



RiverOak Strategic Partners

Signed Statement of Common Ground between the Applicant and Nemo Link Ltd

TR020002/D5/SOCG/NEMO

Examination Document

Project Name:

Manston Airport Development Consent Order

Application Ref:

TR020002

Submission Deadline:

5

Date:

29 March 2019

MANSTON AIRPORT DCO [201X]

Planning Inspectorate Reference: TR020002

Statement of Common Ground relating to the Manston Airport Development Consent Order

Between

RIVEROAK STRATEGIC PARTNERS LIMITED

and

NEMO LINK LIMITED



Document control			
Document properties			
Parties			RiverOak Strategic Partners Limited and Nemo Link Limited
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Approved by			
Title			Statement of common ground between RiverOak Strategic Partners Limited and Nemo Link Limited
Document reference			
Version history			
Date	Version	Status	Description/changes
30/1/2019	V1	Draft	First draft
14/2/19	V2	Draft	Revised draft
15/2/19	V3	Final	For Deadline 3 submission
29/3/19		Final	Signed version for Deadline 5 submission

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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 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").
- 1.1.3 RiverOak submitted a DCO application to the Planning Inspectorate on the 17 July 2018 and it was accepted for examination by Planning Inspectorate on the 14 August 2018.
- 1.1.4 This SoCG has been prepared by RiverOak and Nemo Link Limited ("**Nemo Link**") in respect of the Development. In particular, this SoCG focuses on the issue of whether the Development will give rise to any possible detriment to the carrying on of Nemo Link's undertaking, the adequacy of the existing draft protective provisions included at Schedule 9 of the draft DCO (**APP-006**) and RiverOak's application to compulsorily acquire permanent rights over plots 185b, 185c, 185d and 185f, being 'special category' land.
- 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 Nemo Link 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 Nemo Link 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.
- 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 Development location and description

- 1.2.1 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.
- 1.2.2 The Development site comprises approximately 749 acres of land. The area in which the proposed Development would be located comprises land to the south and north of Manston Road.
- 1.2.3 The proposed Development comprises the 'principal development' - which includes all works to provide an integrate 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.
- 1.2.1 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.

1.3 Further details of the development can be found in Chapter 3 of the Environmental Statement which accompanies the DCO application (**APP-033**).

2 Consultation with Nemo Link

- 2.1 RiverOak's land referencing consultants engaged with Nemo Link prior to submission of the application to identify the interests in land held by Nemo within the Order limits.
- 2.2 Nemo Link was notified of the acceptance of the application under section 56 of the Act and was entitled to make a relevant representation about the application.
- 2.3 Following the Examining Authority's request for a statement of common ground to be entered into with Nemo Link as contained in the Rule 6 letter, RiverOak contacted Nemo Link to seek to progress this SoCG and to confirm that there were no matters of dispute or disagreement between the parties.

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 Nemo Link has been identified as a category 2 interest in respect of plots 185, 185a, 185b, 185c, 185d, 185e, 185f, 186 and 187 (the **Plots**) shown in the Book of Reference (**APP-014**) and on the Land Plans (**APP-016**), as the beneficiary of rights granted by a deed dated 25 May 2016 between Thanet District Council and Nemo Link. These plots relate the section of an outline pipeline running from Manston Airport it discharges into Pegwell Bay.
 - 3.1.2 The DCO will, if made, authorise RiverOak to acquire the following land and rights:-
 - (a) in relation to plots 185c, 185d and 187, the power to acquire new rights in land;
 - (b) in relation to plots 185, 185a and 185e, the power to acquire subsoil and rights over subsoil; and
 - (c) in relation to plots 185b, 185f and 186, the power to acquire new rights at surface level or above.
 - 3.1.3 Nemo Link does not object to the acquisition of rights in the Plots.

- 3.1.4 Nemo Link is satisfied with the protective provisions included in the draft DCO (APP-006) and has no comments to make in respect of them.

4 Matters agreed in principle between the parties

- 4.1 This section of the SoCG describes the 'matters agreed' in principle between the parties.

- 4.1.1 The parties agree that the construction and operation of the proposed Development will not affect the undertaking carried on by Nemo Link.

- 4.1.2 Nemo Link has no objection in principle to the acquisition by RiverOak of rights over plots 185b, 185c, 185d, 185f and has no comments to make as to the statutory test in section 132(3) of the Act in relation to the acquisition of rights over these plots.

4.2 Matters not agreed

- 4.3 Not applicable.

Signed on Behalf of [REDACTED] GIC PARTNERS LIMITED

Signature: [REDACTED]

Name:

A FREEDMANN

Position:

Director

Date:

14th March 2019

Signed on Behalf of NEMO LINK LIMITED

Signature: [REDACTED]

Name:

RICHARD HWEY

Position:

COMMERCIAL CONSTRUCTION MANAGER

Date:

11.3.2019

