

The Rt Hon Grant Shapps
The Secretary of State for Transport
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17 October 2019

Dear Sir

RiverOak Strategic Partners (“the Applicant”)
Proposed Manston Airport Development (“Manston”)
Development Consent Order (“DCO”)
Compulsory Purchase Order (“CPO”)
Rebuttal to the Applicant’s Overall Summary of Need Case

We write to provide the Secretary of State with an evidenced Rebuttal to the Applicant’s Overall Summary of Need Case¹.

Rebuttal to the Applicant’s Overall Summary of Need Case

(For ease of reference we follow the Applicant’s numbering. We have added bold and underlined in places for emphasis only).

1. Introduction

- 1.1.** The Applicant’s need case is purely speculative. It is not supported by the evidence base, which does not show (a) a need for an additional dedicated airfreight airport

¹ [\[REP11-013\]](#) UK Planning Inspectorate TR020002 Manston Airport Examination Library

in the South East over and above developments already in the pipeline (planned or consented); and (b) even if there is a need that Manston would be an effective solution. This has been confirmed by evidence provided by York Aviation LLP (“**York Aviation**”), Altitude Aviation Advisory Limited (“**Altitude Aviation**”) and many others during the Examination².

This is the first (and to date only) time that York Aviation has worked against an airport and/or airline operator in the UK.

The Applicant at Appendix 1³ (a supplementary submission attached to its Summary of Need Case) attempts to rebut and exclude from consideration arguments and evidence put forward by York Aviation⁴.

The Applicant’s attempts to exclude and discount this evidence is of specific note given York Aviation’s standing in the aviation industry and its work for the Department for Transport, including but not limited to the proposed Heathrow Expansion.

The Department for Transport commissioned its technical advisor, York Aviation, to provide assurances on Heathrow Expansion scheme capacities and to undertake an independent review of the Airports Commission analysis. This independent review - Heathrow expansion: independent analysis on runway capacity - was published by the Department for Transport on 5 June 2018.

Further, it is of note that in [Heathrow Hub Ltd & Anor, R \(On the Application Of\) v The Secretary of State for Transport \[2019\] EWHC 1069 \(Admin\) \(01 May 2019\)](#) the DfT relied on York Aviation as its commissioned experts to provide advice on amongst other things, the capacity of the Heathrow expansion scheme.

In addition, York Aviation is the author of The Economic Value of General Aviation in the UK, amongst other reports for the DfT. York Aviation’s clients include London

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https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004852-AS_Five10Twelve_Resubmission%20of%20Evidence.pdf and Appendix 4 of https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-003137-St_onehill%20Park%20Limited%20-%20Written%20Representation.pdf

³ [REP11-013] UK Planning Inspectorate TR020002 Manston Airport Examination Library

⁴ [AS-368] UK Planning Inspectorate TR020002 Manston Airport Examination Library

Stansted Airport, London Luton Airport Limited, Birmingham Airport, Manchester Airport, Ryanair, London City Airport, Belfast City Airport as well as the Department for Transport.

It is clear that York Aviation is a categorically important, trusted and greatly esteemed aviation technical expert of and to the Department for Transport.

We respectfully remind the Secretary of State that York Aviation made clear to the UK Planning Inspectorate days before the close of the Examination: *“Due in part to the recent development in the case and the lack of time available, Stone Hill Park have necessarily not instructed [York Aviation] to prepare a commentary on the responses to the Examining Authority’s Fourth Written Questions received at Deadline 9. However, [York Aviation] wish to put on record that [York Aviation] strongly refute the criticism of [its] work made by the Applicant in its written answers. [York Aviation] consider that [it has] provided substantial and well evidenced responses throughout the process⁵”.*

- 1.2. As you will be aware Aviation 2050: A Consultation (“**Aviation 2050 Green Paper**”) is currently a draft consultation document, which outlines proposals for the new Aviation Strategy. The Aviation Strategy White Paper will replace the Government’s 2013 Aviation Policy Framework (“**APF**”) once finalised.

The Applicant seeks to rely on paragraph 1.19 of the Aviation 2050 Green Paper and specifically the IATA (2018) Annual Review.



However, the IATA (2019) Annual Review⁶ has since been published and it confirms that airfreight demand growth eased in 2018. In fact, globally airfreight tonnage has continued to plummet since 2017

⁵ [\[REP11-070\]](#) UK Planning Inspectorate TR020002 Manston Airport Examination Library

⁶ [IATA \(2019\) Annual Review](#)

with no sign of picking up⁷. Market-data firm WorldWide Air Cargo reports that airfreight volumes declined by a further -7.1% in 2019⁸.

The Wall Street Journal reported in October that global airfreight volumes had been falling for 10 consecutive months year over year, the longest losing streak since the 2008 financial crisis⁹. It, also, reported that faltering demand had not stopped expansion in freight capacity, which rose 1.9% this year through August this year. This continued the trend reported in the IATA April 2019 press release that annual capacity growth has continued to outpace demand since at least April 2018.

- 1.3. There are significant objections from nationally strategic bodies and government bodies. For example the Ministry of Defence has objected to the proposed Manston DCO stating in its submission of 9 July that:

*“insufficient information has been submitted to provide any positive indication that **potential harm to safeguard operational defence assets** can be overcome or readily mitigated¹⁰.*

Network Rail has stated that:

*“the compulsory acquisition powers sought by [the Applicant] would **create a serious detriment to the continued safe, efficient and economic operation of the railway**¹¹.*

In the short/medium-term, the land (runway) at the closed Manston Airport is set-aside as a lorry park in accordance with the Town & Country Planning (Manston Airport) Special Development Order 2019, which inter alia, grants planning permission until 31 December 2020, subject to limitations and conditions, for development consisting of use of land at Manston Airport for the stationing of goods vehicles and associated uses. It has also been confirmed that HMRC intends to use Manston to conduct customs checks on lorries diverted there. This is part of

⁷ Airports Council International Press Release Montreal, 25 June 2019

<https://aci.aero/news/2019/06/25/air-freight-decline-continues-as-international-market-weakens/>

⁸ [Air Cargo hits the ground with a bump in August](#)

⁹ Jon Sindreu, *Wall Street Journal* 14 October 2019: Cargo Weight is Dragging Down Aviation

¹⁰

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004714-AS%20DIO%20Planning%20Inspectorate%20-%209.7.19.pdf>

¹¹

https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004571-Network_Rail_-_Response_to_Fourth_Written_Question.pdf

Operation Brock planning and is of nationally strategic and significant importance in place for transport resilience purposes.

There is an option to extend this arrangement past 2021 and engage Sections 59 and 60 of the Town and Country Planning Act 1990 to extend the current Town & Country Planning (Manston Airport) Special Development Order as has been done on 3 separate occasions since 2015.

In the medium/long-term, the Applicant does not have any airspace and/or flight paths to actually fly planes (if it had any). The CAA has confirmed that the Applicant *“will require a **number of separate approvals from the CAA**, including those for aerodrome and air traffic management safety and airspace change. These processes are at an **early stage** and at present only the airspace change process has been formally initiated¹². As you will be aware the airspace change process (if successful) will take at least 110 weeks under CAP1616. It is also of note that the Civil Aviation Authority (“**CAA**”) can refuse an airspace change proposal¹³ or it can be delayed.*

In fact, the CAA portal states that the Applicant has already after the close of the DCO Examination formally requested a revision to timelines *“more in line with the FASI-S programme¹⁴ and “to allow more time to fully prepare for the engagement events planned for Step 1B¹⁵. The new Applicant’s proposed target AIRAC date is 08/2022¹⁶.*

2. Policy

- 2.1.** As stated in York Aviation’s comments on the Applicant’s Written Answers (ND.1.2 and ND.1.4)¹⁷, the Government makes clear that the principal means envisaged to ensure that the UK has sufficient air freight capacity is through the provision of a 3rd runway at Heathrow delivering, mainly, more bellyhold capacity. Specifically, the Government sees the 3rd runway at Heathrow as: *“expected to lead to more long*

¹² [AS-117] UK Planning Inspectorate TR020002 Manston Airport Examination Library

¹³ [AS-537] UK Planning Inspectorate TR020002 Manston Airport Examination Library

¹⁴ Indicative Timeline found at <https://airspacechange.caa.co.uk/PublicProposalArea?pID=112>

¹⁵ Indicative Timeline found at <https://airspacechange.caa.co.uk/PublicProposalArea?pID=112>

¹⁶ Indicative Timeline found at <https://airspacechange.caa.co.uk/PublicProposalArea?pID=112>

¹⁷ Page 14

https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004853-AS_Five10Twelve_York_Altitude.pdf

haul flights and connections to fast-growing economies, helping to secure the UK's status as a global aviation hub, and enabling it to play a crucial role in the global economy" (Airports NPS, para. 3.18). It is these flights that will enable Heathrow to double its freight handling capability. Growth at Stansted and East Midlands is also anticipated. **The Government does not go onto identify any further anticipated shortfall in capacity for airfreight that needs to be addressed before 2050.**

2.2. Aviation Policy Framework

The Government's 2013 Aviation Policy Framework ("APF") provided policy support for airports outside the South East of England to make best use of airport capacity. Airports within the South East of England such as the former Manston Airport were to be considered by the newly established Airports Commission ("AC")

¹⁸

Airports Commission

The AC report was the basis for the Airports National Policy Statement ("**Airports NPS**") which concluded that airport capacity in the South East of England should be increased and that increase should be provided by constructing a third runway at Heathrow Airport¹⁹.

The approach of the AC was evidence-based: its assessment objective and its conclusions objectively reached and justified²⁰.

The AC reviewed the case for Manston as one of the 52 proposals received in its shortlisting proposed and dismissed it as an option for further consideration in the AC Final Report since "*it **did not fit with Commission's remit or offer a solution to the key question of providing additional long-term capacity and connectivity to the UK***"²¹.

¹⁸ Para 1.1 Beyond the horizon, The future of UK aviation, Making best use of existing runways

¹⁹ Para. 1 of [Heathrow Hub Ltd & Anor. R \(On the Application Of\) v The Secretary of State for Transport \[2019\] EWHC 1069 \(Admin\) \(01 May 2019\)](#)

²⁰ *Ibid*

²¹ Airports Commission, Interim Report 2013, Appendix 2: Assessment of Longterm Options, Page 16, please also see [\[REP5-125\]](#) UK Planning Inspectorate TR020002 Manston Airport Examination Library

Of particular note, is that Manston was rejected for any further consideration after being considered by the AC in context as a dedicated air freight airport in the AC Interim Report: The Air Freight Industry in the UK (PwC 2013) which formed part of the AC's suite of Economics Analysis Consultants Report²². The AC only mentioned Manston as a possible reliever airport for General Aviation²³.

2.3. Aviation Strategy

The Aviation 2050: A Consultation (“**Aviation 2050 Green Paper**”) is currently a draft consultation document which outlines proposals for the new Aviation Strategy. The Aviation Strategy White Paper will replace the APF once finalised.

At para. 4.47, the Aviation 2050 Green Paper makes **specific mention of East Midlands and Stansted alongside Heathrow as the principal freight gateways.**

Further, at para. 4.49 of the Aviation 2050 Green Paper: *“The government supports continued growth of the air freight sector particularly **making best use of existing capacity at airports**, to continue to facilitate global trade for UK businesses and consumers. It has already taken action by supporting the Northwest Runway scheme at Heathrow, which has been estimated to nearly double the capacity for freight at the airport to 3 million tonnes per year.*

It is important to note that the reference here is to “**existing [airport] capacity**” rather than existing runways as the means by which the growth of air freight is to be supported.

The Applicant confirmed during the DCO examination that “***the current capability of (Manston) airport to provide air cargo transport services is zero***²⁴”.

²² [REP6-039] [REP7-008] UK Planning Inspectorate TR020002 Manston Airport Examination Library

²³ [REP5-125] UK Planning Inspectorate TR020002 Manston Airport Examination Library and Airports Commission, Interim Report, November 2014, paras. 5.96 to 5.100

²⁴ Page 8, A2 of

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-003770-D5%20Cover%20Letter.pdf>

- 2.4.** The Applicant has provided absolutely no evidence of its assertion that Manston could play a “vital role”. Over the past twenty-six years, successive governments, policy documents and statements have actively considered the case for development of Manston Airport, both for passenger and cargo services, and consistently rejected such a possibility²⁵.

Primary reasons for rejection of Manston Airport as a viable option to address capacity issues was summarised in the Future Development of Air Transport in the UK - South East report for the DfT, (2002), which concluded that *“key constraints are its geographic position in relation to the major sources of demand and noise impacts over the nearby town of Ramsgate”*. Needless to say, the geography has not changed since 2002 and will not do so in the period to 2050.

More recently, the Airports Commission Report of 2015, considered the case for Manston and did not deem it worthy of a single mention in the final report or in the resultant Airports National Policy Statement, (**“Airports NPS”**) of 2018.

2.5. Airports NPS

Manston is not referred to or relied upon in any national aviation policy document. As there is no NPS and no need there is no policy presumption that a need exists. The requirement for any such application to be treated on its merits is clearly stated both at paragraph 1.39 of the Airports NPS and at paragraph 1.29 of Beyond the Horizon²⁶.

The Airports NPS requires the case to be made for each specific airport²⁷. As York Aviation made clear in its 2019 Update Report²⁸ (paras 2.16, 2.17) this requires a realistic assessment to be made of the usage of each runway and the benefits

²⁵ See summary submitted to UK Planning Inspectorate ExA at https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-003979-Five10Twelve%20Ltd%20-%20DL6%20Comments%20on%20WS%20_Need%20and%20Ops.pdf

²⁶ Beyond the horizon The future of UK Aviation Making best use of existing runways (“Beyond the Horizon”)

²⁷ Para 1.42 Airports NPS

²⁸

https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004852-AS_Five10Twelve_Resubmission%20of%20Evidence.pdf and Appendix 4 of <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-003137-Stonehill%20Park%20Limited%20-%20Written%20Representation.pdf>

deriving from that usage which can be balanced with any environmental harm that might arise. The policy cannot be taken in isolation without considering the extent to which there are net benefits from the level of usage proposed. The policy does not support safeguarding runways in perpetuity against some prospect of future use.

The Applicant has not made the case that a need exists for a new dedicated freight airport to be based at Manston near Ramsgate, Thanet, in the far South East corner of Kent. The evidence contained in the York Aviation, Altitude Aviation reports and many others submitted in the Examination²⁹ demonstrates and evidences the opposite.

At the oral evidence given by the Applicant/Azimuth at the Need and Operations Issue Specific Hearing of 21 March 2019 confirmed that the Azimuth Report upon which the entirety of the Need Case for Manston relies has no realistic foundation as a basis for predicting the extent to which Manston might actually be used³⁰.

Whilst the Airports NPS does not directly have an effect; it is important to note that paragraph 4.36 of the Airports NPS places a requirement on an Applicant to demonstrate that a scheme is cost-efficient and sustainable, and seeks to minimise costs to airlines, passengers and freight owners over its lifetime. Paragraph 4.5 of the Airports NPS confirms that viability is an important factor in that *“The Secretary of State will have regard to the manner in which benefits are secured and the level of confidence in their delivery”*.

This is just plain good common sense. It speaks to whether Manston is/will be viable and the alleged benefits (10,000+ air cargo transport services per year and jobs) are in fact achievable and deliverable.

²⁹

https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004852-AS_Five10Twelve_Resubmission%20of%20Evidence.pdf

³⁰ Dr Sally Dixon/Azimuth, UK Planning Inspectorate, Recording of ISH2 - Part 3, Need and Operations, [TR020002-003870] at timecode 1:17:28

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004197-Manston%20Tuesday%20Session%203.mp2>

The Applicant has not demonstrated that Manston is/will be cost-efficient, sustainable and deliverable. Again, the evidence contained in the York Aviation and Altitude Aviation reports and many others submitted in the Examination³¹ demonstrates the opposite and the Applicant's own evidence shows that airlines and freight owners would be charged costs materially ahead of other airports. For example: the Applicant plans to charge airlines around four times the equivalent cost at East Midlands Airport and without any countervailing incentives³².

The first Judicial Review of the London Heathrow North West Runway ("NWR") Scheme, ("LHR-JR")³³, found that "[Airports NPS] made clear that an increase in carbon emissions that would have a material impact on the ability of Government to meet its carbon reduction targets would be a reason to refuse development consent".

The LHR-JR dismissed the Claimant's case on climate change grounds partly on the basis that "*The AC (Airports Commission) considered that the NWR Scheme (and the two other schemes) could be delivered within the UK's obligations on either basis; a conclusion which, after further analysis and updating of passenger demand forecasts, the [Airports NPS] agreed*".

Since the Applicant's proposals for development of Manston were not considered or even mentioned in the AC Final Report or the Airports NPS, there has been no Governmental consideration or detailed analysis of Manston's proposed impact on the UK's ability to meet its GHG emissions or on the carbon budget for aviation in light of NetZero commitments. The Government's carbon emissions forecasts for aviation did not and does not include the proposed Manston airport³⁴.

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https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004852-AS_Five10Twelve_Resubmission%20of%20Evidence.pdf

32 Para 4.10

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-003851-Annex%20-%20-%20Summary%20of%20Oral%20Submissions%20to%20Need%20and%20Operations.pdf> and https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-003643-Stone%20Hill%20Park%20-%20Annex%201%20-%20Appendix%201%20-%20York%20Aviation%20Commentary%20on%20Applicant's%20Responses%20to%20WQ's_Redacted.pdf

33 The Heathrow Third Runway Litigation (2019) EWHC (Admin) 1069 and 1070

<https://www.judiciary.uk/wpcontent/uploads/2019/05/Heathrowmainjudgment1.5.19.pdf>

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<https://www.whatdotheyknow.com/request/578960/response/1386569/attach/html/6/Making%20best%20use%20FOI%20data.xlsx.html>

The UK has a carbon budget for carbon emissions which is based on the UK Aviation Forecasts 2017³⁵. The UK Aviation Forecasts 2017 did not include a passenger ATM forecast for Manston Airport and did not include a cargo aircraft ATM forecast for Manston Airport³⁶.

The UK Aviation Forecasts 2017, also, did not include an increase in freighter (cargo aircraft) ATMs. In fact, it confirmed that (a) dedicated freight aircraft (freighters/ cargo aircraft) do produce a material amount of carbon emission; and (b) it is assumed that the number of freighter ATMs did not change over the forecast period³⁷.

The UK Aviation Forecasts 2017 was produced prior to the UK Government setting a net zero emissions target for 2050, thereby amending S1(1) of the Climate Change Act (2008).

The Applicant's proposal to use at least 1.9% of the total UK aviation emissions target³⁸ has not been accounted for and any development at Manston would have a material impact on the ability of Government to meet its carbon reduction targets. Further, it would put at risk the Airports NPS and/or expansion elsewhere.

2.6. Use of Existing Airport Capacity

Government policy on airport capacity, save for developing a Northwest Runway at Heathrow Airport, has been set out in the APF. The Airports NPS does not affect Government policy on wider aviation issues, for which the APF statements still

³⁵

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/781281/uk-aviation-forecasts-2017.pdf

³⁶

<https://www.whatdotheyknow.com/request/578960/response/1386569/attach/html/6/Making%20best%20use%20FOI%20data.xlsx.html>

³⁷ Para 3.32

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/781281/uk-aviation-forecasts-2017.pdf

³⁸ Chapter 16 of APP-034 UK Planning Inspectorate website Manston TR020002

apply. This includes the UK Airspace policy: a framework for balanced decisions on the design and use of airspace³⁹ which specifically states at Page 4:

*“This is why [the Government] back the proposed construction of a new north-west runway at Heathrow and why [Government is] supporting other **airports in making the best use of their existing capacity**”*. The Government’s policy on this issue will be considered in the context of developing a new Aviation Strategy⁴⁰.

It is important to note that within the Aviation 2050 Green Paper the means by which the growth of air freight is to be supported is to **make best use of “existing [airport] capacity”** (para. 4.49 of the Aviation 2050 Green Paper) rather than making best use of existing runways .

2.7. Manston Use of Existing Airport Capacity

The Airports Council International (ACI) Europe position paper on **Airport Capacity** (ACI Europe, 2015), defines capacity as *“the practical maximum number of operations that a system can serve within a given period of time”* and as a combination of: runway capacity, airport geometry, terminal capacity, apron/stand capacity, airspace capacity and surface access capacity⁴¹.

The Applicant confirmed during the DCO examination that *“**the current capability of (Manston) airport to provide air cargo transport services is zero**”*⁴².

It is therefore unreasonable and not supported by policy or emerging policy to prioritise the re-opening of Manston with no airport capacity and which is solely reliant on road surface access for air cargo, workers and fuel with a very poor logistics infrastructure (see map below), particularly given both the number of

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/653801/consultation-response-on-uk-airspace-policy-web-version.pdf

⁴⁰ Para 1.42 Airports NPS

⁴¹ International Transport Forum, *Capacity Building Through Efficient Use of Existing Airport Infrastructure*, OECD, Discussion Paper 2017: 27 Jagoda Egeland Internasport Forum, Paris and Paul Smale Department for Transport, United Kingdom

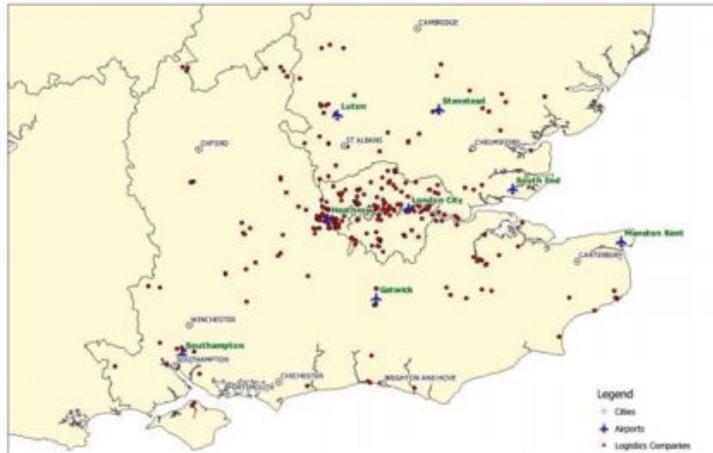
<https://www.itf-oecd.org/sites/default/files/docs/capacity-building-efficient-use-existing-airport-infrastructure.pdf>

⁴² Page 8, A2 of

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-003770-D5%20Cover%20Letter.pdf>

existing airports in the South East and the numerous airport expansion plans currently being developed and proposed at existing and currently operational airports in other regions, including the more under-served Northern Powerhouse.

The map below highlights the presence of third party logistics companies in South East England, with a clustering around Heathrow:



Map Showing the Presence of Third Party Logistics Companies in South East England with a Clustering around Heathrow

Source : AC Interim Report: The Air Freight Industry in the UK (PwC 2013). It is of

note that Manston airport was open and operating as a cargo airport at the time of this report. Manston closed in 2014. Note well London Biggin Hill (Bromley) and Lydd Airport (Ashford, Kent) amongst others are missing from this map.

3. Capacity Constraints

3.1. The CEBR 2016 report referred to by the Applicant is a document that was put together with the aim of persuading the “Government must make a final decision quickly and back the Airport’s Commission recommendation to build a new runway⁴³”. The Government has now made a decision. The AC report was the basis for the Airports National Policy Statement 2018 which concluded that airport capacity in the South East of England should be increased and that increase should be provided by constructing a third runway at Heathrow Airport.

⁴³ <https://www.londonfirst.co.uk/sites/default/files/documents/2018-05/LBF-Importance-of-air-freight.pdf>

York Aviation's report rebuts the Applicant's reliance on this general reference and addresses the issue of whether there is or will (not) be a shortage of airport capacity for dedicated freighter aircraft at Section 5 of its February 2019 Report⁴⁴.

- 3.2.** Paragraph 6.48 of Beyond the Horizon refers to airport capacity generally - ie passenger, belly and cargo airfreight not specifically to dedicated freighter.

It is simply not possible for the Applicant to state with any certainty that it will be ready for business by 2025. Notwithstanding funding/financing/significant Objections from local authorities and bodies/ Construction works/ Highways England works/ Operation Brock etc there are other known factors that are very much out of its control.

For example, it is not possible for the Secretary of State to predetermine whether the Applicant will be granted or refused airspace by the CAA some time and by the very earliest in mid/late 2022⁴⁵. Further, York Aviation show that, because of the complex interactions between flightpaths serving all of the airports (16 in total) in the South East, consultation on flight path options across the full range of airports is planned to be concurrent to ensure that all of the interfaces are correctly identified. This is planned for 2022, with implementation of the new airspace arrangements in the period 2024-2026. It is entirely possible that new flightpaths for Manston could not be in place (if granted) until this later date⁴⁶.

For example, it is also not possible for the Secretary of State to predetermine whether or not the Ministry of Defence will at any point agree to the relocation of the High Resolution Direction Finder⁴⁷ ("HRDF") operational defence assets of national strategic importance. The Defence Infrastructure Organisation has categorically stated that no timescales can be imposed on the Ministry of Defence in

⁴⁴ Page 432

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-003137-Stonehill%20Park%20Limited%20-%20Written%20Representation.pdf>

⁴⁵ Indicative Timeline found at <https://airspacechange.caa.co.uk/PublicProposalArea?PID=112>

⁴⁶

https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-003643-Stone%20Hill%20Park%20-%20Annex%201%20-%20Appendix%201%20-%20York%20Aviation%20Commentary%20on%20Applicant's%20Responses%20to%20WQ's_Redacted.pdf

⁴⁷

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004579-Defence%20Infrastructure%20Organisation%20-%20Deadline%209.pdf>

the dDCO regarding this process⁴⁸. In the event that the re-provision of the HRDF equipment on an alternative site proves unsuccessful then the existing equipment will have to remain in its current location and this will prevent Manston from operating.

- 3.3.** The Applicant misconstrues the freight report. A lot of freight doesn't originate in the South East, so in many ways it's moving freight to where it originated from all over the UK. They're going in and out of South East airports because of London Heathrow. It's not that 76% of demand originates in the South East - it's a direct function of London Heathrow and its hub role. If you took all regional freight out of London Heathrow you'd have ample capacity but that won't happen because it's London Heathrow where much of the total UK air freight is consolidated into economic loads. York Aviation sets out in Figures 4.4 and 4.5 of its 2019 Update Report⁴⁹, which show how widely dispersed across the UK the market for air freight is. Its analysis suggests that only around half of UK air freight is destined for or originates in London and the South East but, despite this, regional airports handle only 23% of freight tonnage. This analysis would point to at least 1/3 of freight using London airports as having an origin or destination elsewhere in the country.
- 3.4.** York Aviation and Altitude Aviation provided to the Examination detailed analyses on the demand and supply outlook for South East and wider UK airports, with a clear explanation of how planned increases in capacity at existing airports will satisfy future demand⁵⁰:

3.4.1. HEATHROW

At the Need and Operations Issue Specific Hearing held on 21 March 2019. Mr Rhodes from Quod confirmed that he acted as a planning adviser for the

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<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004579-Defence%20Infrastructure%20Organisation%20-%20Deadline%209.pdf>

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https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004853-AS_Five10Twelve_York_Altitude.pdf

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<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-003137-Stonehill%20Park%20Limited%20-%20Written%20Representation.pdf>

third runway DCO proposals. He confirmed that (a) Heathrow Airport Limited (Heathrow) is committed to the new runway opening in 2026; (b) that Heathrow is committed to expanding its cargo as well as its passenger operation; (c) the forecast set out in the Airports NPS and referred to at para. 4.49 of the Aviation 2050 Green Paper that Heathrow's expansion will achieve capacity for 3 million tonnes of freight was informed by Heathrow's Blueprint for Freight. Mr Rhodes explained that in the early years post 2026 runway opening, there will be significant spare capacity for freight as well as passenger growth. Further, it is not new goods that are being shipped by e-commerce. It is just the same goods in a different form of sale.

3.4.2. STANSTED

York Aviation covered at length in answers to questions that Stansted is looking to grow cargo and has capacity⁵¹.

In 2018, Stansted successfully abolished the sub-categories annual limited. This means there is now no specific limit to the number of cargo or passenger flights that can be operated in the future (within the overall cap).

The latest CAA data for August 2019⁵² clearly show that Stansted is running cargo both as bellyhold and as dedicated cargo.

Emirates is handling cargo at Stansted and has doubled the bellyhold cargo capacity offered as of 1 July 2019 capitalising on its success⁵³.

Despite this fact, the Applicant makes the extraordinary claim at 3.2 of Appendix 4 of REP5-024 that: "...2017 and 2018 Stansted is recorded as

⁵¹ Page 37

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-003640-Stone%20Hill%20Park%20-%20Annex%201%20-%20SHP%20Comments%20on%20RSP%20Answers%20to%20WQs.pdf>

⁵²

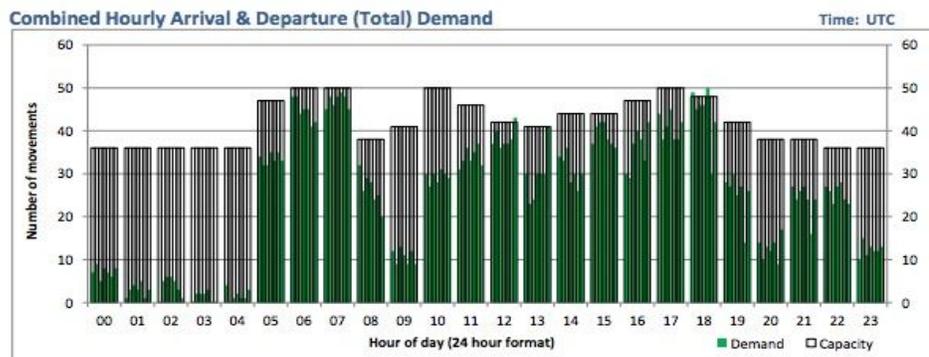
https://www.caa.co.uk/uploadedFiles/CAA/Content/Standard_Content/Data_and_analysis/Datasets/Airport_stats/Airport_data_2019_08/Table_14_International_and_Domestic_Freight.pdf

⁵³ <https://mediacentre.stanstedairport.com/emirates-to-launch-second-daily-flight-to-london-stansted/>

handling no bellyhold freight at all (and none was recorded in the first two months of 2019”

After contact was made to the CAA it transpired this was a data error point and the handling agents at Stansted had not been providing the data properly. CAA reports from July⁵⁴ and August 2019 clearly show that bellyhold freight is being handled by Stansted.

Clearly there is capacity available as demonstrated by the grey areas on the graph below. The graph below taken from Page 11 of the Stansted Airport Summer 2018 report shows the actual spare runway capacity to



accommodate additional freighter movements at Stansted at the start of the summer season in 2018⁵⁵.

3.4.3. GATWICK

Gatwick has continued to grow cargo volumes, linked to the development of long-haul passenger services using widebody aircraft. Cargo tonnes grew by 16.1% in 2018⁵⁶, following growth of +24.4% in 2017 . This is linked to its development of long-haul passenger services and using widebody aircraft.

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https://www.caa.co.uk/uploadedFiles/CAA/Content/Standard_Content/Data_and_analysis/Datasets/Airport_stats/Airport_data_2019_07/Table_15_Freight_by_Aircraft_Configuration.pdf

55 https://www.acl-uk.org/wp-content/uploads/2018/03/STN_S18_SOS.pdf

56 Gatwick Airport,(2019)

Gatwick is progressing its own DCO and who is to say that the Traffic Distribution Rule will not be lifted? It currently handles 113,000 metric tonnes of cargo⁵⁷.

3.4.4. LUTON

Luton is progressing its own DCO. Luton Cargo Centre provides freighter operations, handling approximately 28,000 tonnes of cargo each year⁵⁸.

3.4.5. EAST MIDLANDS AIRPORT

Comments extracted from York Aviation note:

“The repeated assertion that East Midlands is facing capacity constraints is not borne out by the facts, including evidence that the Airport is constructing additional aircraft stands as demand grows alongside facility developments by other parties such as UPS and Amazon (see York Aviation Comments on Applicant’s Deadline 3 Responses to Questions from the Examining Authority submitted at Deadline 4 – ND.1.15 [REP4-065⁵⁹]”

and

<https://mediacentre.eastmidlandsairport.com/new-facilities-for-eastmidlands-airport-passengers/>

Further, York Aviation submitted a lengthy rebuttal of the Northpoint report to the Examination⁶⁰.

3.5. The Applicant appears to assume that, to the extent there is overspill seeking freighter capacity as an alternative, that Manston would be the only solution. The

⁵⁷ <https://www.gatwickairport.com/business-community/about-gatwick/company-information/gatwick-key-facts/>

⁵⁸

[https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020001/TR020001-000048-L-UTN%20-%20Scoping%20Report%20\(Volume%201%20-%20Main%20Report\).pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020001/TR020001-000048-L-UTN%20-%20Scoping%20Report%20(Volume%201%20-%20Main%20Report).pdf)

⁵⁹

https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-003643-Stone%20Hill%20Park%20-%20Annex%201%20-%20Appendix%201%20-%20York%20Aviation%20Commentary%20on%20Applicant's%20Responses%20to%20WQ's_Redacted.pdf

⁶⁰

https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004853-AS_Five10Twelve_York_Altitude.pdf

Applicant has acknowledged that this is not the case given available capacity for freighters at airports such as East Midlands (particularly well placed for the distribution of goods across the UK), and Doncaster Sheffield.

But appears to have overlooked/forgotten Stansted airport.

All these airports are already established and operational and, therefore, well placed to deal with any such requirements in the short to medium term using their existing infrastructure and existing airport capacity.

Location of Manston

- 3.6.** Manston's runway length, which is no longer than several other airports in the UK. It currently has no airspace. Manston in particular has a poor location within the UK. It is on a peninsula, with no catchment to the East or North and isolated from much of the South East due to the need to circumnavigate London. Manston catchment is essentially a sub-set of the Stansted catchment. Within a 3-hour drive, only the South East & East of England, and a small part of the Midlands, are accessible. In comparison, most of England and Wales can be accessed within 3 hours of East Midlands Airport. **90% of England and Wales are within a 4 hour drive of East Midlands Airport**⁶¹. In addition to Manston's poor geographic location, it is also relatively far from important surface access infrastructure. The motorway network is not especially close (the airport is about 22 miles from the M2 and 38 miles from the M20). Successful freight airports in the UK and Europe have been shown to be extremely close to the national motorway network, helping to minimise the shipper/consignee to airport transport time. For example East Midlands Airport includes direct road access to M1, A(M) 42, A453, A50, the train is 10 minutes away and work is underway on the East Midlands Strategic Rail Freight Interchange. As you will be aware there is no Strategic Rail Freight Interchange in Kent with the most recent proposal rejected in May 2019.
- 3.7.** East Midlands Airport's catchment area that the Applicant refers to proves the point that East Midlands Airport serves customers all over the UK. This does not help the Applicant's case at all.

⁶¹ https://www.magproperty.co.uk/cms/wp-content/uploads/2018/10/EMA_2018_Brochure_FinalProof2.pdf

- 3.8. The Applicant negates to mention that access to the Port of Tilbury is through the Dartford Tunnel. Further, it takes at least 90/120 minutes to drive to Central London by car let alone by HGV.
- 3.9. The Applicant is suggesting here that Manston is so far from the motorways you can use cross routes. It is unclear if these cross routes have been taken into account and/or modelled by Highways England and/or are accessible by HGVs.
- 3.10. The biomedical industry and technology companies in Cambridge, the M11 Growth Corridor and prospectively to the planned Varsity Corridor are better suited to use Stansted. The Lower Thames Crossing will extend the catchment area for East Midlands airport, Stansted etc.
- 3.11. The Applicant **has accepted that Stansted is better placed to serve the South East freighter market. It was shown and evidenced on numerous occasions by York Aviation that Stansted does have the capacity to accommodate additional freight demand (if any) without affecting its passenger market**⁶².

4. Trucking

- 4.1. At the Need hearing held on 21 March 2019 York Aviation clearly explained and evidenced that the Applicant was incorrect it is assumption that the prevalence of trucking goods produced in or destined for the UK to European airports was largely a result of capacity constraints rather than market preference⁶³.

A large amount of evidence from both York Aviation and Altitude Aviation was submitted⁶⁴ to evidence that truck movements would not be divertible and the commercial reasons why trucking is common place and an integral part of the

⁶²

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004669-Applicant's%20Overall%20Summary%20of%20Need%20Case.pdf>

⁶³

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-003977-Stone%20Hill%20Park%20-%20Comments%20on%20Applicant's%20Written%20Summary%20-%20Need%20&%20Ops%20Hearing.pdf>

⁶⁴

https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004853-AS_Five10Twelve_York_Altitude.pdf

general and integrator sectors, rather than something to be remedied with freighter aircraft.

According to York Aviation, it is simply cheaper in overall terms to truck to an alternative airport offering cost effective bellyhold capacity than it is to seek out dedicated freighter capacity. This applies to the vast majority of general air cargo⁶⁵.

- 4.2.** York Aviation’s November 2017 and February 2019 reports repeatedly make clear that the Applicant has incorrectly interpreted the earlier work of York Aviation for the Freight Transport Association and Transport for London. It transpired that despite York Aviation itself providing detailed rebuttals of the interpretation of the York Aviation a multitude of times the Applicant simply has continued to misrepresent its conclusions as here.

Extraction from York Aviation February 2019 at para 2.37:

“Trucking of air freight is not a new phenomenon. The work by Steer Davies Gleave for the Department for Transport (DfT) in 2010 estimated that over 50% of air freight leaving the UK for Europe was trucked rather than using the bellyhold of passenger aircraft. In other words, airlines are using trucks rather than aircraft to distribute freight arriving on and connecting to their global passenger (bellyhold) and freighter operations. At the time of this analysis, Manston was still operational. If it was more economical to use a pure freighter service from Manston rather than trucking over the Channel, this would have been happening in 2010 but it was not. Other than the potential additional border checks as a consequence of Brexit, the Applicant/Azimuth advance no reasons why freight would switch from the cheaper trucking/bellyhold model to expensive pure freighter operations. We believe that the economics of air freight will continue to favour the use of bellyhold freight, other than for a minority of consignments, to and from the UK even if there is a lengthy trucking leg”.

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https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004853-AS_Five10Twelve_York_Altitude.pdf

- 4.3. The cited Steer Report of October 2018 with the exception of one case study, speaks of a bellyhold freight shortage not pure freight. Manston is not proposing to offer any bellyhold freight.

5. Dedicated freighters

- 5.1. East Midland airport is a largely dedicated freighter airport.

Extract from York Aviation:

“The advantages of dedicated freighter operations cited by the Applicant come at a cost which few shippers of general cargo are willing to pay. There is always an economic trade-off between time and cost so, for most air freight, the hub and spoke system works well as it does for passengers. Whilst Azimuth quotes Boeing 2016 World Air Cargo Forecast as saying 80% of cargo between Asia and Europe used dedicated freighters, the latest Boeing 2018 report (referred to earlier) shows this proportion has fallen to 75%. Hence, it is completely wrong for the Applicant to claim that there is not a general trend to a reducing share of cargo carried on dedicated freighter aircraft. The trend is clear and relates to the overall cost effectiveness of transporting goods. Boeing, in its 2018 report, stresses that dedicated freighters tend to concentrate on the main trade routes whilst bellyhold and hubbing provides the global reach. This contrasts with the view of the Applicant that somehow dedicated freighters offer more flexibility to get goods from A to B. The response appears to cling to the belief that decline in freighter use is due to the lack of a dedicated freight airport, citing Leipzig and Liege as having few passengers and seeking to dismiss East Midlands and Stansted as freight airports because they handle more passengers than Leipzig and Liege. At 4.9 mppa, East Midlands is still a relatively small airport in passenger terms and remains able to focus largely on freight⁶⁶”.

Further evidence can be found at Paragraph 3.2 of the Altitude Aviation report concluding that *“the established trend towards bellyhold freight has continued in both*

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<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004669-Applicant's%20Overall%20Summary%20of%20Need%20Case.pdf>

2017 and 2018. The allcargo segment that a reopened Manston would be targeting has become less important within the UK market⁶⁷."

- 5.2. The Applicant has again misrepresented York Aviation's work. Page 19 of its York Aviation 2015 report makes clear that York Aviation was referring to constraints biting on bellyhold capacity at London not on capacity available for dedicated freighter operations.

The Applicant cites a quote from Boeing whom are trying to sell freight aircraft. Boeing 737 Max were grounded in March after an onboard automatic safety feature was tied to two fatal crashes that killed 346 people. The discovery of cracks in structural support on an earlier version of the 737 has forced the grounding of at least 38 of the jets⁶⁸.

- 5.3. There isn't a market for dedicated freighters; there has been a consolidation trend of cargo-only operations at main airports with 2017 and 2018 seeing this trend continue. Altitude Aviation at paragraph 84 state " The three largest airports for freight carried on cargo only aircraft (Heathrow, East Midlands, Stansted) accounted for 87.6% of this mainland UK market (by tonnage) in 2018E. This is up from 44% in 1990 and 86.7% in 2016" but the number of freighter AMs fell⁶⁹. The is because these airports can be flexible to demand offering passenger aircraft bellyhold capacity and increasing average loads per freight aircraft.

Extract from York Aviation⁷⁰:

"The relative share of freight carried in dedicated freighter aircraft is in inverse proportion to the amount of bellyhold capacity available at each of the airports. An important feature of these hub airports [Frankfurt] is that they have well developed freight forwarding infrastructure concentrated around them given the global connectivity offered by the hubs and the national airlines based there. This consolidation is driven in the first instance by the hub connectivity offered in the

⁶⁷ Page 17 http://www.stonehillpark.co.uk/images/uploads/documents/Altitude_report_update_Feb2019.pdf

⁶⁸ <https://edition.cnn.com/2019/10/18/business/boeing-737-max-financial-impact/index.html>

⁶⁹ http://www.stonehillpark.co.uk/images/uploads/documents/Altitude_report_update_Feb2019.pdf

⁷⁰ Page 15

https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004853-AS_Five10Twelve_York_Altitude.pdf

bellyhold of passenger aircraft but the existence of the freight forwarding and consolidation centres makes these airports the first choice for dedicated freighters to operate to the extent required to supplement any gaps in the network of bellyhold services available. These conditions are not replicable at other non-hub airports, other than for express freight/integrator operations for which Germany like the UK has specialist airports where such operations are based. Leipzig and Cologne serve as hubs for such operations in the same way as East Midlands serves as the UK main integrator hub. It is notable that, despite handling 44 million passengers a year with major global connections, Munich Airport only handled 3,807 freighters in 2018, despite Bavaria being a major manufacturing economy. This only serves to highlight the special circumstances which make Frankfurt attractive for dedicated freighter operations, notwithstanding its night closure period, and so long as it has available slots. Just as with Heathrow, the attraction of Frankfurt for freighter handling is simply not replicable elsewhere in Germany. There are also important scale factors that apply to the position of Germany in terms of the total air freight market: • the economy is around 30% larger than the UK; • of which manufacturing's share is over 20% compared to 9% in the UK; • the population is around 25% higher than the UK driving imports. Hence, it is unsurprising that the need for air freight capacity is greater to and from Germany than to and from the UK. Furthermore, Germany's central location within Europe means as it acts as a distribution hub for much of Central Europe, well beyond its borders, in a manner that the UK could not hope to replicate. Hence, given the more limited bellyhold capacity available at Frankfurt, the need for more dedicated freighter operations is hardly surprising. The fact that they choose to operate to Frankfurt despite the night closure period is a sign of the power of the hub. When the economic factors are properly considered, alongside recognition of the special characteristics that give rise to demand for cargo services to major national hub airports, the relative performance of Frankfurt and Heathrow is easily explained. The UK is currently adequately served by the existing combination of bellyhold capacity and freighter capacity available at Heathrow, East Midlands, Stansted and other existing airports, as shown in Figure 4.7 of our 2019 Update Report. The situation at Frankfurt is simply not a relevant comparator with the key requirement being increased global connectivity at Heathrow, that the 3rd runway will provide,

rather than an increase in capacity for dedicated freighter aircraft at a remote location”.

These trucks are part of hub and spoke network. The hub isn't going to be at Manston - it's going to continue to be at East Midlands Airport. You're not going to fly from East Midlands Airport to Manston - those trucking movements are not looking for an airport, they're looking for a hub where they can be put on 16 different aircraft all over the world. East Midlands Airport already do this very well and presumably it is the national interests for it to keep doing it well.

6. Modern airport (e-commerce)

- 6.1. This very well may be the case and perhaps supports investment in freight facilities at **existing** airports with **existing airport capacity**. It does not follow that investment should be at or will be forthcoming at any location. As the old adage says location, location, location is what counts and Manston's location has not and simply cannot change. The summary in the Future Development of Air Transport in the UK - South East report for the DfT, (2002), which concluded that *“key constraints are its geographic position in relation to the major sources of demand and noise impacts over the nearby town of Ramsgate”* holds true now as it did then and will continue to do so.
- 6.2. It has been amply demonstrated throughout this letter and in the Examination that other South East and other better placed UK airports either currently have capacity, are planning to increase capacity or are in the matter of Heathrow subject to Airports NPS.
- 6.3. Previous operators at Manston included Ann Gloag who is the 12th richest person in Scotland with a combined net worth of £875 million⁷¹ and has a huge amount of transport knowledge and experience and Infratil, the New Zealand-listed infrastructure fund which had experience in airports- Wellington Airport, New Zealand. Both owners lost substantial amounts in money invested in Manston Airport (see Background section).

⁷¹

<https://www.eveningtelegraph.co.uk/fp/revealed-scotland-rich-list-2019-includes-eight-in-tayside-with-wealth-of-5-2bn/>

The Applicant has provided no evidence whatsoever of its assertion about British Airways operations. What we do know is in the ensuing months the **airport made revenue losses of £100,000 per week plus significant capital losses** before its closure in May 2014.

Even if we leave aside all the hurdles, issues and problems as outlined above and within the more than **thirteen times the average number of questions raised by the ExA** during the process⁷² for one moment. The Applicant has provided no evidence whatsoever as to whom will actually use Manston.

- 6.4. Again the Applicant makes assertion after assertion and has provided no evidence to back it up.
- 6.5. E-Commerce model of how they ship freight is exactly the same as the integrator model - ie they bring in goods in the morning, some to fulfilment centre, some straight to customer, so if you can't fly at night you can't serve that e-commerce market. They argue ecommerce is over and above existing air freight, but it isn't - it's the same goods. Instead of buying from high street we're buying online, but pattern by which they come in is exactly the same as integrator model. Amazon are not going to set up a fulfilment centre near Manston - it's the wrong place. E-commerce providers are using DHL or they're going straight to the customer. All of that needs night flying which is not available to the Applicant. Even if only half of the product is going to customer, it still needs to come in in the morning to meet that fulfilment proposition.

The Applicant fails to point out that Amazon Air operate 50 aircraft in the United States. The United States is about 40 times bigger than the United Kingdom with great distances between towns, cities and people.

- 6.6. The chart the Applicant has put in to support its argument is of course a chart for the American e-commerce airfreight market and it can be found here

⁷² Manston DCO Submission to Deadline 11, (paragraphs 3 - 3.4.4)
https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004701-Five10Twelve_JH_Corrected.pdf

<https://www.axios.com/amazon-shipping-chart-fedex-ups-usps-0dc6bab1-2169-42a8-9e56-0e85c590eb89.html>

There is no evidence they will come to Europe, much less Manston. Move in US for Amazon to do their own shipments, but that's US only, not Europe. DHL isn't even on there - which shows it's US.

7. Summary

7.1.

A. Assumption made by the Applicant: “Azimuth Report...opportunity to focus on the air freight market”

“At the Need and Operations Issue Specific Hearing of 21 March 2019, Dr Dixon/Azimuth for the Applicant confirmed that the Applicant did not consider costs when preparing freight forecasts. When asked to explain how the numerous categories of “costs of switching airports have been taken into account” (as stated in paragraph 2.2.10 of Volume III of the Azimuth Report), Dr Dixon suggested she had made an assessment that it was a neutral factor, but could give no explanation of what costs were considered and how it was determined to be cost neutral. Dr Dixon also accepted under cross-examination that she/Azimuth has no relevant experience of air cargo forecasting.

The facts that emerged at the Hearing that **freight forecasts and business plan were not integrated, is a critical shortfall, as one cannot be done without the other**. Air traffic movement and freight tonnage forecasts are completely meaningless unless linked to a pricing strategy, especially for such a price sensitive market as air freight⁷³. This will of course impact investors confidence.

B. Assumption made by the Applicant: “Strategic Location”

There is no existing or historic policy support for the development of Manston Airport as proposed by RSP. Indeed, approval of this DCO would require overturning

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<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-003977-Statement%20Hill%20Park%20-%20Comments%20on%20Applicant's%20Written%20Summary%20-%20Need%20&%20Ops%20Hearing.pdf>

26 years of aviation policy and reports that has consistently found that Manston is not a viable option to service the UK airport capacity needs, either for passenger or air freight services. The DCO Applicant has confirmed that Manston currently has zero capacity for air freight operations. Primary reasons for rejection of Manston as a viable option to address capacity issues was summarised in the Future Development of Air Transport in the UK - South East report for the DfT, (2002), which concluded that *"key constraints are its geographic position in relation to the major sources of demand and noise impacts over the nearby town of Ramsgate"*. Needless to say, the geography has not changed since 2002 and will not do so in the period to 2050.

More recently, the Airports Commission Report of 2015, considered the case for Manston and did not deem it worthy of a single mention in the final report or in the resultant Airports National Policy Statement of 2018.

C. Assumption made by the Applicant: "Local Backing"

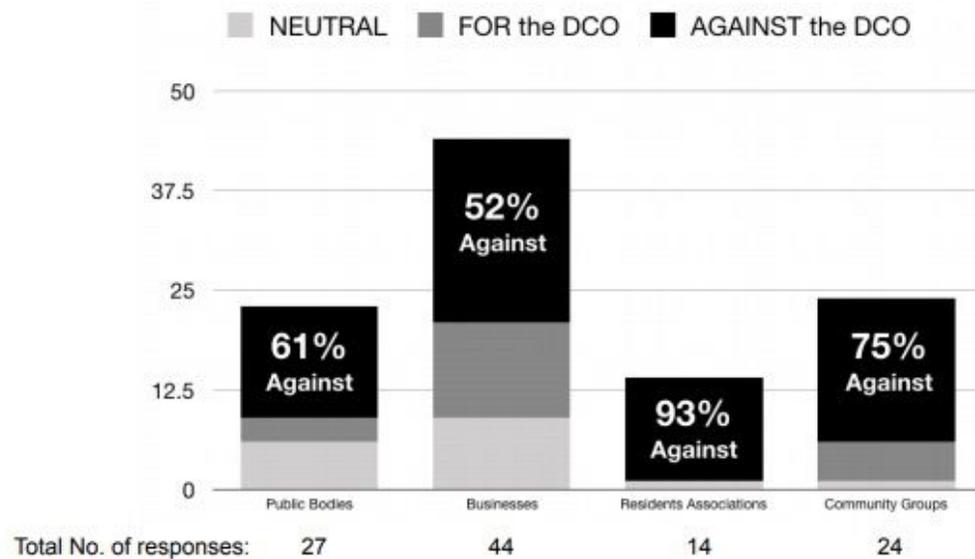
Unlike any other DCO application engaged evidenced submissions from local residents strongly opposing the Application continued throughout the Examination; right up to the very close of play in large volumes and at every deadline. This was incredible given the sheer volume of questions asked by the ExA of the Applicant.

Ramsgate Town Council, Ramsgate Town Team, Ramsgate Society, Ramsgate Neighbourhood Plan, Ramsgate Heritage and Design Team amongst many other community groups all put in *multiple* evidenced submissions **strongly objecting** to Manston.

We submitted more than 130 comprehensively evidenced written representations to the UK Planning Inspectorate Examining Authority, covering a wide range of issues including noise, air quality, environment and climate change, visual impact, impact on local economy, tourism impact, education, heritage, due diligence, financials, wildlife, 25+ years of aviation policy etc.

We know other campaigners' submissions objecting to Manston were over 600+.

[Data analysis of more than 2,000 relevant representations](#) submitted to the UK Planning Inspectorate at the start of the DCO process - more than 10x the national average for any DCO and 3x as many public representations as those received for the Hinckley C DC. The majority objecting to Manston and with a phenomenal 93% of Residents' Associations also objecting to Manston.



We and a local resident campaign group commissioned [our own independent noise contours through the CAA](#) to challenge those produced by the Applicant. This led to an invitation from the Examining Authority, (ExA), to [present these noise contours at an Issue-Specific Hearing](#) and the ExA referencing of our CAA noise contours in [the Report on the Implications for European Sites, \(RIES\)](#).

We created and shared online, [searchable Google Maps of the CAA noise contours](#) allowing the local community to search any property by postcode and see where, exactly, they sit within each noise contour. So far this tool since 31 May 2019 has had over 6000 views.

We started and have led a private fundraising campaign for Judicial Review costs, in the unlikely event that the DCO is granted by the Secretary of State. Strong local resident and business backing means we will be able to go to JR if we have to do so.

This is a real sign of the level of committed opposition to Manston in a coastal town of 40,000 people.

What backing there is, seems to come from individuals not living under or near the flight swathes and/or those involved in the aviation lobby and has mostly been drummed up by constraining the argument. This was amply evidenced at Thanet District Council's Adequacy of Consultation Representation⁷⁴ in relation to the First Statutory Consultation, Second Statutory Consultation and at Appendix A .

This behaviour continues with the founding director of the Applicant at a recent Save Manston Airport association AGM starting at timecode from 13:45⁷⁵:

"...for those people in Ramsgate in particular who are genuinely interested in the impact of the airport as opposed to it not happening at all there will be a further opportunity for them to have a dialogue here"

Local elections for the town of Ramsgate were held during the Examination period and the make-up of the Council changed to a 75% membership of Councillors who had run on an opposition to Manston ticket⁷⁶

Since the close of the Examination Thanet District Council (situs of Manston) declared a climate emergency.

D. Assumption made by the Applicant: "Provide almost immediate relief"

We have provided evidence above at paragraphs 1.3 and 3.2 that prove this assertion is simply not true.

⁷⁴

https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-002527-AoCR_Thanet%20District%20Council.pdf

⁷⁵ <https://www.youtube.com/watch?v=Fvcpzwlh30I&t=843s>

⁷⁶ <https://www.ramsgatetown.org/town-council/town-councillors>

E. Assumption made by the Applicant: “...to the pressing situation that is causing considerable loss of potential trade to the South East each year the UK remains without additional runway capacity”

The AC report was the basis for the Airports NPS which concluded that airport capacity in the South East of England should be increased and that increase should be provided by constructing a third runway at Heathrow Airport⁷⁷.

The Applicant has accepted that Stansted is better placed to serve the South East freighter market. It was shown and evidenced on numerous occasions by York Aviation that Stansted does have the capacity to accommodate additional demand (if any) without affecting its passenger market⁷⁸. At para. 4.47, the Aviation 2050 Green Paper makes **specific mention of East Midlands and Stansted alongside Heathrow as the principal freight gateways**. There is no mention of Manston.

7.2. Any new or proposed airport expansion or development must be consistent with the Aviation Policy Framework 2013 with regards to making best use of existing airport capacity. It is important to note that within the Aviation 2050 Green Paper the means by which the growth of air freight is to be supported is to ***make best use*** of ***“existing [airport] capacity”*** (para. 4.49 of the Aviation 2050 Green Paper) rather than making best use of existing runways. The Aviation Strategy White Paper will replace the Government’s 2013 Aviation Policy Framework once finalised. The Applicant confirmed during the DCO examination that ***“the current capability of (Manston) airport to provide air cargo transport services is zero”***.

7.3. The Applicant has ***not*** demonstrated that there is (a) a need for an additional dedicated airfreight airport in the South East over and above developments already in the pipeline (planned or consented); and (b) even if this incorrect, Manston would not be an effective solution. Further, it has not demonstrated that Manston is/will be

⁷⁷ Para. 1 of [Heathrow Hub Ltd & Anor. R \(On the Application Of\) v The Secretary of State for Transport \[2019\] EWHC 1069 \(Admin\) \(01 May 2019\)](#)

⁷⁸

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004669-Applicant's%20Overall%20Summary%20of%20Need%20Case.pdf>

cost-efficient, sustainable and deliverable. Therefore any alleged benefits are not in its reach.

- 7.4. Without prejudice, York Aviation and amongst others provided overwhelming evidence that showed that the Applicant's job forecasts were wildly inaccurate and over inflated⁷⁹.

The Applicant ignores policy and what is happening commercially and tries to set out their view of the world. It's high risk for us locals and will pause or retrograde the positive inward investment and a real upward trajectory of employment that has happened here in Ramsgate and the wider Thanet since the airport closed. The DCO should be refused.

8. Appendix 1: Rebuttal of the Applicant's Rebuttal of SHP Need Argument

All of the evidence materials that were submitted by Stone Hill Park are (a) in the Examination Library with reference numbers as of today's date; (b) were resubmitted by a number of Interested Parties; (c) were cited by a number of Interested Parties; (d) still stands as good evidence and evidence must be at the heart of any DCO Recommendation and Decision; (e) York Aviation strongly re-iterated and reconfirmed its submitted evidence⁸⁰ on or around the last day of the Examination with York Aviation's Managing Partner, Louise Condon, confirming to the ExA that *"we wish to put on record that we strongly refute the criticism of our work made by the Applicant"* and *"we consider that we have provided substantial and well evidenced responses throughout the process"*; and (f) due

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https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004486-Stone%20Hill%20Park%20Ltd%20-%201.%20Comments%20on%20CA%20Hearing_27.06.2019.pdf

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004455-Stone%20Hill%20Park%20Ltd%20-%20Manston%20-%20Urgent%20submission.pdf>

https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004295-Stone%20Hill%20Park%20Limited%20-%20Socio-Economics%20Hearing_IM%20Comments%20Appendix.pdf

⁸⁰ Letter from York Aviation to UK Planning Inspectorate, 5/7/19

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004642-York%20Aviation%20LLP%20-%20It%20Manston%20ExA.pdf>

to the timing of the sale completion after the close of the Examination all of Stone Hill Park's submissions were (and are) an integral part of the ExA questions and the Applicant's own answers.

York Aviation submitted a rebuttal to Northpoint Aviation which can be viewed here https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004853-AS_Five10Twelve_York_Altitude.pdf

The Applicant's points 2-4 have been covered above and for the sake of brevity we will not re-address them here.

Rebuttal: Summarising the Key Issues

5.1 (1)

History has shown that Airbus and Boeing forecasts tend to be optimistic⁸¹ as they are in the business of trying to get airlines and operators to buy freighters. Boeing and Airbus data actually show a declining proportion of pure freight traffic⁸². The Applicant makes an assertion that e-commerce is an additional/on top of freight volumes. It is not; it is the same goods re-classified.

5.1(2)

Stone Hill Park did not ignore evidence. York Aviation and Altitude Aviation Advisory Limited provided evidence of what is really going on. Both of these companies are renowned experts. We evidence at paragraph 1.1 above that York Aviation is a categorically important, trusted and greatly esteemed aviation technical expert of and to the Department for Transport. The Applicant throughout the Examination sought to misrepresent York Aviation's work for TFL and FTA despite York Aviation's numerous oral and written submissions stating that the Applicant was simply incorrect. The Applicant has attempted to rebut the respected expert evidence of York Aviation, Altitude Aviation, Avia Solutions and others by pitting this against the work of freelance contractors such as Dr Sally Dixon, author of the Azimuth Report, who - by her own admission - is inexperienced in air freight forecasting, and Northpoint Aviation, whose experience is arguably less relevant at this level.

⁸¹ http://www.stonehillpark.co.uk/images/uploads/documents/Altitude_report_update_Feb2019.pdf

⁸² http://www.stonehillpark.co.uk/images/uploads/documents/Altitude_report_update_Feb2019.pdf

5.1(3)

The Applicant ignores policy and what is happening commercially and tries to set out their view of the world. Policy on aviation has to be (and is) delivered through the commercial sector. Investors invest in a business plan and the prospect of a return on investment.

The Applicant has not shown (a) a need for an additional dedicated airfreight airport in the South East over and above developments already in the pipeline (planned or consented); and (b) even if there is a need, Manston would not be an effective solution.

It is therefore unreasonable and not supported by policy or emerging policy to prioritise the re-opening of Manston with no airport capacity and which is solely reliant on road surface access for air cargo, workers and fuel with a very poor logistics infrastructure, particularly given both the number of existing airports in the South East and the numerous airport expansion plans currently being developed and proposed at existing and currently operational airports in other regions, including the Midlands engine and the more under-served Northern Powerhouse.

6. Conclusions

6.1

The Applicant ignores policy and what is happening commercially and tries to set out their view of the world. It's high risk for us locals and will pause or retrograde the positive inward investment and the upward trajectory of employment that has happened here in Thanet since the airport closed. The DCO should be refused.

6.2

The Applicant seems to be arguing that it should just be 'given a go'. This must not be right.

Firstly, the Applicant must meet the criteria for a NSIP. The Applicant has made an application for a DCO pursuant to paragraphs 14(1)(i) and 23(1)(b) and 23(5)(b) of the Planning Act 2008⁸³ specifically that the *effect* of the alteration of the airport is to increase by at least 10,000 per year

⁸³

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-002870-Deadline%201%20-%20APP008%202.3%20NSIP%20Justification.pdf>

the number of air transport movements of cargo aircraft for which the airport is capable of providing air cargo transport services.

At the time of the Examination the Applicant did not have airspace. The number of air transport movements of cargo aircraft for which the airport was capable of providing air cargo transport services was zero. In fact, the Applicant confirmed during the DCO Examination that *“the current capability of (Manston) airport to provide air cargo transport services is zero⁸⁴”*.

In order to increase by at least 10,000 per year the number of air transport movements of cargo aircraft the Applicant must attract cargo aircraft users. Implicit to this is a commercial case or a business plan with supporting infrastructure and third party logistics provision, none of which exists anywhere near the proposed development site.

Secondly, Manston must be viable otherwise it will not secure investors and provide the (alleged) benefits to seek to minimize in some small way the significant adverse impacts it will have on Ramsgate and the wider Thanet. If the DCO is granted and even if the Applicant does or cannot do anything the threat of low flying cargo planes of 400-600 feet over our shopping town centre, schools, houses, parks, beaches will exist in the minds of inward investors. It will also come up in house/ property searches. With much of our heritage at risk⁸⁵ including the whole of the Conservation Area (which is the largest in Kent) the mere threat of such a development will have far reaching, long lasting and perhaps irreversible consequences, irrespective of whether or not it ever materialises.

Since the airport closed in 2014 there has been a remarkable amount of private inward investment in Ramsgate, a real upward trajectory of employment across Thanet - which now shows the characteristics of being in recovery - and things have improved which has been detailed with evidence in many of the Submissions to the Examination.

Thirdly, there is no existing or historic policy support for the development of Manston. The Airports NPS requires the case to be made for each specific airport⁸⁶. As York Aviation made clear in its 2019

⁸⁴ Page 8, A2 of

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-003770-D5%20Cover%20Letter.pdf>

⁸⁵ <https://historicengland.org.uk/images-books/publications/har-2018-registers/se-har-register2018/>

⁸⁶ Para 1.42 Airports NPS

Update Report⁸⁷ (paras 2.16, 2.17) this requires a realistic assessment to be made of the usage of each runway and the benefits deriving from that usage which can be balanced with any environmental harm that might arise. The policy cannot be taken in isolation without considering the extent to which there are net benefits from the level of usage proposed. The policy does not support safeguarding runways in perpetuity against some prospect of future use.

6.3

Background

Formerly a military airport, RAF Manston in Thanet, Kent in the South East, was sold by the MoD in 1998. Since then, three different owners, Wiggins/Planestation, Infratil and Lothian Shelf, have tried unsuccessfully to operate commercial passenger and air freight services from Manston until its closure in 2014, having made losses of £40m - £50m during the preceding nine year period⁸⁸.

Past failures include the collapse of Planestation, with the Applicant's founding Director Tony Freudmann acting as Senior Vice President, and its budget airline subsidiary, EUJet, in 2005. Commenting on the collapse at the time, the Financial Times reported that "*marketing a new airline operation from Manston, which had no recent history of passenger operations, had been difficult*" and the Planestation Group "*had also failed to develop its cargo business at Manston*". This led to questions in the House of Commons and a CAA briefing paper for the Department of Transport Select Committee on 04/02/06⁸⁹ after more than 5,400 British passengers were left stranded in similar circumstances to the recent Thomas Cook collapse. The briefing paper notes that Planestation PLC had filed misleading information about EU Jet with the CAA which left the regulator "*unaware of the actual financial position of that carrier*".

Lothian Shelf (417) Limited, a company owned by Stagecoach founder, Ann Gloag, bought Manston for £1 in November 2013. In the ensuing months the **airport made revenue losses of £100,000 per week plus significant capital losses** before its closure in May 2014.

⁸⁷

https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004852-AS_Five10Twelve_Resubmission%20of%20Evidence.pdf and Appendix 4 of <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-003137-Stonehill%20Park%20Limited%20-%20Written%20Representation.pdf>

⁸⁸ Manston Airport under private ownership, Kent County Council 2015

https://www.kent.gov.uk/_data/assets/pdf_file/0003/29541/Manston-Airport-position-statement.pdf

⁸⁹ Memorandum submitted by the CAA: Briefings on EUJET Ops Ltd

<https://publications.parliament.uk/pa/cm200506/cmselect/cmtran/636/5110212.htm>

Kent County Council's March 2015 Position Statement⁹⁰ on Manston Airport (which was submitted to the Examination by Kent County Council to confirm its position had not changed) confirms that ***"the airport has never made a profit and has never delivered on its promise of jobs for the area."***

Thanet District Council commissioned an external aviation consultant's report, via Avia Solutions, (a GE-owned company), to investigate the viability of commercial operations at Manston Airport⁹¹. The report concluded that ***"there is little prospect of a financially viable airport on the site"***.

Avia Solutions's analysis of the Applicant's business case and forecasts for its DCO Application and NSIP justification - known as the Azimuth Report - concluded that the forecasts ***"represent a highly ambitious outlook for air freight volume at Manston Airport and the likelihood of the forecasts being realised is very low"***⁹².

US-based Real Estate firm, Riveroak, with ex-Wiggins and Planestation Senior Vice President, Tony Freudmann, attempted to enter into an agreement to purchase the site for airport use via a CPO agreement with Thanet District Council, (TDC) as proposed indemnity partner. This was twice refused by TDC as Riveroak was unable to provide evidence of secured funds⁹³.

Mr Freudmann submitted an application for a DCO to develop the site as a Nationally Significant Infrastructure Project, (NSIP), in July 2018 under a new corporate structure, Riveroak Strategic Partners Ltd, ("the Applicant"). This application was accepted for Examination by the then Secretary of State for Transport, (SoSFT), Rt Hon Chris Grayling MP, on 14 August 2018.

Concerns regarding the opaque corporate structure of the Applicant were largely ignored when the DCO Application was accepted for Examination by the then Secretary of State for Transport, (SoSFT), Rt Hon Chris Grayling MP, on 14 August 2018. The Applicant responded to concerns regarding its Belize-based majority shareholder by restructuring mid-way through the

⁹⁰ Manston Airport under private ownership, Kent County Council 2015

https://www.kent.gov.uk/_data/assets/pdf_file/0003/29541/Manston-Airport-position-statement.pdf

⁹¹ Commercial viability of Manston Airport, Avia Solutions 2016

https://www.thanet.gov.uk/wp-content/uploads/2018/03/Final-Report-for-TDC-Manston-Airport-Viability-2016_2.pdf

⁹² Review of Azimuth and Northpoint Forecast for Manston Airport prepared for Thanet District Council, 2017

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004609-RiverOak%20Strategic%20Partners%20-%20Manston%20Airport%20DCO%20-%20Project%20Reference%20TR020002.pdf>

⁹³ Thanet District Council Review of CPO Indemnity Partner for Manston Airport, 29/1/15

<https://democracy.thanet.gov.uk/documents/s48429/Manston%20Report%20SP%20amends%2026%2010%2015.htm?CT=2>

Examination. The majority shareholder is now a BVI based company although the Ultimate Beneficial Owner(s) (“UBOs”), is still unknown, with the Applicant refusing to provide details to the ExA during the Examination⁹⁴.

The Applicant is owned by two companies. 90% owned by RiverOak Investments Limited⁹⁵ (40% shares held by 3 Swiss residents and 60% held by HLX Nominees Ltd (a BVI company named in the Panama papers⁹⁶ whose shareholders identities have never been revealed despite being asked a number of times during the Examination); and 10% owned by RiverOak Manston Limited⁹⁷ (shares held by 1 UK resident, 1 US resident⁹⁸ and a US company GY Manston LLC (Delaware).

The Applicant makes reference to the following airports - Blackpool, Carlisle, Doncaster Finningley now Doncaster Sheffield, Southend, Cardiff and Newquay - saying that “*with these precedents in mind*” that the Applicant is “*confident that it can make a success of Manston*”.

We respectfully remind the Secretary for State that none of the airports referenced by the Applicant is operating profitably:

Blackpool - closed to commercial traffic, reopened for a limited range of business, General Aviation and helicopter flights in Irish sea⁹⁹;

Carlisle - Welsh government bought in and is subsidising¹⁰⁰;

Southend - is loss making for Stobart Group¹⁰¹;

⁹⁴ Paragraph 48 of Applicant’s Overall Summary of Case
<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004668-Applicant's%20Overall%20Summary%20of%20Case.pdf>

⁹⁵ <https://beta.companieshouse.gov.uk/company/11959684>

⁹⁶ <https://offshoreleaks.icij.org/nodes/12108499?e=true>

⁹⁷ <https://beta.companieshouse.gov.uk/company/10286975/filing-history>

⁹⁸ Notice of Person with Significant Control Niall Lawlor
<https://beta.companieshouse.gov.uk/company/10286975/filing-history>

⁹⁹ <https://www.express.co.uk/news/uk/854231/blackpool-airport-reopens-13-years-after-being-sold-off>

¹⁰⁰ <https://www.newsandstar.co.uk/news/17670329.carlisle-airport-owner-stobart-group-plunges-to-426m-loss/>

¹⁰¹ <https://www.ft.com/content/c54f4a88-d756-11e8-ab8e-6be0dcf18713>

Doncaster Sheffield - converted military airport to commercial, so never really closed or re-opened. Heavily loss making¹⁰²;

Cardiff¹⁰³ - Welsh govt bought it and subsidising;

Newquay¹⁰⁴ - county council subsidies.

6.4

The Applicant has purchased a plot of land which has space for 4000 houses in Kent, South East for £16.5m. Once adopted the Local Plan has provision for the land to be used for mixed use development. This is hardly money going into the project. This land will significantly appreciate over time even if the Applicant just land banks it.

The airport that the Applicant has referred to in Appendix A is Liege airport in the East of Belgium. As you will be aware TNT (to become FedEx) had an **existing** market and the airport was built **for that market**. Liege is also ideally located in the centre of the golden triangle Paris-Amsterdam-Frankfurt that handles 66% of European freight, and 75% when taken together with London.

The Applicant failed to show any evidence of secured investors. The Applicant failed to provide sufficient evidence that funding is in place for its development plans despite repeated requests from the ExA to clarify the situation.

Accounts and returns filed at Companies House show the Applicant's complicated corporate structure involves a labyrinth of nested companies connected by a series of private loans, with terms unknown. There is little or no evidence of available funds or source of funds. The Applicant is connected to RiverOak Investments Limited, RiverOak Manston Limited, RiverOak MSE Limited, RiverOak Fuels Limited, RiverOak AI Limited, RiverOak Operations Limited. It has links to Freudmann Tipple International Limited which held funds in trust for RiverOak Operations Limited to use Freudmann Tipple International Limited's bank account. All of these companies are separate

¹⁰²

<https://www.yorkshirepost.co.uk/news/people/flybe-is-pulling-out-of-doncaster-sheffield-airport-with-the-loss-of-10-flights-1-10006548>

¹⁰³ <https://www.bbc.co.uk/news/uk-wales-43498365>

¹⁰⁴ <https://www.cornwallairportnewquay.com/about-us/management-of-can>

legal entities. Several are loaded with debt without any discernible assets or means of servicing the debt.

The failure of the Applicant to settle its account in a timely manner with UK Planning Inspectorate for the Examination, follows a number of other occasions during the process when the Applicant has failed and/or delayed settlement of accounts with numerous other parties, including but not limited to Kent County Council¹⁰⁵ and Stonehill Park.

The Applicant's ignores policy and what is happening commercially and tries to set out their view of the world. It's high risk for us locals and will pause or retrograde the positive inward investment and upward trajectory of employment that has happened here in Ramsgate and in the wider Thanet since the airport closed. The DCO should be refused.

¹⁰⁵ Email from Invicta Law to BDB Pitmans, 3/7/19 at 16:31hrs
<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004609-RiverOak%20Strategic%20Partners%20-%20Manston%20Airport%20DCO%20-%20Project%20Reference%20TR020002.pdf>