

Manston Airport Case Team,
The Planning Inspectorate,
Kite Wing,
Temple Quay House,
Temple Quay,
Bristol BS1 6PN

BY EMAIL

28th January 2020

Dear Sir,

Proposed Manston Airport Development Consent Order (TR0200002) – Secretary of State request for Comments and Further Information

This letter responds to the request from the Secretary of State (#25) that York Aviation provide comment on the late representations from Five10Twelve of 19th December 2019 and 20th December 2019. This letter has been prepared solely on behalf of York Aviation LLP and should not be taken to represent the views of any other party, including our former client Stone Hill Park Ltd.

These submissions from Five10Twelve raise questions regarding the consistency between the evidence submitted in relation to the DCO application and the airspace change process. In the first instance, the Civil Aviation Authority (CAA) sets out its understanding of the extent and timing of progress being made by RSP in relation to the airspace change process for Manston Airport, should it be reopened. We have no comment on the correspondence from the CAA. What is clear, however, is that Manston does not presently have claim to any airspace given that, as confirmed by the CAA, it is not currently an operational aerodrome. Hence, the airspace change process must be completed in order for it to be able to operate.

It is our understanding that the Environmental Statement (ES) assessed the implications of the proposed NSIP development based on assumptions about future flight paths. Whereas an operational aerodrome could assess the impact based on existing flightpaths as a reasonable worst case, pending CAA approval to any change which must, inter alia, take into account a specific environmental evaluation following CAP1616 procedures, this is not possible at Manston. Indeed, it is our understanding that the flightpaths assessed are not consistent with those previously in operation. Hence, there must be an element of uncertainty as to whether the worst case has been assessed in the ES pending the development of options under the airspace change process and the assessment of environmental effects, not least given the evident relationship between Manston's airspace change process and the broader FASI-S exercise involving coordination with other airports¹ in both spatial and timescale terms. The consequence of this coordination process is that any initial proposals for Manston may need to be adjusted to fit within the broader airspace change and modernisation programme.

¹ <https://airspacechange.caa.co.uk/PublicProposalArea?pID=112>

We do not comment further on the fleet mix and other inconsistencies highlighted by Five10Twelve in its letter of 20th December as the issues relating to fleet mix are amply dealt with in our reports of November 2017 and February 2019 and other responses submitted, which remain as documents before the Examination.

In relation to these documents, we take the opportunity as requested by the Secretary of State (#23), to pick up points made by Five10Twelve on 17th October 2019 in relation to the Applicant's summary of its Need Case. At paras. 1.1, 4.2 and 5.2, Five10Twelve highlight the criticisms made by the Applicant of our work submitted to the Examination and its misinterpretation of our earlier work for Transport for London (TfL) and the Freight Transport Association (FTA) in 2013 and 2015.

It remains of concern to us that the Applicant, in its Overall Summary of Need Case (REP11-013, paras 4.2-4.4, Appendix 1, para 2.7), continues to misrepresent our earlier reports from 2013 and 2015 which do not, as was made clear in our subsequent reports, support the case for a new dedicated freight airport in Kent. We specifically refute the suggestion by the Applicant in its Overall Summary of Case (REP11-014, para 45) that the views expressed in reports produced before our engagement by Stone Hill Park are at variance with those produced subsequently. Indeed, our engagement by Stone Hill Park was a direct result of our concern over the misuse and misrepresentation of our work for TfL and the FTA by the Applicant and we set out clearly the proper interpretation of our earlier work in our reports of November 2017 and February 2019. Our standards of professional integrity require us to provide consistent advice to all of our various clients within the aviation industry. Hence, we must stress again that our earlier work, properly interpreted, is entirely consistent with our more recent reports as submitted to the Inquiry, which effectively supersede these earlier reports in presenting a more up to date analysis of the UK air freight market.

Yours faithfully,



Louise Congdon
Managing Partner