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RiverOak Strategic Partners

Draft Statement of Common Ground between the Applicant and The Met Office

TR020002/D4/SOCG/MO

Examination Document

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MANSTON AIRPORT DCO 2018

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**Statement of Common Ground relating to the location and continued provision of a weather
station at Manston Airport**

Between

RIVEROAK STRATEGIC PARTNERS LIMITED

and

THE MET OFFICE

RSP



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1 Introduction and Purpose

1.1 Purpose of Statement of Common Ground

- 1.1.1 This Statement of Common Ground (“**SoCG**”) relates to an application to be made by RiverOak Strategic Partners Limited (“**RiverOak**”) to the Planning Inspectorate under sections 14 and 35(2)(ii) of the Planning Act 2008 (“**Act**”).
- 1.1.2 The application is for an order granting development consent (“**DCO**”). The draft DCO is referred to as the Manston Airport DCO. The Manston Airport DCO, if granted, would authorise RiverOak to re-open and operate an airport on the site of the former Manston airport in the district of Thanet in Kent and associated development (**Development**). One aspect of the Development will be the construction of new access roads, security fencing and a roundabout to the south of Spitfire Way. This is the location of an existing meteorological station which is operated and maintained by The Met Office at Manston Airport (the “**Existing Weather Station**”).
- 1.1.3 RiverOak submitted a DCO application to the Planning Inspectorate on the 17 July 2018 and it was accepted for examination by the Planning Inspectorate on the 14 August 2018.
- 1.1.4 This SoCG has been prepared by RiverOak and The Met Office in respect of the Development. In particular, this SoCG focuses on the location and continued provision of a weather station at Manston Airport.
- 1.1.5 The purpose and possible content of SoCGs is set out in paragraphs 58-65 of the Department for Communities and Local Government’s guidance entitled “*Planning Act 2008: examination of applications for development consent*” (26 March 2015). Paragraph 58 of that guidance explains the basic function of SoCGs:
- “A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence.”*
- 1.1.6 SoCGs are therefore a useful and established means of ensuring that the evidence at the DCO examination focuses on the material differences between the main parties, and so aim to help facilitate a more efficient examination process.
- 1.1.7 The purpose of the SoCG is to set out agreed factual information about the proposed DCO application by RiverOak. It is intended that the SoCG should provide matters on which RiverOak and The Met Office agree. As well as identifying matters which are not in dispute, the SOCG may also identify areas where agreement has not been reached.
- 1.1.8 RiverOak and The Met Office are collectively referred to in this SOCG as ‘the parties’. The parties have been, and continue to be, in direct communication in respect of the Development and the interface between the Existing Weather Station and the rest of the Development and the location of the Existing Weather Station.

- 1.1.9 It is envisaged that this SoCG will evolve during the examination phase of the DCO application.
- 1.1.10 Subsequent drafts will be agreed and issued, with the version numbers clearly recorded in the 'Document Control' table at the beginning of the document.

1.2 The role of The Met Office and the DCO application

- 1.2.1 The Met Office is an executive agency and trading fund sponsored by the Department for Business, Energy and Industrial Strategy (**BEIS**). It was established in 1854 as the Meteorological Department within the Board of Trade, before becoming a part of the Air Ministry and Ministry of Defence. In 1996 the Met Office transferred to the Department for Business Innovation and Skills (now BEIS). The Met Office provides weather and climate related services to the armed forces, government departments, the public, civil aviation, shipping, industry, agriculture and commerce.
- 1.2.2 As part of its function the Met Office operates a weather station network across the whole of the UK and British Overseas Territories which is designed to best measure various meteorological parameters. Such observational measurements are key to a range of core processes including meteorological and climatological numerical models; provision of real-time observations and provision of the UKs climatological records is based on the needs of a range of stakeholders including the Public Weather Service; Defence, Aviation and Commercial customers. The existing weather station at Manston is part of this important network, and loss of a weather station in this area would result in a gap in data for the Thanet District and cessation of historical climatological data for the area dating back to 1928.

1.3 The Development location and description

- 1.3.1 The Development site lies adjacent to the village of Manston, approximately 13 miles north-east of Canterbury and one mile north-west of Ramsgate. It is on the former site of Manston Kent International Airport which closed on 15 May 2014 and is within Thanet District Council and Kent County Council boundaries.
- 1.3.2 The Development site comprises approximately 732 acres of land. The area in which the proposed Development would be located comprises land to the south and north of Manston Road.
- 1.3.3 The proposed Development comprises the 'principal development' - which includes all works to provide an integrated aviation services hub with the main feature being a major international centre for air freight that is capable of handling a minimum of 10,000 air freight Air Traffic Movements per year and 'associated development', comprising other development that has a direct relationship with the principal development and is required to support its construction and/or operation.
- 1.3.1 The proposed Development comprises:
 - (a) upgrade of Runways 10/28 to allow CAT II/III operations;
 - (b) re-alignment of the parallel taxiway (Alpha) to provide European Aviation Safety Agency (EASA) compliant clearances for runway operations;

- (c) construction of 19 EASA compliant Code E stands for air freight aircraft with markings capable of handling Code D and F aircraft in different configurations;
- (d) installation of new high mast lighting for aprons and stands;
- (e) construction of 65,500m² of cargo facilities;
- (f) construction of a new air traffic control (ATC) tower;
- (g) construction of a new airport fuel farm;
- (h) construction of a new airport rescue and firefighting service station;
- (i) complete fit-out of airfield navigational aids (nav-aids);
- (j) construction of new aircraft maintenance / recycling hangars;
- (k) development of the Northern Grass area for airport related businesses;
- (l) demolition of the redundant 'old' ATC Tower;
- (m) safeguarding of existing facilities for museums on the site;
- (n) highway improvement works; and
- (o) extension of passenger service facilities including an apron extension to accommodate an additional aircraft stand and increasing the current terminal size.

1.4 Further details of the development can be found in Chapter 3 of the Environmental Statement which accompanies the DCO application (**Document 5.2-1**).

2 Consultation with The Met Office

2.1.1 In addition to consultation with the Met Office as part of the non-statutory consultation (30 June to 5 September 2016) and statutory consultations (12 June to 23 July 2017, and 12 January to 16 February 2018) the parties have been in direct communication by email on:

2.1.2 7 November 2016;

2.1.3 14 March 2017;

2.1.4 3 November 2017;

2.1.5 7 February 2018;

2.1.6 21 March 2018;

2.1.7 23 March 2018;

2.1.8 5 April 2018;

- 2.1.9 6 April 2018;
- 2.1.10 9 April 2018;
- 2.1.11 12 April 2018;
- 2.1.12 16 April 2018;
- 2.1.13 18 April 2018;
- 2.1.14 19 April 2018;
- 2.1.15 26 April 2018;
- 2.1.16 2 October 2018;
- 2.1.17 3 October 2018;
- 2.1.18 9 October 2018
- 2.1.19 10 October 2018
- 2.1.20 19 October 2018
- 2.1.21 22 October 2018
- 2.1.22 24 October 2018;
- 2.1.23 29 November 2018;
- 2.1.24 4 December 2018;
- 2.1.25 18 December 2018;
- 2.1.26 21 December 2018;
- 2.1.27 22 January 2019;
- 2.1.28 11 February 2019;
- 2.1.29 19 February 2019;
- 2.1.30 26 February 2019; and
- 2.1.31 28 February 2019.

2.2 A conference call was held on:

- 2.2.1 23 October 2018.

3 Matters which are fully agreed between the parties

3.1 This section of the SOCG describes the 'matters agreed' in detail between the parties.

- 3.1.1 The Existing Weather Station is located to the south of Spitfire Way to the west of the junction with Manston Road. The location of the Existing Weather Station is shown at plot 27 on Sheet 2 of 5 of the Land Plans which accompany the DCO application (**Document 4.2**).
- 3.1.2 The Existing Weather Station is contained within registered leasehold title number K976945. The land is held by The Met Office on behalf of the Secretary of State for Housing, Communities and Local Government (“**HCLG**”) pursuant to a Lease dated 25 January 2011 and granted for a term of ten years expiring 24 January 2021 by Infratil Kent Facilities Limited (“**the Existing Lease**”).
- 3.1.3 The World Meteorological Organisation (“**WMO**”) provides the framework for international cooperation for meteorology and climatology and publishes Siting Classification Standards which provide guidance on how well the siting of any piece of meteorological equipment meets the siting recommendations of the Commission for Instruments and Methods of Observation (“**CIMO**”). The equipment within the weather station at Manston currently meets CIMO Class 1 & 2. In considering the potential relocation of the weather station, it is therefore important to seek to maintain where possible the same or reasonably similar siting conditions to provide continuity of this location and its climatological record.
- 3.1.4 Based on the Masterplan which accompanies the DCO application (**Document 7.1**), and the impact of the Development south of Spitfire Way, it will not be possible to retain the Existing Weather Station in its current position.
- 3.1.5 The Met Office has climatological records from Manston Airport dating back to 1928.
- 3.1.6 In order to ensure continuity of data and a continued climatological record for the location, the Met Office’s strong preference is to ensure any new location meets, as far as reasonably possible, the same CIMO classifications as at present. In addition, any new location should, as far as reasonably possible, be no more than 400m from the existing weather station to allow continuation of the existing climatological record.
- 3.1.7 The parties have agreed to act in good faith throughout their interactions in relation to the proposed Development, the relocation of the weather station and, as the Existing Lease is due to expire on 24 January 2021, in negotiating a new property agreement.
- 3.1.8 The parties are agreed that the existing Protective Provision in Schedule 9 of the draft DCO do not apply to the Met Office.
- 3.1.9 The parties are agreed that there is no requirement for bespoke Protective Provisions for the benefit of the Met Office to be included in Schedule 9 of the draft DCO. It will be necessary for the parties to agree a framework for co-operation and co-existence but this should form part of a new property agreement at the appropriate time.

4 Matters agreed in principle between the parties

- 4.1 This section of the SOCG describes the ‘matters agreed’ in principle between the parties.

Removal of the Existing Weather Station

4.1.1 The Met Office agrees that in its present location the Existing Weather Station will be in conflict with the proposed internal roadways incorporated in the proposed Development.

4.1.2 The Met Office agrees that the Existing Weather Station will have to be removed from its present site and relocated to a new site (the "**New Weather Station**").

Provision of a new weather station

4.1.3 RiverOak agrees that it will seek to make available land for the New Weather Station to replace the Existing Weather Station.

4.1.4 The parties agree that the New Weather Station will not take up a greater area of land than the Existing Weather Station and that a new route of access will be required.

4.1.5 The Met Office aim is to, as far as reasonably possible, maintain the existing CIMO classification of the Existing Weather Station for any New Weather Station location and RiverOak agrees to help facilitate this as far as it is able to do so.

Continuing weather station presence

4.1.6 The parties agree that it would be advantageous to provide a period of time where operation of the Existing Weather Station continues to run concurrently with the running of the New Weather Station in order to allow for continuous data collection.

4.1.7 RiverOak agrees that it will seek to make available land on a temporary basis to allow data collection during the above referenced period of concurrent operation of the Existing and New Weather Stations.

Consent pursuant to Section 135 of the Planning Act 2008

4.1.8 The Met Office agrees to procure consent pursuant to Section 135 of the Planning Act 2008 from the Secretary of State for HCLG in relation to acquisition of the land within plot 27 shown on Sheet 2 of 5 of the Land Plans which accompany the DCO application (**Document 4.2**) for the purposes of the Development.

4.2 Matters not agreed

4.3 This section of the SOCG describes the matters not agreed between the parties.

4.3.1 The commercial terms and form of property agreement in respect of the New Weather Station have not been agreed.

4.3.2 The precise location and extent of the demised land required for the New Weather Station (or any temporary meteorological equipment) has not been agreed, but there have been some initial discussions between the parties around possible locations.

4.3.3 The precise timing in respect of removal of the Existing Weather Station, provision of a new weather station and any temporary rights to ensure continuous data collection by The Met Office at Manston Airport (or nearby) has not been agreed.

Signed on behalf of RIVEROAK STRATEGIC PARTNERS LIMITED

Signature:

Name:

Position:

Date:

Signed on behalf of THE MET OFFICE

Signature:

Name:

Position:

Date: