

The Rt Hon Grant Shapps  
The Secretary of State for Transport  
Department for Transport Zone 1/18,  
Great Minster House  
33 Horseferry Road  
London  
SW1P 4DR

21/01/20

Sir,

With respect to your announcement for a delay to the publishing the result for the Manston DCO and your invitation for comment on further late submissions by Five10Twelve Limited I would like to make observations on their submissions. Due to time constraints set by yourselves I will do my best to evidence where possible but research has been limited by available time.

First before addressing the late submissions I would draw your attention to the fact that the submissions are from a company and not individuals. I would draw from this that the company would, if the DCO is granted would expect some detriment to its operation.

Looking at the company's website it claims "The core team behind Five10Twelve have more than 40 years of combined experience spanning arts and culture, publishing, legal, event production, broadcast and digital media, managing multi-million pound budgets for some of the biggest national and international arts, culture and media organisations and global companies" . <https://fivetentwelve.com/about/>

Based on this statement I would expect to find an organisation with some considerable clout and finance behind it however a check at companies house finds that since the company inception in 2013 it's declared finances beggar belief in how it has survived let alone quote "managing multi-million pound budgets for some of the biggest national and international arts, culture and media organisations and global companies". (Company filing history <https://beta.companieshouse.gov.uk/company/08412137/filing-history> )

The company has since inception gone from a suite of offices in Birmingham to a virtual office at Marlowe Innovation Centre in Ramsgate. Particularly disconcerting for a company of such implied status is that on it's website although it gives an address for correspondence at the Marlowe Innovation Centre it gives no phone number or email address a fact which astounds me for a company dealing in media! The company now lacking in premises (with the exception of a virtual office <https://marloweinnovationcentre.co.uk/> ) would appear to be run by just two people, the directors as listed at companies house <https://beta.companieshouse.gov.uk/company/08412137/officers>

Now the reason for the above I will now explain. A look at the PINS website with respect to the Manston DCO <https://infrastructure.planninginspectorate.gov.uk/projects/south-east/manston-airport/?ipesection=docs>

Shows that for the period of consultation Five10Twelve made 104 submissions of which 98 were in the consultation period. Their submissions ran from 8/2/19 until 17/7/19 a period of 22 weeks averaging 4.45 submissions per week some of which are quite lengthy and containing numerous references and quotes. Within these submissions are a statement that the

company Five10Twelve Ltd commissioned a report from the Civil Aviation Authority to produce a noise contours map for Manston Airport. I would assume this is very technical and would not come cheap. I would consider this to be a significant purchase for the company and would be interested to see how much trading was left in their financial statement after this sum is deducted from their profit and loss.

As all submissions are under the auspices of the company Five10Twelve I would assume that the submissions are the sole work of the directors. I would seek clarification on how the two sole persons in the company split their time between managing multi-million pound budgets and the incredible submissions to PINS?

I will now look at the late submissions after the close of consultation and which would appear to be part reason for the delay in the decision. Again apologies as to the lack of some depth to my comments but time is a limiting factor. I will reference each of the submissions and direct my comments to each submission as an individual document.

**TR020002-005182 Five10Twelve Ltd INCONSISTENCIES IN DCO APPLICATION IN TERMS OF SCALE, SIGNIFICANCE AND ALLEGED BENEFITS OF PROPOSED DEVELOPMENT AND OPERATIONS AT MANSTON AIRPORT.**

2. We respectfully draw your attention to the recent Aviation Focus Group meeting held in Margate on 4 November 2019 by the Applicant and posted on the CAA website on 6 December 2019 (enclosed).

4. The Applicant invited the following small airports and a gliding club to this Aviation Focus Group meeting: Maypole Airfield, Biggin Hill Airport, Rochester Airport and Kent Gliding Club<sup>1</sup>.

5. These are all very small airports devoted to general aviation, specialist aviation and gliding rather than the type of business the Applicant aspires to undertake in dedicated freight operations.

**The above would intimate that the focus group meeting was restricted however the minutes on the CAA website show these groups as attendees. At no point does it show if there were a larger group of invited participants who did not attend. This may or may not need clarification to be of any relevance.**

8. The Applicant did not invite these would-be competitor airports - for example Gatwick , Heathrow, Stansted - to this Aviation Focus Group despite these airports also being subject to South (FASI(S)).

<sup>1</sup> CAA:

**Speculation.**

9. Throughout the DCO examination, the Applicant made numerous claims of interest from major international airlines, operators and e-commerce businesses. No evidence was provided at any stage to support the Applicant's claims of interest from these major carriers or operators.

10. The **only** airline that the **Applicant invited** to the Aviation Focus Group and for whom any evidence of interest exists was Magma Aviation<sup>2</sup>, with a total of four aircraft in its fleet.

11. Magma Aviation's average age fleet is 25.8 Years<sup>3</sup>.

12. These aircraft are therefore old aircraft.

18. It is therefore reasonably foreseeable that airline operators with older aircraft are most likely to use Manston Airport (if reopened).

**Within comments 9-18 above I would find it hard to expect evidence of interest to be provided when the possible opening is a number of years away. I would expect an airline expressing interest to be treated as "commercially sensitive" .**

**I believe statement 10 mere speculation.**

**What a ridiculous statement in 18 that because Magma aviation has older aircraft that opening Manston would only attract airlines with older aircraft.**

24. Two of the planes in Magma Aviation's fleet of four aircraft, (737-400F), have a runway requirement of 2,300 metres<sup>10</sup>.

25. The other two planes (747-400BCF) have a runway requirement of 3,200 metres<sup>11</sup>.

27. Perhaps more crucially Manston Airport's runway is 2,752 metres (9,030 feet) long. This means that as "*most of the freight booked with Magma Aviation will fly on [Magma Aviation] exclusively operated B747-400BCF...*"<sup>13</sup>, Magma Aviation will not be able to use Manston Airport

for 50% of its services (if relocated to Manston) and it will not be able to use it for the aircraft used for the largest proportion of its services

**I am assuming that the runway requirements are for take off fully laden. Unfortunately I have not been able to confirm in the limited time that both types of plane will be able to land fully laden and possibly take off NOT fully laden.**

50. It is also of note that Thanet District Councillors opposed to the proposed cargo airport were not invited<sup>23</sup> to the non-Aviation Focus Group or to engage in the design process.

**Unbelievable statement when their own provided evidence shows that Thanet District Council were represented at the meeting.**

#### Afternoon Session 2 pm - 4pm

##### Attendees

██████████ - Canterbury City Council  
██████████ - Kent County Council  
██████████ - Minster Parish Council  
██████████ - Canterbury City Council  
██████████ - Sutton by Dover Parish Council  
██████████ - Langdon Parish Council  
██████████ - St Margaret's at Cliffe Parish Council  
██████████ - Manston Parish Council  
██████████ - Ash Parish Council  
██████████ - Thanet District Council  
██████████ - Thanet District Council  
██████████ - Thanet District Council  
██████████ - Clerk representing Chestfield, Barham, Westbere Parish Councils

## **TR020002-005183-Five10Twelve Ltd Letter to Secretary of State with an evidenced Rebuttal FINAL\_Redacted**

**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 Review<sup>6</sup> 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 with no sign of picking up . Market-data firm WorldWide <sup>7</sup> Air Cargo reports that airfreight volumes declined by a further -7.1% in 2019<sup>8</sup>.

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 crisis<sup>9</sup>. 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.

**It would appear which internet search data you wish to use to support your point. I provide the following from Boeing to support air cargo growth over the next 20 years.**

# **Forecast Highlights**

## **Air cargo has recovered and is on track to grow 4.2% over the next 20 years**

Air cargo traffic grew 10.1 percent in 2017, more than double the long-term average growth rate. In the next 20 years, air cargo traffic is expected to more than double and the world freighter fleet will grow by more than 75 percent.

## **E-commerce will continue to boost air cargo demand**

Global retail e-commerce sales were \$2.3 trillion in 2017, more than double the \$1.1 trillion spent in 2012. With no signs of slowing down, the e-commerce market size is forecast to double again by 2021, reaching nearly \$4.9 trillion.

## **Asia to lead future growth**

Asia will continue to lead the world in average annual air cargo growth, supported by faster-growing economies and expanding middle classes. Domestic China, intra-East Asia, East Asia-North America, and Europe-East Asia markets are all expected to grow faster than the world average growth rate, demonstrating that markets within, serving, and connecting to Asia will lead growth in the next decade and beyond.

## Freighters will continue to carry more than half of the world's air cargo demand

While passenger belly capacity is increasing, freighters maintain a market share advantage for several reasons, which include providing highly controlled transport, direct routing, reliability, and unique capacity considerations (volume, weight, hazardous materials, and dimensions). These factors make freighter operations essential and are driving the forecast for freighters to continue carrying more than half of the world's air cargo in the next 20 years.

<https://www.boeing.com/commercial/market/cargo-forecast/>

TR020002-005184-Five10Twelve Ltd Letter to Secretary of State with an evidenced Rebuttal to the Applicant's Overall Summary of Case\_ Environmental Statement FINAL\_Redacted

**1.8.** Based on the 63 dB LAeq 16 hr (Significant Observed Affect Effect Level) the Applicant's Environmental Statement identified 115 properties versus 200 from ERCD/CAA . This increase is (a) a '*likely significant effects*'<sup>15</sup>; (b) is an increase of **174% more properties** affected; (c) is a material and significant difference; and (d) clearly shows the Environmental Statement is inaccurate.

**Well an increase from 115 to 200 properties equates to a 174% increase! If this is the level of basic maths I seriously have to question anything else in these submissions with such creative math. I wonder do the multi-million pound contracts have a few too many zero's on them?**

### **A) New Evidence since the Close of the Examination: Source Historic England**

1. On 27 October 2019, Historic England revealed the historic sites most at risk of being lost forever as a result of neglect, decay or inappropriate development by publishing the annual Heritage at Risk Register 2019<sup>1</sup>. The Register gives an annual snapshot of the critical condition of some of the country's most important historic buildings, sites, monuments and places<sup>2</sup>.

2. As you will be aware Ramsgate (the town directly under the proposed flight swathes at altitudes of 300-600 feet) **had the following sites added to the At Risk Register** in October 2019:

- The Conservation Area<sup>3</sup>

● **The Clock House, Royal Harbour**<sup>4</sup>

3. The Conservation Area added to the At Risk Register is the **largest conservation area in Kent**<sup>5</sup> and is directly under the proposed flight swathe at altitudes of 300-600 feet.

4. The Clock House, Royal Harbour added to the At Risk Register is also directly under the proposed flight swathe at altitudes of 300-600 feet. Ramsgate's Royal Harbour is the only Royal Harbour in the UK and the HE Colliers Report of October 2018 describes as "*the defining visual and historical architectural feature of the town*".

5. The Ramsgate Royal Harbour is Grade II\* listed<sup>6</sup> and many of the buildings, arches and monuments surrounding and part of the Royal harbour are Grade I, II and II\* listed<sup>7</sup>.

**Firstly the Royal Harbour is not directly under the flight path as intimated by Five10Twelve but is situated to the North of the harbour. If you look at Historic England's map of Ramsgate (<https://historicengland.org.uk/listing/the-list/map-search?clearresults=true>) and extend the line of the runway you will see that sites falling under Historic England's interest are significantly fewer than the 400+ implied by Five10Twelve.**

**Also the mention of the Historic Harbour being at risk from noise how come there has been no concern expressed for the daily amount of traffic including buses and HGV's that drive directly over the "historic" arches in the harbour and up the hill within feet of the pulhamite rocks of such concern?**

**TR020002-005186-Five10Twelve Ltd Letter to Secretary of State with New Evidence  
Correspondence received from the CAA FINAL\_Redacted**

1. We respectfully draw your attention to correspondence received from the CAA as of 22 November 2019 (enclosed).
2. The CAA has confirmed that it does not believe that the Applicant is an aerodrome operator.
3. The CAA correspondence states at paragraph 2, line 6 (bold added for emphasis):  
**"For the avoidance of any doubt we in the AREE team do not believe that [the Applicant] is an aerodrome operator ..."**
4. As you will be aware, an aerodrome is a regulatory requirement of an airport.

**I am beyond belief at this statement. As Manston is currently closed and has no aviation license how can it's owners be aerodrome operators until a license is granted. Not rocket science.**

**NO AIRSPACE**

5. The CAA correspondence further states at paragraph 3, line 1 (bold added for emphasis):  
**"Once Manston has submitted their airspace change proposal to the CAA (and we in the AREE team understand that is expected to be in May 2021) .."**
6. As you will be aware planes need airspace to fly in.
7. The Applicant does not have any airspace.
8. The Applicant has not shown any evidence of a single air cargo operator wishing to relocate and move and/or locate its operations to Manston (if reopened).
9. As you will be aware the regulatory application process for airspace under CAP 1616, once a formal application is received, is over 2 years long with no guarantee of the CAA granting the Applicant airspace.
10. Without any airspace at Manston for at least 3 years, it is significantly likely that Manston (if reopened) will not attract air cargo operators; it cannot even offer the hope of reliable and

certain airspace.

**Oh Dear as already stated earlier in my response “I would find it hard to expect evidence of interest to be provided when the possible opening is a number of years away. I would expect an airline expressing interest to be treated as “commercially sensitive” .  
6 and 7 Just a further example of stating the obvious and acting in desperation!**

34. There is a significant risk that the Applicant will be refused airspace on flawed/ inadequate consultation grounds.

**Arrogance beyond belief. It is for the Secretary of State not Five10Twelve to decide the DCO!**

A development without an aerodrome and airspace it not an airport. This will deter, curtail or prevent any potential investment in Manston and there is a significant risk that the development (if granted) and the benefits (if any) will not be realised. If the DCO is granted and not realised, this is also a 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 as the very threat of low flying cargo planes of 200-600 feet over our shopping town centre, gardens, 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 risk 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. The DCO should be refused.

**There is no evidence provided of “positive inward investment”, and therefor I feel without evidence is purely speculative. Also since 2015 the trend on unemployment across both the UK and Kent ([https://www.kent.gov.uk/data/assets/pdf\\_file/0019/8182/District-unemployment-bulletin.pdf](https://www.kent.gov.uk/data/assets/pdf_file/0019/8182/District-unemployment-bulletin.pdf)) is on the increase which I feel is hardly an indication of investment. The above argument is with little credence as the re-opening of the airport would in my opinion bring investment and contribute significantly to the regeneration of the town. A substantial investment by RSP would not only benefit the local community but the wider community of Kent and beyond.**

At the time of the DCO application, 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 zero* ”<sup>4</sup>.

Without airspace, the number of air transport movements of cargo aircraft for which the airport will be capable of providing air cargo transport services **will continue to be zero** and will not meet the requirements of the Planning Act 2008. The DCO should be refused.

**I really find it hard to believe that such statements are submitted with a belief that they are credible and uphold scrutiny.**

TR020002-005187-Five10Twelve Ltd Letter to Secretary of State\_ PUBLIC COST AND REPUTATIONAL AND RISK FINAL\_Redacted

23 December 2019

#### **OPERATION STACK/ BROCK MANSTON**

1. As you will recall, the immediate costs to the nation of the impact of Operation Stack in 2015 were around £2 million per day<sup>3</sup>.

2. From 4 August 2015 arrangements for Operation Stack were amended to include the use of the former Manston Airport site, in the district of Thanet, as an interim lorry park for Dover-bound traffic<sup>4</sup>.

3. This was extended by the Town & Country Planning (Manston Airport) Special Development Order 2019 as a solution for holding goods vehicles post-Brexit (Operation Brock).

4. If Brock Manston is active, non-compliant HGVs wishing to exit the UK will be diverted to a holding area at Manston Airfield and if Phase 2 (M20) becomes full, lorries heading for Port of Dover will be directed to Manston Airfields<sup>5</sup>. At Phase 2, compliancy checks will be undertaken.

5. Operation Brock Manston has the support of the Road Haulage Association with Richard Burnett stating:

*"It's clear that Transport Secretary, Grant Shapps and his team have **grasped the importance of a contingency plan to tackle congestion in Kent, post-Brexit**, **"The plans for Manston Airport and the implementation of border readiness checks to ensure drivers comply with Operation Brock are of course encouraging."***

6. Operation Brock Manston has the support of Highways England with project director John Kerner stating that:

*"**Operation Brock strengthens this resilience even further and offers a safe, scalable response to disruption that can be used to queue up to 11,000 lorries heading for mainland Europe, while keeping other traffic flowing for people living, working and travelling in and around Kent.**"*

7. In addition to the Town & Country Planning (Manston Airport) Special Development Order 2019 several other pieces of legislation associated with Operation Brock Manston were passed in preparation for the 31 October 2019 exit from the EU for example the Heavy Commercial Vehicles in Kent (No. 1), the Heavy Commercial Vehicles in Kent (No.2) and the Heavy Commercial Vehicles in Kent (No. 3) Order 2019.

8. As you will be aware, we did not leave the EU on 31 October 2019 and are set to do so on 31 January 2020. The transition period will expire at the end of December 2020.

9. Operation Brock Manston will either need to be extended post-Brexit, during and post-transition, in line with leaving the EU and in line new trade deals/ World Trade Organization terms; or Operation Brock Manston will need to be disbanded with no alternative.

10. In the event of disbanding Operation Brock Manston pre-Brexit and pre-transition the cost to the public is in monies spent by the public purse and the cost of congestion in Kent, post-Brexit, during and post-transition.

11. As you will recall, the immediate costs to the public of the impact of Operation Stack in 2015 were around £2 million per day<sup>8</sup> and there is no evidence to indicate that the cost to public without Operation Brock Manston will be any less.



12. In any event, this is a cost to the public purse and reputational risk to the Government.

**Well they make much of the cost of operation Brock and the use of Manston. This submission is dated 23 December 2019.**

**It would appear to of escaped Five10Twelve's notice that operation Brock was stood down on 29<sup>th</sup> October 2019 and shortly after dismantled!**

*As well as these specific allocations, the draft plan makes provision for windfall sites (within the urban confines) to come forward with approximately 2,500 homes by 2031 across the whole district.*

**Once more an implication that Manston will have a direct effect on 2500 windfall homes. Windfall homes are by definition houses that were not expected in the planning but may occur at a later stage. Thanet is a large area and many homes could be accommodated here without being under the influence of the airport. Again this is purely speculative.**

### **Cultural and Creative Industries**

48. As of 4 July 2019, Kent and Medway's inward investment agency, Locate in Kent, partnered with Arts Council England and Heritage Lab CIC for a major research project to support the growth of Ramsgate as a creative business hub.

49. The digital and creative industries have been highlighted by the Government as a priority for growth with the aim for the UK to become a world leader in this area. **Thanet district is already putting down a marker with businesses in this sector growing by an impressive 84% in the four years to 2017.**

**Again implied that this falls under the area of the airport. While there is some development in Ramsgate there are a number of high profile media business's opened in Margate and not affected in any way by the airport.**

### **DRAFT LOCAL PLAN**

45. Thanet District Council's draft Local Plan Policy SP02 - Economic Growth<sup>24</sup> states (bold added for emphasis):

*"Policy SP02 - Economic Growth*

*A minimum of 5,000 additional jobs is planned for in Thanet to 2031. The aim is to accommodate inward investment in job creating development, the establishment of new businesses and expansion and diversification of existing firms. Sufficient sites and premises suited to the needs of business are identified and safeguarded for such uses. Manston Business Park is the key location for advanced manufacturing and large scale job creating development. Land is identified and allocated to accommodate up to 53.5ha of employment space over the period to 2031. Land and premises considered suitable for continued and future employment use will be identified and protected for such purpose. Within the urban area, and the confines of villages as defined on the policies map, proposals for employment generating development on non-allocated sites will be supported in principle, subject to meeting the requirements of other policies in the Plan.*

*Thanet's town centres are priority areas for regeneration and employment generating development, including **tourism and the cultural and creative industries** which will be supported.*

***The growth of the Port of Ramsgate** is supported as a source of employment and as an attractor of inward investment.*

*New tourism development, which would extend or upgrade the range of tourist*

facilities particularly those that **attract the staying visitor, increase the attraction of tourists to the area and extend the season**, will be supported.

Development is supported that enhances the rural economy subject to protecting the character, quality and function of Thanet's rural settlements and natural environments”.

46. There is evidence to confirm that these growth sectors identified in the Thanet Local Plan will - at best - be negatively impacted in the event that the air cargo hub DCO is granted, or indeed, that the air cargo hub is entirely inconsistent with these growth development plans.

**Thanet District Councils draft local plan also highlights that the main area for small to medium manufacturing which is developing very well is Manston Business Park with plenty of room for expansion and ideally situated next to an airport. I think the potential for increasing business within the manufacturing sector is obvious. Information that is missing I am sure due to an error in the copy and paste exercise from the draft local plan.**

47. It is of note that the draft Local Plan does not mention Manston Airport reopening in the SP02 Economic Growth.

Really from TDC's website.

<https://consult.thanet.gov.uk/consult.ti/TLPMODS/view?objectId=11186100#11186100>

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MM/012

Modification Reference	Policy / Paragraph number	Main Modification	Reason for change
MM/012	New Policy SP05	<p><u>Policy SP05 - Manston Airport</u></p> <p><u>Manston Airport as identified on the Policies Map is safeguarded for airport related uses. Whether or not the DCO is confirmed, the future use and development of Manston Airport and/or other policies affected by the outcome of the DCO process will be determined through the early review of the Plan.</u></p>	For clarity and effectiveness

**For clarification the new wording: Policy SP05 - Manston Airport  
Manston Airport as identified on the Policies Map is safeguarded for airport related uses.  
Whether or not the DCO is confirmed, the future use and development of Manston Airport and/or other policies affected by the outcome of the DCO process will be determined through the early review of the Plan.**

And finally: Whilst we are confident that common sense will prevail and the DCO will be refused, given the significant deficiencies in the application, local campaign groups and organisations have nevertheless been fundraising and preparing for a Judicial Review in the event that the DCO is granted.

**What local groups and organisations? I believe that the outcome is based on evidence and also not the thinly veiled threat of a judicial review if they don't get their way.**

**I previously submitted observations to PINS about a business survey overseen by Five10Twelve (TR020002-004164-AS - Terence Huckstep - Manston business survey), in which they maintain a number of business's answering their survey would be affected by a re-opened airport and may relocate.** [REDACTED]

**[REDACTED] Indeed of over 1000 business's in Thanet (source Yell) only 39 deemed it of significant concern to reply to the survey. Hardly overwhelming evidence! I find it hard to believe that considering the level of business concern, that they could summon up the funds for a judicial review let alone be assisted by campaign groups in one of the most socially and economically deprived areas of the UK.**

[REDACTED]  
[REDACTED]. **After all if we gave up after falling at the first post then in life we would achieve nothing.**

**Yours Sincerely.**

**Mr T J Huckstep (RMN Retired)**