

**MANSTON AIRPORT DEVELOPMENT CONSENT ORDER EXAMINATION  
SUBMISSION TO DEADLINE 11:  
Comments on Information requested by the ExA and received from the  
Applicant to Deadline 10  
and  
Examples of Section 106 Agreement in DCO**

1. We make no comment on the progress and content of the draft Section 106 Agreement save to say that the Applicant's conduct to KCC and TDC continues in the same vein of prior to and throughout the Examination.
2. As the ExA will be aware TDC submitted to the Planning Inspectorate its response to the Adequacy of the Consultation Representation at [AoC-005] and [AoC-006]).
3. TDC clearly state within its Submission that:
  - (a) *"The first statutory consultation is not considered to comply with Section 47(5) of the Planning Act 2008"* (please see para 7, page 3 of [AoC-005] and [AoC-006])
  - (b) That with regard to the second statutory consultation that *"...It is unclear whether the applicant [Riveroak Strategic Partners] has complied with Section 47(5) of the Planning Act 2008 and whether sufficient regard has been had to the Council's comments"* (please see first paragraph, page 4 [AoC-005] and [AoC-006]))
  - (c) *"...TDC are unable to confirm that the applicant [Riveroak Strategic Partners] has complied with Section 47(7) of the Planning Act 2008 from the evidence before the Council at this time"* (please see second paragraph, page 6 [AoC-005] and [AoC-006]))
4. Further, a detailed Section 42 Consultation Response from the officers of TDC (Stage 3 response) was not commented upon by the Applicant; it was effectively ignored.
5. This has meant a number of relevant issues raised by TDC relating to local impacts and the need for proper mitigation were not discussed prior to the Examination at pre-application stage.
6. As you will be aware trust is at the heart of community relations and engagement.

7. It is disappointing to see the Applicant treat the officers discharging their duties on the part of the residents, the Council and the Government with such disregard.
8. The conduct of the Applicant to the host district and County is alarming and is not the conduct of an entity that upholds accountability, good governance, engagement.
9. We respectfully submit two examples of DCO's with Section 106 Agreements – Thames Tideway Tunnel and The National Grid (Hinkley Point C Connection Project) from the Planning Inspectorate website.
10. We respectfully submit the Application must be judged on the information submitted prior to and for the Examination to close on 9 July 2019 at 23:59.