



Baldwins Wynyard Park House, Wynyard Avenue, Wynyard, TS22 5TB

Manston Airport Case Team
The Planning Inspectorate
Room 3/8 Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

Date 17 May 2019

For the attention of Mr Kelvin MacDonald

Dear Sir,

Manston Airport: Notification of Hearings

We refer to your letter of 3 May 2019 giving notice of issue specific and compulsory acquisition hearings in the week commencing 3 June. The compulsory acquisition hearing proposed for 4 June, of course, is a second compulsory acquisition hearing which has been made necessary by the failure of the Applicant to provide sufficient information to enable an effective hearing to be undertaken on 20 March.

As you will be aware, Stone Hill Park Limited (SHP) corresponded with you and your office in order to apply for and secure the right to cross examine RSP's witnesses on matters related to the compulsory acquisition of SHP's landholding in advance of the previous compulsory acquisition hearing. As we advised at the time, Leading Counsel was briefed and instructed.

In the event, however, SHP was only permitted to cross examine for 15 minutes. In our written summary of SHP's oral submissions made at the compulsory acquisition hearing on 20 March (submitted for Deadline 5) [REP5-029], we explained our serious concern that SHP was not given a fair chance to test the Applicant's representations or to fairly put our case. Having met the relevant tests under Section 94 to be permitted to put oral questions, we found it difficult to understand why our ability to do so should have been so curtailed or how that decision could have been considered fair or reasonable.

As SHP has made clear from the outset of the examination, we are being put to very considerable expense as a result of what we regard as a hostile and entirely unfounded DCO application. As the principal affected land owner, SHP is obliged to respond to the application but the scale of our response has necessarily been costly and particularly time consuming – especially in the light of the inability of the Applicant to provide the examination with the necessary information to support its case.

We wish again please to request the right for oral questioning of the Applicant's representatives in relation to compulsory acquisition on 4 June. However, we believe it is reasonable to ask the

Examining Authority in advance if it intends to limit our right to do so to 15 minutes, as was the case on 20 March? If that is the case, we would not consider it worthwhile to brief Leading Counsel or to have him attend on the day. A curtailment of our right to fairly test the Applicants' case to compulsorily acquire our land would add to the serious concerns which we have already expressed about the legitimacy, legality and fairness of the application and its examination.

We also wanted to advise you that it is not our intention to engage Altitude Aviation to attend the compulsory acquisition hearings on the basis that the Applicant has not adequately responded to our evidence, or your questions, in relation to the inadequacy of its business case, and that any attempt to do so orally during the hearings would be unfair.

We would be grateful if the Examining Authority could confirm whether we may be given a meaningful opportunity to orally question the Applicant's representatives at the compulsory acquisition hearing.

Yours faithfully,

Yours sincerely,

A solid black rectangular box used to redact the signature of the sender.

For and on behalf of
Stone Hill Park Ltd