thread which will form the basis of our response, although some individual RRs will be addressed in more detail at relevant points
- 1.3. Methodology and summary of background data handling is included in Appendix A¹. Complete spreadsheets with formatted data and formulas based on the original excel sheet of all RRs provided by the Planning Inspectorate (“PINs”), can be provided if required to test the integrity of the data. It is our understanding, however, that the ExA does not ordinarily accept Excel, CSV or other spreadsheet formats as evidence.

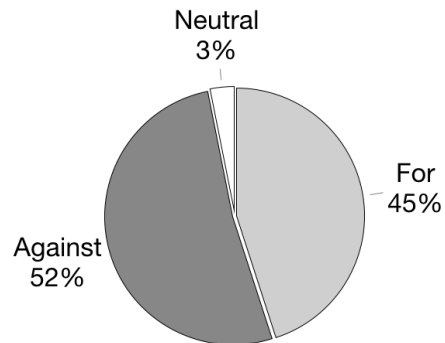
2. General Observations

- 2.1. Of the 2,052 RRs received, a majority of **1,064, (52%), were strongly opposed** to the DCO, 924, (45%), were supportive and 64, (3%) neutral.

¹ Appendix A: Statistical Analysis of Relevant Representations

- 2.2. Although this is a statistically small margin of 7%, it is almost twice that of the “Leave” campaign margin in the EU Referendum that has committed the UK on its current course towards Brexit.

TOTAL RRs	2,052
RRs Against DCO	1,064
RRs For DCO	924
Neutral RRs	64



- 2.3. RRs submitted by organisations, businesses, residents associations, community groups, public bodies etc have been counted as a single representation, numerically equal to an individual RR, although they obviously represent something greater than one voice.

- 2.4. Organisational responses have been categorised into the following groups:

Public Bodies

Incorporating statutory bodies, national organisations, political parties, parish councils and local authorities

Businesses

From local independent traders and SMEs to large multinationals

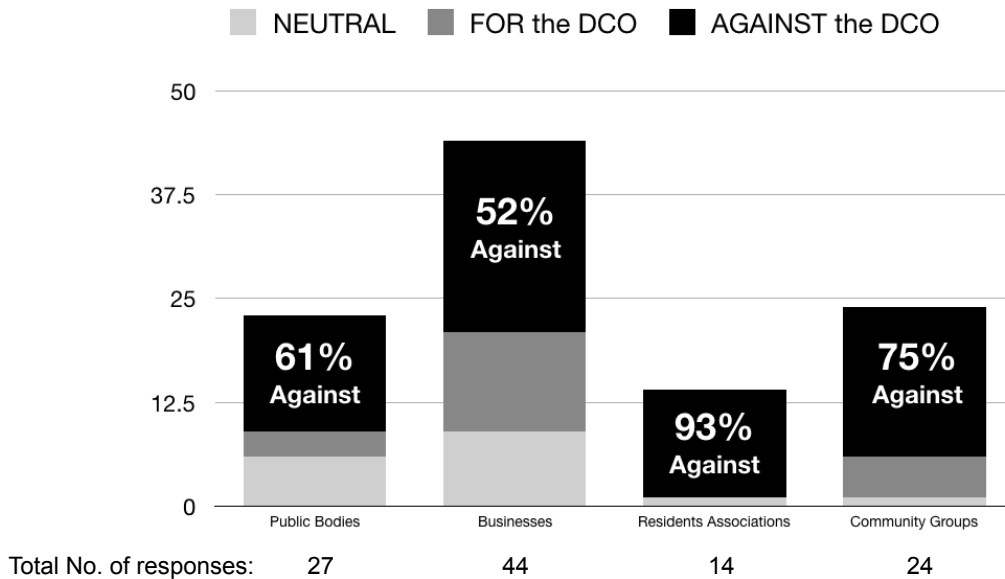
Residents Associations

Both formal and informally constituted

Online and Community Organisations

Including both informal groups, (e.g. Facebook groups), and formal associations, (e.g. The Ramsgate Society)

2.5. Analysis of the **Organisations** submitting RRs shows unequivocally that here, again, there is **overwhelming opposition to the Applicant’s DCO** across Public Bodies, Businesses, Community Groups and **93% of local Residents’ Associations**.



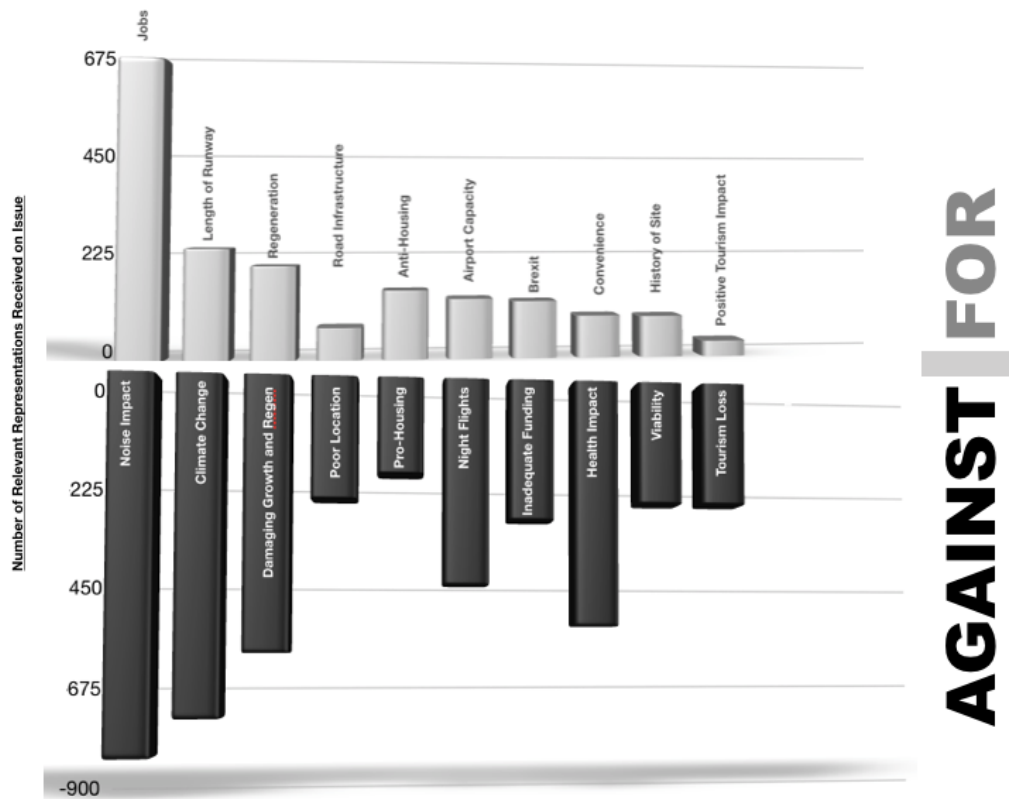
2.6. Our analysis shows that the **average contribution length for those opposing the DCO is 283 words per RR**, with an average length of 122 words per RR for supporters of the Air Cargo Hub proposal.

2.7. It is notable that this authoritative and conclusive evidence has been generated through the examination process itself, requiring a greater level of participation, understanding, engagement, verification and commitment than a simple online members’ questionnaire or closed, private Facebook polls.

3. Quantifying Levels of Engagement around Principal Issues

3.1. Respondents were categorised according to self-identification within RRs as being “For” or “Against” the Applicant’s proposal, with different groups of common issues emerging in each camp. The chart below shows number of

mentions of keywords associated with each of the groups common issues and concerns, helping to identify depth of feeling and levels of engagement with each issue in each group.



- 3.2. As the chart above shows, there is some direct correlation between each of the group’s concerns - e.g. those “For” the Applicant’s DCO proposals were very much opposed to any increase in housing developments in the area whereas those “Against” the DCO were broadly in favour and accepted that this was in line with current national policy and the TDC Local Plan - 2031.
- 3.3. Where there is no direct correlation, each group’s key issues are more loosely associated, matched according to similar weightings suggested by numbers of responses or as appropriate - e.g. **Length of Runway**, (“For”), versus **Climate Change** (“Against”) as the respective second biggest issues for each group.

4. Jobs and Employment (RR Issues)

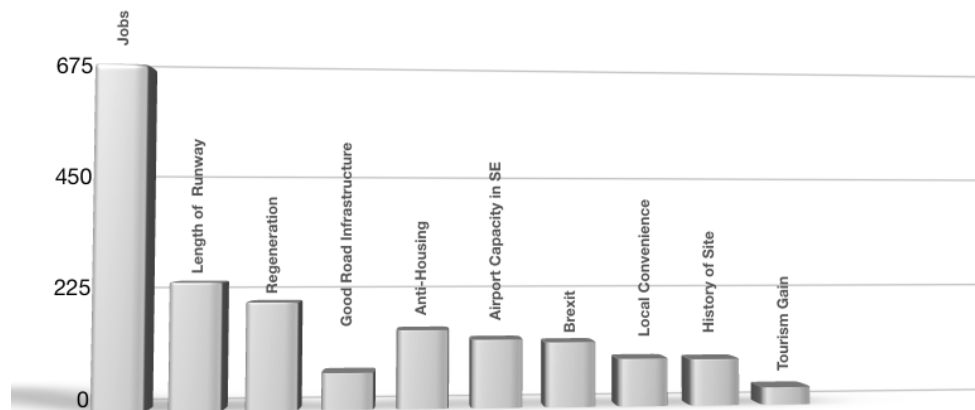
- 4.1. This is by some distance the principal concern for supporters of the Applicant’s DCO proposal, with **682 of the supportive RRs** on this issue, (33.24% of all 2,052 representations received).

4.2. There is a troubling sense of urgent need and desperation that filters through so many of the DCO-supporting RRs. Within the 682 jobs/employment focused RRs, there are:

- 74 mentions (10.8%) of the local area being “*deprived*”
- 27 mentions (4%) of “*deprivation*”
- 64 mentions (9.4%) of a “*desperate*” need
- 3 RRs - one in full caps - with a cry of “*MAKE THANET GREAT AGAIN*” (**RR-1042**, **RR-0639** and **RR-0717**)

4.3. This is largely mirrored by many of the RRs from a handful of aggressively pro-airport elected officials, including Thanet North MP, Sir Roger Gale, (**RR-1709**), Kent County Councillor Paul Messenger, (**RR-0333**), and Thanet District Council (TDC) Councillors Carol Messenger (**RR-0231**), Emma Dawson (**RR-0531**), Robin Edwards (**RR-1700**) and Samantha Bambridge (**RR-1747**).

4.4. Such a strong focus on this issue is almost to the exclusion of all other issues and perceived benefits mentioned by the pro-airport group, as illustrated in the chart below.



4.5. While the strong focus on perceived jobs and employment benefits in relation to other perceived benefits may be understandable, there is a greater concern in that it also comes to the almost total exclusion of any discussion or objectivity from the supporters of the DCO proposal with regards to the negative impacts of the development.

4.5.1. This is particularly troubling with regards to RRs submitted by elected officials, who have both a legal and moral duty to observe Codes of Conduct and the 7 public principles, including **integrity**, **objectivity** and **openness** - and to represent *all* of their constituents - the majority

of whom have registered detailed objections to the proposed development.

4.5.2. Of the six elected officials detailed at paragraph 4.3 who have submitted representations connecting 'employment' with 'deprivation' and/or a 'desperate' or 'urgent' need, only one - Samantha Bambridge, (**RR-1747**), has made even a passing reference to **any** of the concerns raised by 1,064 individuals and organisations, representing 52% of their constituents who have submitted RRs to PINs and 93% of residents associations.

4.5.3. Although there is at least an acknowledgement at paragraph 4 of Cllr. Bambridge's representation, (**RR-1747**), of the resulting "*changes to everyday life in Thanet*", specifically:

"more lorry movements, there will be aircraft noise and there may even be a few flights at night"

The Councillor is quick to dismiss such concerns and avoid taking any responsibility for addressing or mitigating against them, saying only:

"We must all be vigilant when it comes to these matters and of course we will look to the Planning Inspectorate and to the Civil Aviation Authority to ensure that the operators of the airport adhere to the highest standards in all respects"

Despite having thus absolved herself of any responsibility to properly examine or address any of these issues, (surely the very definition of a dereliction of duty), Ms Bambridge swiftly concludes:

"... in my view, any disadvantages will be more than outweighed by the gains"

4.6. We have evidenced the strong connection in the RRs between deprivation in Thanet, a perceived urgent or desperate need for a 'quick-fix' solution and the apparent belief that the Applicant's proposal is the only possible 'silver bullet' that can do this - to the exclusion of all other considerations or potential negative impacts.

4.7. It is perhaps unsurprising that this should come through in the RRs, since we intend to show that the aggressive promotion of this message has been deeply embedded in the strategy and campaign of the Applicant from day one and is a key feature of its Azimuth Report, (**TR02002/APP/7.4**)

5. Applicant's management of stakeholder opinion (strategy)

- 5.1. Before continuing to examine the RRs and respond to some of the issues raised, the issues outlined at 4.6 and 4.7 first require deeper insight into the Applicant's management of stakeholder opinion.
- 5.2. As the ExA will be aware, the Azimuth Report, drafted by Dr Sally Dixon, ("**DSD**"), forms the very foundations of the Applicant's proposal, particularly in seeking to address Principal Issues around employment, training and need.
- 5.3. Details of other projects undertaken by DSD listed on her career history available in the public domain² show that, aside from the Azimuth Report, DSD's only other major piece of work on this scale is her PhD thesis, completed in January 2014³, shortly before being commissioned by the Applicant to draft the Azimuth Report.
- 5.4. DSD's thesis is relevant since its focus is most neatly summarised at page 137, paragraph 5.5.5 of the thesis as follows, :

"...the focus of [her] research is on how airport managers handle stakeholder opinion"

- 5.5. It is reasonable to assume, therefore, that in the absence of any other significant relevant experience since completing her PhD and before commencing the Azimuth Report, **handling stakeholder opinion in the context of airport development is DSD's main area of expertise.**
- 5.6. DSD's thesis of 2014 is also relevant since we will show that it **provides important context** into how the Principle Issues of Socio-economic impact and employment have been approached by the Applicant, both throughout the pre-Examination consultation period and in the Azimuth Report. Indeed, one could go so far as to say that this thesis represents the Applicant's strategy for managing stakeholder opinions, as DSD notes in the abstract of her thesis at page ii:

*"since reconciling conflicting stakeholder opinions may well be of vital importance to the future of the UK's airport infrastructure, this work has **practical significance for airport managers, government policy-makers and stakeholders as they strive to formulate worthwhile airport consultations**"*

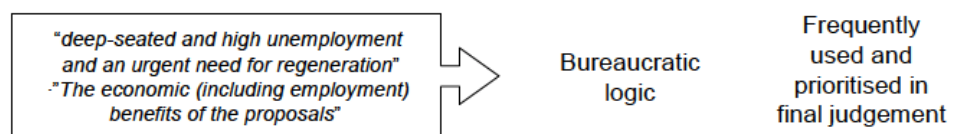
² Dr Sally Dixon LinkedIn profile, "Projects"

³ Managing the Master Planning Process, Sally Dixon, Cranfield University January 2014. Publicly available at [REDACTED]

- 5.7. A word search of DSD’s thesis of 2014 shows that there are just 12 mentions of “employment” across its 461 pages. Further analysis - and removal of the table at page 54, (which duplicates the table on page 32), leaves just 5 mentions of “employment” in the context of “jobs creation” and/or “jobs supported”, on pages 32, 120, 154, 156 and 379.
- 5.8. The table on page 32 of DSD’s thesis of 2014 identifies the main interests of stakeholder groups. This correctly identifies the main interests of Local Government as *“social and economic development”* and *“environmental protection”*.
- 5.9. This same table also identifies and - in this case, predicts - the main interests of Communities affected by airport operations as *“Noise nuisance and other local impacts, employment and access to aviation”*, which is consistent with the number one concern raise in the RRs for those opposing the Applicant’s DCO, (814 mentions out of 1,052), and number one concern of those supporting the DCO, (682/924).
- 5.10. Of greater note are pages 120, in section 5.5.5 of the thesis, (Legal adjudication regarding disputes over airport developments), and pages 154-156, which cite cases where **making a strong connection between deprivation and “an urgent need for regeneration”** have been **crucial in determining the outcome** of these legal challenges.

Of particular note are the following findings:

- **Legal cases coding structure**, (DSD thesis, page 120⁴)



- Summary of **Manchester Airport Second Runway Inquiry, 1994 - 1997**, (DSD thesis 2014, page 154⁵)

*“In terms of economic effects, **the Judge was at pains to point to the, “deep-seated and high unemployment and an urgent need for regeneration”** (ibid, paragraph 26.24.24) of the area. In his conclusion, the Judge said, “I am convinced that the case for permission is overwhelming”*

⁴ Dr Sally Dixon PhD thesis 2014, Page 120

⁵ Dr Sally Dixon PhD thesis 2014, Page 154

- Summary of **Stansted Airport, Case No: CO/10952/2008**
(DSD thesis 2014, pages 154-156⁶)

“The Judge, spelling out these arguments, referred to the Inspector’s Report and the Decision Letter at the conclusion of the original appeal by BAA. He pointed to four issues raised that aligned with the core factors, which were, at paragraph 31:

*The extent to which the proposals accord in principle with current Government policy, with the statutory development plan and with the emerging Regional Spatial Strategy for the East of England;
[Bureaucratic]*

The effects of the proposals on the living conditions and health of residents in the area, particularly in terms of aircraft noise and air pollution; [Democratic]

*The effects of aircraft noise on the quality of life of the area in terms of the educational, cultural and leisure activities of communities;
[Democratic]*

***The economic (including employment) benefits of the proposals.”**
[Bureaucratic]”*

- 5.11. As we have demonstrated through analysis of RRs, notably from elected officials, at paragraphs 4.5 - 4.5.3, an important feature of these responses is that the perceived “*urgent*” employment/socio-economic arguments are also to the exclusion of any negative issues raised by those opposing the development. Many of these are also identified - or predicted - as “*core factors*” in the Judge’s decision on Stansted case CO/10952/2008 presented in DSD’s thesis above, namely **living conditions**, (mentioned in 253/1024 RRs submitted by those opposing the development), **noise**, (814/1024), **health**, (536/1024) and **pollution**, (630/1024).
- 5.12. DSD’s thesis of 2014 provides a clear strategy to achieve this aim in section 5.5.2 on Consultation arrangements, based on Lukes⁷ “*three dimensions of power*”, which DSD explains in the context of airports as follows, (bold within the main body of the paragraphs below has been added for emphasis):

⁶ Dr Sally Dixon PhD thesis 2014, pages 155-156

⁷ Lukes, S. (1974), *Power: A radical view*. Macmillan: London

“One-dimensional view: One group’s expressed views come into opposition with those expressed by another group. This is the most straightforward example of power plays and can be seen when, for example, an airport wants to extend its runway and is opposed by the expressed position of other power- holders, such as central government or the local council.

Two-dimensional view: Power is exerted to **prevent open decision-making or encourage non-decision-making**, and mechanisms are invoked to keep decisions from being discussed. **For example, the airport company might focus on the number of jobs that will be created by the extension of the runway.**

Three-dimensional view: The ability of those with power to act against the powerless, particularly for decision-making in a political arena. In an airport context, **it may be that stakeholder groups may not realise they have an interest in opposing the extension to the runway, perhaps because they do not understand the potential risks or because individuals have no means of grouping together to coordinate their protest. It may also be that certain issues do not become verbalised arguments because the political agenda surrounding airport development has been constrained by those with the power to do so.”**

- 5.13. Understanding DSD’s expertise in managing stakeholder opinion - and relative lack of experience in other areas - is key to understanding why the Applicant might have appointed DSD and Azimuth Associates to produce the Azimuth Report, as opposed to any other consultant or consultants with more applicable experience in developing the core business case and economic modelling of an Air Cargo Hub or Nationally Significant Infrastructure Project.
- 5.14. It is also worth noting that the appointment of Dr Sally Dixon gives the Applicant an added advantage of a consultant who is naturally disposed to draft a favourable report. This is evidenced by the fact that DSD saw fit to take the rather unorthodox step of submitting her own RR to PINs in a personal capacity, (RR-0496), to voice her unequivocal support for the Applicant and to denounce any other consultants who might disagree with her peculiar methodology of refusing to produce forecasts based on past performance as *“inexperienced or foolhardy practitioners”*, (RR-0496, paragraph 5).
 - 5.14.1. We would like to ask the ExA whether it is standard practice for a supposedly independent, third party consultant whose report(s) form the basis of a developer’s DCO application to submit a personal RR showing unequivocal personal support for an Applicant. Indeed, we

wonder whether the ExA has ever encountered such an occurrence in all its years of experience.

- 5.14.2. DSD's comments dismissing dissenting experts as "*inexperienced or foolhardy*" mirrors the "*three dimensional*" strategy detailed in her thesis of accentuating the positive whilst invoking mechanisms to constrain discussion of any other alternatives.

6. Applicant's management of stakeholder opinion (Execution)

6.1. We have shown that in its appointment of DSD to produce the Azimuth Report, the Applicant has:

- Prioritised managing stakeholder opinion over developing a robust business model and need case; and
- Acquired a ready-made strategy for achieving this aim

6.2. As with the Applicant's proposal generally, the foundations for executing this strategy are embedded in the Azimuth Report.

6.3. We note that throughout the Azimuth Report, DSD has employed the same "*three dimensional*" approach of selectively choosing either her own personal methodologies or reports whose findings are more amenable to the narrative being constructed, (and therefore the Applicant) - irrespective of their age or validity - whilst dismissing and refuting the work of other, (arguably more experienced), experts, consultants and organisations. This tone is set very early on in Vol.IV of the report, which addresses the **economic and social impacts**, with DSD dismissing no less an authority than the Airport Commission and Department for Transport as early as page 5, (Vol. IV):

*"The most recent and widely circulated documents that describe the UK's airport capacity situation are those used by the **Airports Commission** in its 2017 report and the **DfT's** 2018 report. However, a number of other studies (see for example York Aviation, 2015; Oxford Economics, 2013, 2015) also point to the urgent need for airport capacity in the UK."*

(NB: It is unclear which DfT report of 2018 this is since it is neither referenced in the body or footnotes nor listed in the *References and Bibliography* in Vol. IV, pages 55-59).

6.4. Given DSD's personal RR showing unequivocal personal support for the Applicant, there is an obvious concern here of "**optimism bias**"- or, indeed, bias generally - which arguably runs throughout the Azimuth Report. Indeed,

the report itself notes comments challenging DSD’s optimism bias received by TDC in its response to the Applicant’s 2017 statutory consultation. DSD responds to such concerns on page 4, (Vol.III), of the Azimuth report, using the now familiar “constraining” strategy, noting:

“There is little research on the subject, particularly as it pertains to air traffic forecasting.”; and

*“For this study, the methodology used to forecast air freight traffic has been **peer reviewed** by Loughborough University and **by the RiverOak consultancy team**”* (NB: It is not clear who conducted the peer review at Loughborough University or what their expertise might be); and

“The methodology used was also subject to consultation and only the Thanet District Council comment shown above was received.”

6.5. In light of the Judge’s ruling in the **Manchester Airport Second Runway Inquiry, 1994 - 1997**, studied and referenced in DSD’s thesis of 2014, (see paragraph 5.10, above), it appears that Vol. IV of the Azimuth Report is deliberately and specifically structured to build a narrative of a “deep-seated and high *unemployment and an urgent need for regeneration*” in order to convince that the Applicant’s “*case for permission is overwhelming*” above all other considerations.

6.5.1. The Azimuth Report (Vol. IV), devotes 12 of its 51 core pages, (23.5%), as the very first section following the introduction, towards painting a picture of **The local economy**.

6.5.2. The Azimuth Report is both limited and selective in its presentation of employment data in the region, consisting primarily of a single table, (Vol. IV, page 11), showing **Comparative unemployment in Thanet** as of May 2018, below:

Table 2 Comparative unemployment in Thanet

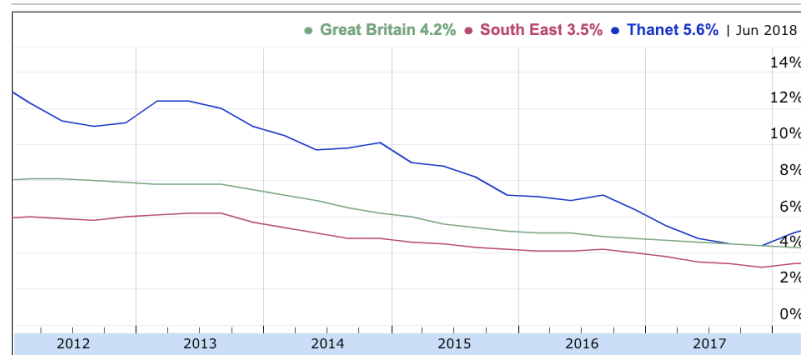
	May 2018		Since April 2018	Since May 2017
	Unemployed	% of workforce	%	%
Thanet District	4,040	4.9%	-3.7%	41.5%
Dover District	2,205	3.2%	-7.2%	45.5%
Canterbury	1,430	1.4%	-2.7%	12.6%
Shepway	1,590	2.4%	0.0%	11.6%
Kent	18,420	2.0%	-2.8%	12.9%
Great Britain	797,525	2.0%	3.2%	17.8%

Source: KCC, 2018a

7. Actual employment landscape in Thanet

7.1. The single snapshot from May 2018 presented in the Azimuth Report and at paragraph 6.5.2 above conveniently ignores employment trends in Thanet over time prior to May 2018. Of particular note are the trends since May 2012, when the former Manston Airport was still fully operational.

**All people - Economically active - Unemployed (Model Based)
Thanet**



(Source: Nomis)⁸

7.1.1. This shows a very different picture which refutes the Applicant's case for an "urgent need" for the proposed development, with key findings as follows:

- During the period **when the former Manston Airport was operational**, from March 2012 until closure in May 2014, **unemployment in Thanet averaged 11%**
- Unemployment in Thanet has been **in steady decline** for the past 7 years, having dropped from 12.3% in March 2012 to 5.6% in June 2018
- Unemployment in Thanet has **continued to drop a further 4.1% since the closure of the former Manston Airport** in May 2014
- As recently as December 2017, unemployment in Thanet was **consistent with the National average** at that time of 4.4%

⁸ Nomis unemployment statistics, May 2012 - June 2018

- 7.1.2. A significant factor in the jobs growth in Thanet has been the area's **booming tourism economy** since the closure of the former Manston Airport⁹, with a record 4.2m visitors in 2017 and the sector now worth £319m. **Jobs supported by tourism in Thanet have grown by 34% since 2013, the year immediately prior to the former airport's closure.**
- 7.1.2.1. The boom in Thanet's tourism economy since the closure of the airport stands in sharp contrast to the picture of doom presented by both the Applicant and, therefore, its supporters in their RRs, with Cllr. Bambridge, (**RR-1747**), erroneously claiming that *"tourism locally has struggled"* and *"a successful airport can change this"*.
- 7.1.3. This picture of economic resurgence and booming tourism economy simply does not tally with the cries for an "urgent" or "desperate" need for a 'silver bullet' solution which the Applicant has promoted and which those supporting the development - included the elected officials detailed at paragraph 4.3 - have responded to in their RRs.
- 7.1.4. Whilst there can be no denying Thanet's current status on the Indices of Deprivation, the story of growth and resurgence which these figures represent is more in keeping with the picture painted by the 593 RRs from the 1,024 opposing the development who have expressed concern that this growth is at risk of being stopped in its tracks - or even reversed - due to the detrimental impacts of the proposed development (e.g. **RR-0034, RR-0555, RR-0758, RR-1623, RR-1754, RR-1948** etc.). This is perhaps most neatly captured in the RR of the Ramsgate Town Team Executive Committee, (**RR-1623**):

"Riveroak Strategic Partners, however, envisage a different future for Ramsgate. Their 24-hour cargo hub would bring noise, pollution and distress, as their PEIR openly states:

*"12.9.68 Considering that the impact is permanent ... **significant adverse effects have been identified at the communities of Ramsgate... The effect would be characterised as a perceived change in quality of life ... or a perceived change in the acoustic character of shared open spaces...** "*

⁹ Thanet tourism growth, 2013 - 2017

*This impact (explicit in RSP's documentation but far from explicit in their limited local 'consultation' events) would **damage residents' lives and destroy our visitor economy.***

8. Employment: Young people, raising aspirations and the reality of airport working conditions

- 8.1. Of those supporting the Applicant's proposals, 44 RRs talk specifically about opportunities for young people, including Councillors Emma Dawson, (**RR-0531**) and Samantha Bambridge, (**RR-1747**).
- 8.2. Of those supporting the Applicant's proposals, 28 RRs discuss opportunities to support STEM education and 30 talk specifically about "quality jobs", including RRs from Roger Gale MP, (**RR-1709**), and Councillors Emma Dawson, (**RR-0531**) and Samantha Bambridge, (**RR-1747**).
- 8.3. The messages around young people and raising aspirations again has its roots in the Azimuth Report and have repeatedly and consistently been hammered home by the Applicant and its supporters, notably Roger Gale MP, (**RR-1709**). DSD notes in the conclusion of Vol. IV of the Azimuth Report, at page 54:

"RiverOak plans to work with all relevant stakeholders to ensure local people benefit from the opportunities that an operational airport will bring. Raising the aspirations of young people in Thanet is essential if the District's vision is to be realised"

- 8.4. The reality of airport jobs - particularly at an Air Cargo Hub - is somewhat different, with EU Briefing on Employment and working conditions in EU civil aviation (2016)¹⁰ noting "EU institutions have repeatedly examined working conditions in civil aviation" and concluding:

*"the industry has gone through notable changes which have also had an impact on employment and working conditions. For instance, outsourcing has increased; some workers have had to operate from airline bases where they do not live; **income has become more variable; many have been laid off and those remaining in work have had to increase their productivity.** Furthermore, next to full-time permanent contracts, **atypical forms of employment such as agency work, self-employment, zero-hour contracts and pay-to fly schemes have increasingly been used, especially for younger staff and new entrants to the workforce.**"*

¹⁰ Employment and working conditions in EU civil aviation, 2016

- 8.4.1. Frequent strikes, online reports and personal testimonies paint a further picture of the realities of employment in the sector that is far removed from the high-quality STEM jobs promised by the applicant, including this testimony from a ramp coordinator working with Air Cargo:

“It can get into some pretty hard physical labor. It can be dangerous. You are working in close quarters with all different kinds of machinery. It’s loud”¹¹

- 8.5. The actual voices of any young people are, however, conspicuous by their absence in the RRs of those supporting the Applicant’s proposal, with not a single respondent identifying themselves as being a young person.
- 8.6. There are only 4 RRs where the respondent can be identified as a young person, (18-24 or younger), **all of which are opposed** to the Applicant’s proposals. Comments from these young people include:

*“I am a university student living at home, I live under the flight path. **the old airfield closed before i was taking exams and I am very thankful for this as if it had been open** with the aircraft which used to ignore the night flight curfew and the distraction of extreme noise in the day which i remember from primary school was vastly distracting, on many occasions lessons stopped to allow planes to pass, **i would not be at university now with all that going on to tiering and distracting.** I am thankful there are no flights at all this area does not need a multi time failed concern but a new vision and direction of use for that land.” (RR-1228)*

and

“ The cargo hub at Manston will be bad for my future. I am a [Redacted] schoolboy who is worried about the effect on mine and my friends education. ~240 students. Planes will fly directly over my school,[Redacted] and my future secondary school [Redacted]. I will not be able to hear my lessons. Air pollution will make me, my friends and teachers sick and affect my intelligence. This means the airport will harm my learning, future exam results and job I will be able to do.” (RR-0511)

and

¹¹ Airline Industry Section - Working for Airlines and Airports - The Good and Bad

“I do not want planes flying over my house because I have [Redacted] and then I will never get any sleep and will get ill. I don’t want my little sister to get asthma like me - she is only [Redacted] . I am very sad that my Mummy and Daddy are looking at new houses because I like my house and I don’t want to move schools and leave my friends. My mummy has told me that the people that own the land want to build houses and that will help the homeless people which is better than smelly planes. From Samuel Kane [Redacted]” (RR-0226)

8.7. The Applicant has nevertheless continued to actively and aggressively promote a message of Thanet’s deprivation, an urgent need for jobs and its proposed development as the only clear solution, despite evidence to the contrary, and the promise of raising aspirations for the benefit of our young people.

8.8. Concerned, perhaps, that the message may not have been loud enough in the Azimuth Report, Dr Sally Dixon hammers it home once more in her personal support for the Applicant, (RR-0496):

“I am acutely aware of the impact high unemployment and a lack of skilled jobs have on the aspirations of Thanet’s young people. Persistent high levels of deprivation in the area do nothing to encourage children to continue in education and training after school. As a potentially huge job creator, Manston is not only nationally significant infrastructure, vital, I believe, to the UK’s economy but also highly significant to the life chances of local people.”

8.9. Unfortunately, this message has been amplified by members of the Save Manston Airport campaign group through numerous closed meetings throughout the consultation, pre-examination and examination process, actively supported and promoted by many of our elected officials.

8.9.1. The motives for some amongst these supporters and campaigners is very explicit and understandable, with many in their number having been amongst the 144 people who lost their jobs when the former Manston Airport closed in May 2014, including the Applicant’s Director, Tony Freudmann, author of the Azimuth Report, Dr Sally Dixon, and former Air Traffic Controller, Councillor George Rusiecki, (RR-0598).

8.9.2. The Applicant has publicly stated, as recently as 10th February 2019 during the most recent Save Manston Airport closed meeting, attended by Roger Gale MP, (RR-1709), Cllr. Emma Dawson,

(RR-0531) and Cllr. Samantha Bambridge, (RR-1747), that all former employees will be re-employed, “even if they are over 60”.¹²

- 8.9.3. Similarly questionable promises have also been made by Dr Beau Webber, Chair of Save Manston Airport association, in his RR on behalf of Lab-Tools Ltd, (RR-0997), in which he claims:

“Lab-Tools fully support RSP and Manston Airport in the creation of a large number of good, well paid local jobs, which are desperately needed by the local populace and particularly by the youth of Thanet ... Lab-Tools fully supports this for the Thanet and East-Kent populations, and hopes that this will result in a larger number of technically trained local people that could be employed to assist in the Lab-Tools laboratory.”

- 8.9.3.1. The most recent records filed at Companies House by Lab-Tools Ltd show that the company had one single employee for the year ending 30 April 2018.

- 8.10. To the best of our knowledge, the Applicant has thus far not directly employed a single person, in Thanet or elsewhere, since its registration in 2016, despite a reported spend during the consultation period and DCO process of £9m.

9. Inadequate Consultation

- 9.1. It should be noted in the first instance that the high volume of RRs received is in **no way a reflection of a successful consultation process** on behalf of the Applicant. Rather, it is a reflection of the tireless work carried out by local campaign groups on both sides and significant local interest, further ignited by persistent local matters regarding the development of the Local Plan already raised in our submission to Deadline 2 (TR020002-002974) and discussed again later in this document

- 9.1.1. Concerns have already raised by Thanet District Council, (“TDC”), in its letter of 31/7/18 with regards to Adequacy of Consultation

¹² Video recording of this meeting is publicly available on YouTube at

Response, (TR020002-002527-AoC005), with further details in the accompanying Appendix A (TR020002-002527-AoC006)

9.1.2. As the ExA will be aware, further concerns were raised during the Preliminary Hearings, specifically with regards to the significant changes in page count and content of the application presented to the public during the consultation period and that which was submitted for Examination, resulting in questions on the floor, subsequently asked in writing, as to whether or not *Wheatcroft* might apply, (TR020002-002924, page 21)

9.1.3. A total of **115 RRs** opposing the DCO, (5.6% of total received), have raised concerns regarding the Applicant's handling of the consultation process¹³. The volume of these complaints is dwarfed by the seriousness of some of the allegations, including but not limited to:

*"We know that Thanet District Council have drawn attention to deficiencies in the consultation. The few of us that did manage to attend were **treated with abuse and intimidation** from the applicants" (RR-0699)*

*"we have been **told conflicting information** especially with regard to air traffic movements especially at night" (RR-0699)*

*"RSP personnel gave me conflicting information about their proposals, especially on the number of aircraft flights, but more importantly the number of night flights- "unlikely to be any, except in an emergency" ... I believe **they are simply not telling the truth**" (RR-0618)*

*"... confused by **conflicting and often seemingly unvalidated statements made by RSP** and others on these issues of noise, pollution and the likely frequency of night flights" (RR-2026)*

¹³ Appendix B / RRSA001 - RRs relating to Inadequate Consultation

“Residents have not been properly informed of impact, with many supporters believing this will be a small airport with a few passenger flights (quiet planes, daytime flights and lots of jobs for local people), this is not the case” (RR-0548)

“RSP has attempted to conceal that its proposals clearly show evidence of night flight planning” (RR-2022)

9.2. Misdirection and Misunderstanding

- 9.2.1.** The conflicting information presented by the Applicant throughout the consultation and pre-examination process has resulted in a sharply divided local community and a lack of trust, clarity and understanding on both sides of the debate. This has informed much of the background to the problematic history and current issues with the Thanet District Council, (TDC), Local Plan and planning process

9.3. RRs and Principal Issue (Planning Policy): Background Context

- 9.3.1.** Whilst focusing on comments on RRs in this document, it is important to first establish some background with regards to the wider local political context and the set of circumstances touched upon in our submission to Deadline 2, (**TR020002--002974**), surrounding the Principal Issue of **Planning Policy** and, in particular:

I. The status of, and policy framework provided by, the Saved Policies from the 2006 Thanet Local Plan and the Draft Thanet Local Plan - 2031

li History of relevant planning policies and proposals on the site

- 9.3.2.** As detailed in our Deadline 2 Submission, (**TR020002--002974**), Applicant stated in written submission of Oral Hearings they have

spent ““considerable time and effort resisting planning applications and local plan changes”

9.3.2.1. Changes effected in Local Plan, voted by a majority of councillors and against officers’ advice, have been highly advantageous to the Applicant whilst being detrimental and restrictive to other developers, including the current Landowners, Stonehill Park Ltd. The net results of both the delayed delivery of the Local Plan and the revisions forced through by the Thanet District Council (TDC) vote of 19/7/18 are:

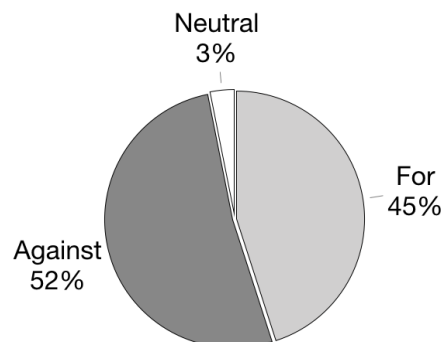
- Applicant has been afforded an unhindered window and 2 year timeframe to pursue its DCO application and CPO
- No other development can progress in the meantime unless it is also aviation-only and Applicant has reminded TDC that the Avia report notes it has “*the only active interest in reopening the airport*”
- In the event that the Applicant’s DCO application is successful, Applicant will not have any policy restrictions through the Local Plan on any preferred development use of the site, be it aviation or mixed-use development
- Minister for Housing, Communities and Local Government (MHCLG) has now intervened in preparation of TDC’s Local Plan due to TDC’s “*continuing failure to get a Local Plan in place*”

9.3.3. Our analysis and examination of the RRs, with some supporting evidence, highlights a number of areas where the applicant has most effectively “*spent considerable time and effort*” in influencing the influencers at a local political level in order to fulfil its objectives, with specific examples of how the conflicting information, misdirection, wilful omissions and complicit support from elected officials is still being repeated, unchecked and uncorrected, by its supporters of all levels, often with the active encouragement of the Applicant.

9.4. Re-Writing the Results of the RRs - and why it matters

- 9.4.1. Throughout much of the pre-application period, the Applicant repeatedly claimed to public, councillors, press, politicians and to the UK Planning Inspectorate - with little or no evidence - that they had majority public support.
- 9.4.2. This misconception also carried through into some of the DCO supporters' RR's, although a dwindling number of just 22 respondents (1.07% of total received) continued to claim majority local support.
- 9.4.3. The evidence from the RRs is a stark illustration that majority local support for the Applicant is clearly not the case, with **1,064 RRs** (52% of total), very strongly opposed to the Applicant's DCO bid and only 924, (45%), in favour ¹⁴. Before even taking organisational responses into account, the 7% margin here is almost twice that of the "Leave" campaign's margin in the EU Referendum which is now steering the UK towards Brexit,

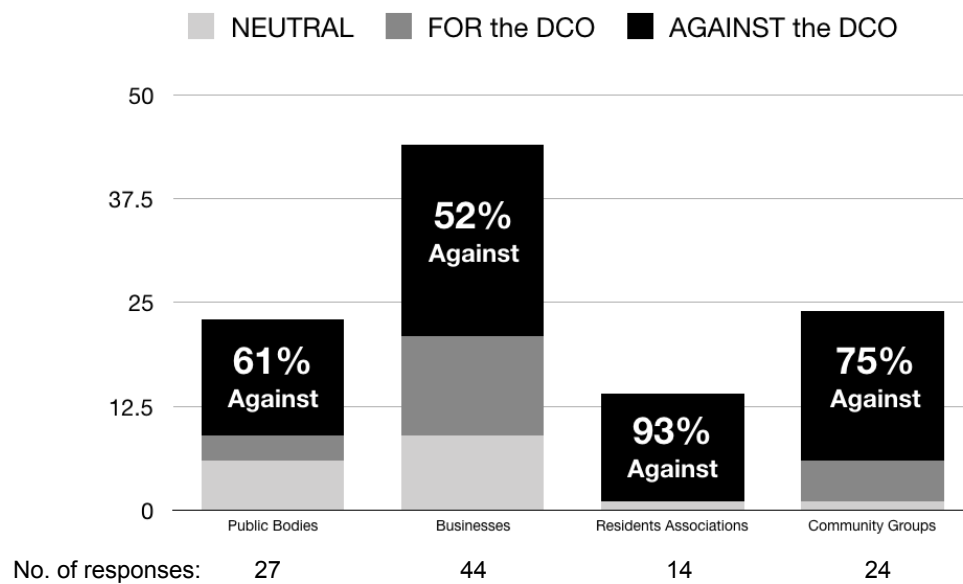
TOTAL RRs	2,052
RRs Against DCO	1,064
RRs For DCO	924
Neutral RRs	64



- 9.4.4. It is also worth noting that all three categories include **Organisations** of various types and sizes. In the absence of any available data, these organisations have been counted as a single RR, although each represents many opinions and voices.

¹⁴ Appendix A: Statistical Analysis of Relevant Representations

9.4.5. Analysis of the **Organisations** submitting RRs shows unequivocally that here, again, there is overwhelming opposition to the Applicant's DCO across Public Bodies, Businesses, Community Groups and **93% of local Residents' Associations**:



9.4.6. It is notable that this authoritative and conclusive evidence has been generated through the examination process itself, requiring a greater level of participation, understanding, engagement, verification and commitment than a simple online members' questionnaire or closed, private Facebook polls. Our analysis shows that the average contribution length for those opposing the DCO is 283 words per RR, with an average length of 122 words per RR for supporters of the Air Cargo Hub proposal

9.4.7. The Applicant has continued to misrepresent this clear public opposition, claiming at a **Parliamentary Briefing** in November 2018 that the findings of the RRs are:

“... consistent with our own statutory consultations in 2017 and 2018 ... the results of which were more than 70 per cent in favour of the airport being opened” (George Yerrall) ¹⁵

9.4.8. It is not clear in what regard **52% opposition** (against 45% support), **75% community group opposition** and **93% Residents’ Association opposition** is ‘consistent’ with a claim of 70% public support

9.4.9. By continuing to cultivate this misconception, the Applicant successfully manages to silence many private individuals, businesses and public officials who feel fearful about speaking up against what they perceive as a vocal majority whilst RSP continues to garner support from local elected officials, persuaded that they are representing the interests of their constituents

9.5. **Objectivity and Leadership - A Big Influence in the Local Plan**

9.5.1. Roger Gale MP (“**RGMP**”) confirms in the first line of his RR (**RR-1709**), that has represented the seat of Thanet North since 1983. As a long-serving Conservative MP, RGMP was appointed to the Privy Council in December 2018. ¹⁶ Undoubtedly, he is a figure of considerable influence locally, especially in the local media and amongst local politicians, both in his own party and also across the political spectrum

9.5.2. An indication of how readily his local media and political influence can translate into swift pivots in political thinking, is the RR from TDC Councillor Sarah Larkins, (**RR-0334**), who states:

“After careful consideration I have no objection to Riveroak proposed DCO of Manston Airport. I live right under the flight path on the Nethercourt estate at the Manston end. I am trusting [Redacted] who has stated on national TV that regular night flights save emergency ones only”

¹⁵ Appendix B: RRS003 - KentLive News, Parliamentary Briefing Nov 2018

¹⁶ Appendix B: RRS004 - Evening Standard, December 2018, Privy Council appointment

- 9.5.2.1. Given the frequency of RGMP's media and public appearances promoting the Applicant's development proposal, it is reasonable to assume that RGMP is the redacted name in this representation. RGMP is also on record many times over as claiming, erroneously, that there will be no night flights from Manston¹⁷
- 9.5.2.2. During a decisive extraordinary TDC meeting of 19/7/18, when a majority of TDC Councillors controversially voted to ignore the recommendations of their officers and consultants ¹⁸ (Avia) in order to "landbank" the Manston site for the Applicant for two years during the DCO and CPO process whilst moving housing stock from the brownfield site to green sites, **Cllr Larkins** voted against the proposal
- 9.5.2.3. As such, the decision for a Councillor to now write in support of the Applicant and ignore any concerns about night flights on the basis of seeing someone give reassurances on the television - presumably RGMP - is quite an extraordinary indication of influence
- 9.5.3. This is particularly evident in RR from Roger Gale MP, (**RR-1709**), who states at paragraph two:

"At all elections at every level of Government since the announced closure of Manston Airport there has been a clear and overwhelming local mandate for the re-opening of Manston for aviation and related businesses"

¹⁷ Appendix B: RRS005 - NNF Roger Gale

¹⁸ Appendix B: RRS006 - TDC Minutes Meeting July 2018

- 9.5.4. A number of prominent elected officials, including local MPs and numerous councillors, continue to claim a sense being duty-bound to support the Applicant in its DCO bid since they believe they campaigned and were elected on the understanding they would do so. For example:

“At all elections at every level of Government since the announced closure of Manston Airport there has been a clear and overwhelming local mandate for the re-opening of Manston for aviation and related businesses. I myself have campaigned on and supported this platform” **Roger Gale MP, (RR-1709)**

“In 2017 I canvassed for my election success (in 2015) to KCC on the basis of supporting Aviation to return to Manston Airport” **Cllr Paul Messenger, (“PM” RR-0333)**

- 9.5.5. Similar assertions have been made more recently during Oral Submissions by Cllr Ash Ashridge and in Oral Submissions and subsequent written submissions at Deadline 1 by Cllr Samantha Bambridge (**TR020002-002900**), in which she claimed to have *“campaigned very hard on a pro-airport manifesto”* and thus feels *“a responsibility to (her) voters to deliver on that promise”*
- 9.5.6. There is no evidence that any of the candidates - either at local or general elections - campaigned solely on a platform of support for the re-opening of Manston Airport. This is particularly true of Roger Gale MP, who confirms in the very first line of **RR-1709** that North Thanet is *“the seat that I have represented since 1983”*
- 9.5.7. It is therefore impossible to draw any conclusions as to whether or not a candidate’s support for the reopening of Manston was the determining factor in how any votes were cast by the electorate. Indeed, in Roger Gale MP’s case this seems highly unlikely, with traditional party allegiances and 36 year tenure in the safe Thanet North seat being more likely dominant factors in how votes are cast

- 9.5.8. In point of fact, the last and only candidate in any election to have campaigned solely on a platform to revive Manston Airport was Ruth Bailey, representing the Manston Airport Independent Party, in the 2015 General Election, where the party secured just 0.4% of the vote¹⁹
- 9.5.9. Irrespective of whether or not any candidate stood on a platform of support for the re-opening of Manston Airport, our Elected Officials must be aware that the issue at hand in this examination is not whether or not an airport *per se* should be granted a DCO, but whether or not this **specific** application and approach to development as an Air Cargo Hub put forward by RiverOak Strategic Partners (“**RSP**”) should proceed on its own merits, (or lack thereof). This is surely not about developing an airport at any cost and the Applicant cannot and must not be given “a free ride” by any elected officials purely on the mention of the word “*airport*”
- 9.5.10. Since the details of RSP’s application could not have been known when any of our local councillors campaigned for the 2015 election - indeed, RSP was not even incorporated until more than one year after the last district elections - it is **not possible** that any of our Councillors could have campaigned or been voted in on a platform based on the RSP DCO application or the particulars of this proposed development
- 9.5.11. As the ExA will be aware, the Air Cargo Hub currently being proposed is a very different proposition, and on a vastly different scale, to any former iterations of Manston Airport that either the electorate or our Elected Officials could have previously envisaged or might have previously committed to supporting.
- 9.5.12. Far from a misplaced sense of duty to a development they could never have previously signed up to, the overriding duty which any Councillor or MP has is to adhere to the Code of Conduct with regards to “*selflessness, integrity, **objectivity**, accountability, **openness**, honesty and leadership*”
- 9.5.13. It is with some irony, therefore, that the one political candidate who has perhaps shown the greatest level of **integrity, objectivity** and **openness** with regards to this DCO application is the aforementioned Ruth Bailey, formerly of the Manston Airport Independent Party and now Chair of Supporters of Manston Airport, who was alone amongst her peers in having the courage to express a desire to re-establish a

¹⁹ Appendix B: RRSA002 - General Election 2015 results for Thanet South

viable regional airport, whilst voicing a number of significant concerns in her RR, (**RR-1890**), with regards to the Applicant's inflated proposal.