

Submission by Dr. R. John Pritchard as a Post-Examination Contribution to the Secretary of State for Transport's Consultation on the Manston Airport DCO, in Response to:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-005180>, namely a a post-Examination Submission by Mr. Chris Lowe to the Secretary of State for Transport (6i2020), which addresses, briefly, Clima Change issues within the context of pollution from Microfine Particles, Air Pollution and Birth Outcomes, and a publication by the Independent Commissioner for Civil Aviation Noise (ICCAN).

1. It is unsurprising that publications and public groups should continue to express concerns over the impact of Climate Change, but the fact is that during the DCO Examination, the only submission to address its bearing upon the DCO Examination and the duty of the Secretary of State to determine the outcome of the Manston Airport DCO is a submission that I wrote in the closing days of the Examination.

2. Neither Mr. Lowe nor Five10Twelve addressed the points I made there. Those points are, at present, uncontested and, I believe, entirely valid. If you are minded to revisit this in the light of fresh submissions, I hope you will trouble to review that, linked here:

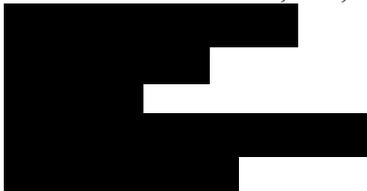
<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004639>

3. Nothing has occurred within the past six months to persuade me that the arguments and conclusions I wrote then have been overcome by events. It would, I believe, be wrong in principle and in law to base the Secretary of State's decision on matters that did not fall to be Examined within the DCO Examination itself. It is too early for anyone outside of Government to consider how and in what way policies may emerge over the next year or two that have not been subject to Examination and opportunities for all parties to fully consider before experienced Planning Inspectors. It may well be that other airport DCOs that have not yet been subject to full public examinations or the whole of the DCO process will reach the end of their DCO processes only after future policies emerge. But that is no reason not to decide the Manston Airport DCO on its own terms, and in line with all of the climate change statutory framework as it exists today.

4. Further delays may well prejudice the future of this project. This should not be strung out, and it IS the unalterable policy of the present Government to promote nationally significant infrastructure projects, especially those that involve massive amounts of inward investment and trading opportunities post-Brexit.

Yours sincerely,

Dr. R. John Pritchard, BA, MA (History), PhD (Econ.), LLB (Law), FRHistS, MBIICL



Submission by Dr. R. John Pritchard as a Post-Examination Contribution to the Secretary of State for Transport's Consultation on the Manston Airport DCO, in Response to:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-005182>, namely a post-Examination Submission by Five10Twelve to the Secretary of State for Transport (20xii2019), 'RE: INCONSISTENCIES IN DCO APPLICATION IN TERMS OF SCALE, SIGNIFICANCE AND ALLEGED BENEFITS OF PROPOSED DEVELOPMENT AND OPERATIONS AT MANSTON AIRPORT':

1. This submission by Five10Twelve (Mr. and Mrs. Jason Jones-Hall, two recently-arrived residents of Ramsgate who did not live here when the airport previously operated) is wholly without merit and brings nothing new or relevant to the attention of the Secretary of State. Five10Twelve, who attended all or nearly all of the public meetings of the Examining Authority during the DCO Examination, repeat assertions previously made by Five10Twelve and various other objectors to this DCO Application during the DCO Examination and their arguments in opposition to the Application and to the Applicant gain no strength or credibility in doing so. The Applicant's team and submissions made by other Interested Parties (including myself) fully rebutted the demonstrably false claims made by Five10Twelve. Five10Twelve are not recognised authorities on the matters in question, cannot reasonably claim to reflect the views of the majority of residents in Thanet, and the Applicant and others have previously responded to Five10Twelve's claims with written and oral evidence submitted by leading authorities in the field.

2. Further and alternatively, Five10Twelve misrepresent the Applicant's post-examination discussions with a variety of stakeholders and specifically with a '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,' as 'proof' that 'the Applicant has positioned itself with small airports and a gliding club rather than as a nationally strategic airport (aspirational or otherwise)'. That claim is demonstrably nonsense as set out below.

3. The Applicant has always made it clear that in addition to seeking to develop Manston Airport as a leading Aviation Cargo Hub Airport, the Applicant also expects to provide passenger service, general aviation facilities, aircraft maintenance and repair facilities, teardown facilities, other airport-related services, and indeed would welcome any interest that search and rescue and other potential airport users may have in returning to Manston Airport or in opening entirely new facilities to cater for their needs. This in no way conflicts with the level of cargo operations which the Applicant seeks to provide at Manston for which the Applicant requires development consent from the Secretary of State as required under the Planning Act 2008 (as amended). I regard Five10Twelve's submission as spurious, irrelevant, repetitive of Five10Twelve's previous submissions made during the Examination coupled with a misrepresentation of the Applicant's post-examination private meetings with several focus groups whose members may have been vetted. This part of Five10Twelve's submission is a waste of the Secretary of State's time and is vexatious. In my opinion, it should be completely disregarded or in the alternative given no weight by the Secretary of State.

4. Five10Twelve then proceeded to draw conclusions on 'Operational Limitations of Proposed Development' from Magma Aviation's current fleet of four aircraft. None of that narrative hangs

together. Although Five10Twelve refer to Magma Aviation's aging fleet of just four aircraft, Five10Twelve provide no evidence that Magma Aviation's fleet mix will remain the same when the airport reopens or during the years ahead, nor that Magma Aviation or any of its Directors or Investors may not have in contemplation organisational plans, mergers, consolidation or expansion. Frankly, Five10Twelve's lack of mastery of detail, incoherent narrative and unsupported inferences are risible. Again, in my opinion, this section of Five10Twelve's submission to the Secretary of State should also be completely disregarded or in the alternative given no weight by the Secretary of State.

5. In the next session of Five10Twelve's submission on 20xii2019, Five10Twelve fails to spot the difference between a 'flight' and an 'air traffic movement'. Five10Twelve also fail to observe that general aviation 'flights' and 'ATMs' differ markedly from scheduled and other heavy aircraft flights and ATMs. Indeed Five10Twelve admit that 'we do not know if the impact will be minor, moderate or major.'

6. Five10Twelve then go on to refer to Thanet District Council's designation of a particular Air Quality Management Area (AQMA), one of a number that Five10Twelve admit exist. This particular one lies directly under 'the proposed flight path' (although in truth the designation of the flight path has yet to be determined by the CAA: that will take place after and only if this DCO is consented) and at a point where it is surmised that aircraft will be some 200 to 300 feet above actual ground level. A quotation from the National Planning Policy Framework in respect to 'EU limit values or national objectives for pollutants' and specifically 'taking into account the presence of Air Quality Management Areas and the **cumulative** impacts on air quality from individual sites in local areas' [my emphasis]. This clearly makes sense only when taken in the round, including measurements taken at monitoring stations situated at multiple locations across this local authority's boundaries and those of neighbouring authorities (Canterbury & Dover in particular). But Five10Twelve make no attempt to join that up: they therefore exaggerate the importance of a single monitoring station, the one closest to the centre line and just one of the two ends of the runway. There's nothing in here that is new, post-Examination, and no case is made by the Applicant suggesting that there is in this respect.

7. Five10Twelve then seem to feel that a "**Non-Aviation Focus Group Meeting**" [emphasis added] on 5 November should have been conducted differently and that significance should be attached to Five10Twelve's observation 'that Thanet District Councillors opposed to the proposed cargo airport were not invited' to the non-Aviation Focus Group or to engage in the design process.' This seems to suggest that Five10Twelve erroneously believes that a post-Examination consultation conducted after the submission of the Report & Recommendations of the DCO Application's Examining Authority should be 'even-handed' and involve a wide range of consultees from across the spectrum of opinion. But in truth any Focus Group Meeting of this kind is nothing of the sort. It is patently clear that it is intended to consider how the plans of the Applicant can best be furthered in the interests of the Applicant (RiverOak Strategic Partners), their investors and those consulted, so that this may inform the Applicant following Acceptance.

8. The minutes of the Aviation Focus Group and of the Non-Aviation Focus Group meetings were not held under the auspices of the CAA, nor was any member of the CAA present. The minutes of those meetings were, however, shared with the CAA and NATS by the Applicant as one would think was done appropriately in the interests of transparency. It is neither required nor productive for such meetings to be subject to disruption by opponents of the Airport: there is no obligation for such meetings to occur or to be anything other than upbeat, collegial and supportive.

There's no obligation to invite disaffected or disruptive individuals. The attendees of the Aviation Focus Group were all aviation stakeholders who were aviation professionals or members of aviation amenity groups and were each qualified to attend by reason of training, skills, other competences and experience. The attendees of the Non-Aviation Focus Group were invited members or officers of Kent County Council, Canterbury City Council, Thanet District Council, and a number of Parish Councils. They were joined by representatives of RiverOak Strategic Partners and some of their professional consultants. Both meetings were held to consider airspace design proposals and constraints relating to airspace operations at Manston Airport. The CAA is, of course, not the DCO consenting authority but will be dealing with other issues on which there will be consultation open to the general public across a range of issues that the CAA judges to be required or of assistance to the CAA in carrying out its statutory obligations. None of that is prejudiced or precluded by the right of the Applicant to consult separately with those who seek to utilize the airport, shape its use or be positively impacted by its development and operations.

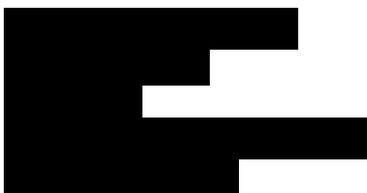
9. All of this demonstrates that Five10Twelve have no significant or compelling basis on which to write this post-Examination submission to the Secretary of State, sent just before the long Christmas holiday, directly after an election campaign and only four weeks before the statutory obligation of a Secretary of State to determine the outcome of a DCO Application within three months of the end of the Report and Recommendations of the Application's Examining Authority.

10. In my opinion, for the reasons set out above and for other reasons set out in detail in another response by me to the Secretary of State for Transport about **all** of the post-Examination submissions by Five10Twelve and another, **nothing** in this Five10Twelve post-examination submission should be given any consideration or weight by the Secretary of State.

Yours sincerely,

Dr. R. John Pritchard, BA, MA (History), PhD (Econ.), LLB (Law), FRHistS, MBIICL

[co-founder, former Committee Member (2015–2019), twice Vice-Chair (2015–2017) and twice Treasurer (2017–19) of the Save Manston Airport association]

A large black rectangular redaction box covering the signature area.

Submission by Dr. R. John Pritchard as a Post-Examination Contribution to the Secretary of State for Transport’s Consultation on the Manston Airport DCO, in Response to:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-005183>, namely a a post-Examination Submission by Five10Twelve to the Secretary of State for Transport (17x2019), entitled **“Rebuttal to the Applicant’s Overall Summary of Need Case:”**

1. As in other Post-Examination Submissions to the Secretary of State, **this** submission dated 17x2019 by Five10Twelve (Mr. and Mrs. Jason Jones-Hall, two recently-arrived residents of Ramsgate who did not live here when the airport previously operated), is wholly without merit and brings nothing new or relevant to the attention of the Secretary of State.

2. I have to say, in exactly the same terms as I wrote in response to a previous submission by Five10Twelve, who attended all or nearly all of the public meetings of the Examining Authority during the DCO Examination, they have here repeated assertions previously made by Five10Twelve and various other objectors to this DCO Application during the DCO Examination, taken no account of contrary, compelling evidence put before the Examining Authority, and the arguments of Five10Twelve in opposition to the Application and to the Applicant gain no strength or credibility through mere repetition. The Applicant’s team and submissions made by other Interested Parties (including myself) fully rebutted the demonstrably false claims made by Five10Twelve. Five10Twelve, are not recognised authorities on the matters in question, cannot reasonably claim to reflect the views of the majority of residents in Thanet, and the Applicant and others have previously responded to Five10Twelve’s claims with written and oral evidence submitted by leading authorities in the field.

2. Nothing in the Five10Twelve **‘Rebuttal to the Applicant’s Overall Summary of Need Case’** sheds any fresh light on matters fully covered by interested parties including themselves in the DCO Examination. Its citations are limited to documents already put into evidence during the DCO Examination. It is entirely unworthy of attention and has zero weight.

3. What this submission by Five10Twelve does provide is further evidence that Five10Twelve have persisted in ignoring advice given at the Preliminary Meeting of the DCO Examination and recalled thereafter from time to time, that simple repetition of previous submissions without adducing

anything new in evidence does not add credit or credibility to what was produced in the first instance.

4. In my opinion, for the reasons set out above and for other reasons set out in detail in another response by me to the Secretary of State for Transport about **all** of the post-Examination submissions by Five10Twelve and another, **nothing** in this **vexatious** Five10Twelve post-examination submission should be given any consideration or weight by the Secretary of State.

Yours sincerely,

Dr. R. John Pritchard, BA, MA (History), PhD (Econ.), LLB (Law), FRHistS, MBIICL

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Submission by Dr. R. John Pritchard as a Post-Examination Contribution to the Secretary of State for Transport's Consultation on the Manston Airport DCO, in Response to:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-005184>, namely a a post-Examination Submission by Five10Twelve to the Secretary of State for Transport (20xii2019), a '**Rebuttal to the Applicant's Overall Summary of Case: Environmental Statement**':

1. As in other Post-Examination Submissions to the Secretary of State, **this** submission dated 27x2019 by Five10Twelve (Mr. and Mrs. Jason Jones-Hall, two recently-arrived residents of Ramsgate who did not live here when the airport previously operated), is wholly without merit and brings nothing new or relevant to the attention of the Secretary of State. Five10Twelve, who attended all or nearly all of the public meetings of the Examining Authority during the DCO Examination, repeat assertions previously made by Five10Twelve and various other objectors to this DCO Application during the DCO Examination and the their arguments in opposition to the Application and to the Applicant gain no strength or credibility in doing so. The Applicant's team and submissions made by other Interested Parties (including myself) fully rebutted the demonstrably false claims made by Five10Twelve. Five10Twelve are not recognised authorities on the matters in question, cannot reasonably claim to reflect the views of the majority of residents in Thanet, and the Applicant and others have previously responded to Five10Twelve's claims with written and oral evidence submitted by leading authorities in the field.

2. Nothing in the Five10Twelve '**Rebuttal to the Applicant's Overall Summary of Case: Environmental Statement**' sheds any fresh light on matters fully covered by interested parties including themselves in the DCO Examination. Its citations are limited to documents already put into evidence during the DCO Examination. It is entirely unworthy of attention and has zero weight.

3. What this submission by Five10Twelve does provide is further evidence that Five10Twelve have persisted in ignoring advice given at the Preliminary Meeting of the DCO Examination and recalled thereafter from time to time, that simple repetition of previous submissions without adducing anything new in evidence does not add credit or credibility to what was produced in the first instance.

4. In my opinion, for the reasons set out above and for other reasons set out in detail in another response by me to the Secretary of State for Transport about **all** of the post-Examination submissions by Five10Twelve and another, **nothing** in this vexatious Five10Twelve post-examination submission should be given any consideration or weight by the Secretary of State.

Yours sincerely,

Dr. R. John Pritchard, BA, MA (History), PhD (Econ.), LLB (Law), FRHistS, MBIICL



Submission by Dr. R. John Pritchard as a Post-Examination Contribution to the Secretary of State for Transport's Consultation on the Manston Airport DCO, in Response to:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-005185>, namely a post-Examination Submission by Five10Twelve to the Secretary of State for Transport (1x2019), a 'New Evidence Since the Close of the Examination: Source Historic England':

1. As in their other Post-Examination Submissions to the Secretary of State, this submission dated 1x2019 by Five10Twelve (Mr. and Mrs. Jason Jones-Hall, two recently-arrived residents of Ramsgate who did not live here when the airport previously operated), is wholly without merit.
2. Five10Twelve pin this new submission to the Secretary of State upon the publication of a document by Historic England on 27x2019 which added two Ramsgate sites to the At Risk register of historic buildings.
3. What Five10Twelve have **not** done is to provide any arguments or supporting evidence to suggest that this has **any** connection with the Manston Airport DCO or to the transit of aircraft over Ramsgate.
4. Further and alternatively, Five10Twelve have **not taken into account** the most persuasive evidence admitted in the DCO Examination from Interested Parties re. effects of aircraft noise upon the built environment and particularly the listed buildings and scheduled monuments of Ramsgate. I therefore should like to draw the attention of the Secretary of State to three documents in the hopes that they will be read in conjunction with this submission by Five10Twelve should it be deemed necessary to give TR020002/TR020002-005185 any credence or weight at all:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004291-Dr%20R.%20John%20Pritchard%20-%20Aircraft%20Noise%20-%20Comments%20on%20CAA%20Profiles%20for%20Five10Twelve%20Ltd.pdf>

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004634-AS%20-%20Dr%20R.%20John%20Pritchard%20re%20Noise%20and%20Other%20Matters%20to%20Deadline%209.pdf>

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-004907-Additional%20Written%20Submission%20by%20Dr%20R.%20John%20Pritchard%20on%20the%20Effects%20of%20Noise%20on%20Listed%20Buildings.pdf>

5. Regrettably but relevantly, I recognised that in the last of these submissions, I inadvertently duplicated an image taken from a Google Earth screen shot that referred to an indicative flight path over Ramsgate taken in a straight line approach drawn from the centre-line of Manston Airport. I was out of time when I asked the Manston Airport Support Team if I could put in a corrected submission in which the second of those two images was replaced by the correct one that I had intended to put forward to the Examining Authority. I was refused consent for that on the grounds that the Examination had now closed. The point I would make now is that in this case the rule was clear and uncontested: a deadline is a deadline. The time for evidence-taking had passed. And that same understanding was shared with just about everyone except Five10Twelve (Mr. & Mrs. Jones-Hall) and Mr. Chris Lowe. I believe, then, that it is an abuse of process for those individuals to be permitted to push in recapitulations of their previous submissions as if they were fresh evidence or more compelling than the evidence of others, particularly without regard for any contrary evidence

that either refutes or at least rebuts their own position. It continues to be my position that their submissions are vexatious and should be given no weight at all.

Yours sincerely,

Dr. R. John Pritchard, BA, MA (History), PhD (Econ.), LLB (Law), FRHistS, MBIICL



Submission by Dr. R. John Pritchard as a Post-Examination Contribution to the Secretary of State for Transport's Consultation on the Manston Airport DCO, in Response to:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-005186>, namely a post-Examination Submission by Five10Twelve to the Secretary of State for Transport (19xii2019), a **'No Aerodrome'**:

1. As in their other Post-Examination Submissions to the Secretary of State, **this** submission dated 27x2019 by Five10Twelve (Mr. and Mrs. Jason Jones-Hall, two recently-arrived residents of Ramsgate who did not live here when the airport previously operated), is wholly without merit.

2. This submission by Five10Twelve asks the Secretary of State to take into account a finding by the CAA that it does not believe that the Applicant, RiverOak Strategic Partners, is an aerodrome operator. Five10Twelve then goes on to make sweeping assertions that amount to the proposition that Manston Airport's past troubled history precludes any likelihood that it would be viable in future. From that thin ice, Five10Twelve then assert that the airport will be bound to obtain airspace from the CAA and in doing so assert that 'There is a significant risk that the Applicant will be refused airspace on operational and/on environmental grounds.' The Secretary of State is then invited to construe the appropriate meaning of various passages in correspondence or the Planning Act 2008 in ways that can only be characterised as completely unsound and delusional, e.g., "A development without an aerodrome and airspace is not an airport. This will deter, curtain or prevent any potential investment in Manston".

3. The Applicant has never supposed it could operate Manston Airport without substantial prior investment in re-developing and enhancing its infrastructure, and the most cursory sight of its Application documentation makes that abundantly clear. The risks are borne by the investors, not by the public purse or local community bystanders and busybodies. The Applicant has shown that it can attract, retain and deploy the finances it needs as and when the costs of this project must be met. The Applicant has retained (and paid for) the highest quality of professional advice across the whole range of consultancies whose services will be necessary to bring the project to fruition and enable it to operate successfully.

4. No one supposes that the CAA will issue any air space license or permit Manston Airport to return to use as an Airport without having achieved development consent. To believe otherwise puts the cart before the horse.

5. There is nothing of substance in the Submission made to the Secretary of State for Transport by Five10Twelve on 19xii2019. It disregards the entirety of the Application, the finding by the Planning Inspectorate that the project is a Nationally Significant Infrastructure Project, and the totality of the DCO Examination. It disregards the support that the project has won from the Local Authority within which it is situated and the neighbouring two local authorities. It ignores the advice of well-placed consultants brought in to advise the Applicant. It ignores the degree of public support for the airport. It fails to appreciate the benefits of the project. It overlooks the resolve of the investors and of the Applicant to see this through. It doesn't appreciate the fact that a vast amount of money has already been spent by the Applicant and by the Applicant's investors, and this can only be redeemed at some point in the future if/when the airport is successful. The amount of money spent by the Applicant and the Applicant's investors is considerably more than the total cost of many other DCO projects. Further, following the end of the Examination, the Applicant has spent a significant amount of money supporting other local good causes as a benefactor. This was not

done to curry favour with any planning inspectorate team or the Secretary of State: it was done to cement and give thanks to the community for the good will with which the Applicant's plans have been supported by the vast majority of local businesses and residents. The Five10Twelve duo don't acknowledge that, and they also fail to appreciate the Government's commitment to achieving major new nationally significant infrastructure projects and especially those which involve heavy inward investment from abroad. Frustrating foreign inward investors a few months after Brexit occurs is not a good way to underpin the success that we all hope will come from Brexit opportunities.

6. There have been many DCO projects that are far less ambitious and less expensive. Others that have required far larger expenditure. All have started from the ground up. All have required grit and determination. But the whole of the DCO process is designed to work well, and after having closely studied every single DCO project that has been documented on the Planning Inspectorate's website at any point in the past five years, I can only describe it as 'fit for purpose' and note that its success rate is as phenomenal as its costs. As DCO projects go, however, the Manston Airport DCO project has been particularly well conceived, carried through with great determination and efficiency. Previous submissions to the Examining Authority by me and others have shown how the community as a whole have been extraordinarily supportive of the Applicant's plans throughout the past six years. The disapproval of an unrepresentative minority is deplorable but by no means significant. The affection most local people have for Manston Airport and the fame of its history goes before us but remains with us.

7. In my opinion, for the reasons set out above and for other reasons set out in detail in another response by me to the Secretary of State for Transport about **all** of the post-Examination submissions by Five10Twelve and another, **nothing** in this **vexatious** Five10Twelve post-examination submission should be given any consideration or weight by the Secretary of State. The very thought that the Secretary of State should be deterred or hesitant about consenting the Manston Airport DCO on the basis of a perceived need to consult about the worth of such light-weight submissions by a couple of disgruntled newcomers who bring no relevant expertise or experience or prove any significant detrimental impact upon themselves or anyone else, is positively mindboggling, but I cannot avoid the lingering thought that perhaps the Secretary of State simply wants us to see how devoid of merit and tiresome these late submissions have been. Do I see any policy or legal grounds on which these submissions should not have been dismissed out of hand? Absolutely not! Given that not one attempt to judicially review a grant of consent for a DCO has ever been successful, I am confident that any characterisation of Mr. and Mrs. Jones-Hall's submissions as vexatious is altogether fair, just and reasonable. Any delay to the DCO Project caused by ludicrous and absurd interventions of this number and on this scale, all self-evidently ill-founded and febrile, is deplorable and really must be stopped.

Yours sincerely,

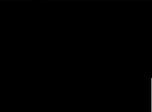
Dr. R. John Pritchard, BA, MA (History), PhD (Econ.), LLB (Law), FRHistS, MBIICL

[REDACTED]

[REDACTED]

Submission by Dr. R. John Pritchard as a Post-Examination Contribution to the Secretary of State for Transport's Consultation on the Manston Airport DCO, in Response to:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR020002/TR020002-005187>, namely a a post-Examination Submission by Five10Twelve to the Secretary of State for Transport (23xi2019), which addresses, briefly, a miscellaneous group of issues.

1. As in their other Post-Examination Submissions to the Secretary of State, this submission dated 1xi2019 by Five10Twelve (Mr. and Mrs. Jason Jones-Hall, two recently-arrived residents of Ramsgate who did not live here when the airport previously operated), is wholly without merit.
2. The first issue addressed by Five10Twelve in this Post-Examination Submission is "Public Cost and Reputational Risk". Not for the first time, Five10Twelve attacked the character and fitness of RiverOak Strategic Partners Ltd. and its founding director. The attack on the latter raises or alludes to events that took place a generation ago which never led to any criminal proceedings. The nature of the allegations made then would, if proven, have led anyone found guilty to be subject to a term of imprisonment due to breach of trust (which invariably lead to prosecution and upon conviction the imposition of a significant sentence of imprisonment). The fact that no such charges were laid and no such criminal proceedings were brought and no such conviction or sentences took place is significant. But indeed had any such criminal process taken place, it is beyond contradiction that raising the subject now would be in reference to a spent conviction and mentioning that would itself be an imprisonable offence. 
 In the meantime, it is evident from the due diligence and backing that RiverOak have received from their investors that whatever were the circumstances of something that allegedly occurred thirty-odd years ago should have no bearing upon the consenting of this DCO.
3. Five10Twelve also refer to proceedings in a Parliamentary Select Committee at which the case of Manston Airport featured. I was in attendance at that meeting along with a coachload of other Manston Airport supporters who effectively packed the chamber in which the meeting was held. The questions that were asked were answered to the full satisfaction of the Committee and the only individuals who did find their positions under intense scrutiny thereafter were the then owners of the Airport, Mrs. Gloag and her associates. Their side were asked for certain documentation by the Chair of the Committee and that was refused. To say that the Committee were scathing in their views about what we have come to know as Stone Hill Park and on the way in which Thanet District Council was held to be pretty unfit to deal with relevant issues is worthy of attention and in my view was utterly justified.
4. The view of Five10Twelve about any lack of public cost 'if the project does not succeed' is not supported by the legal advice that James Maurici, QC, tendered in advice to RiverOak for the benefit of Thanet District Council back in July 2014 when the issue of compulsory purchase of the airport by the local authority was under active consideration. The Secretary of State for Communities and Local Government (as it then was) was fully briefed on that at the time by the Save Manston Airport Association and others. All of this was not directly relevant to the conduct of the Manston Airport DCO Examination, but should the Secretary of State wish to consult his opposite number in the Department of Housing Communities and Local Government, I have no doubt that they would quickly pick up that trail. Alternatively, if asked, I am sure that a copy of James Maurici's Opinion will be readily available: it received a considerable amount of public attention back in 2014-15 before RiverOak came to realise that given the size and significance of their plans for redevelopment of Manston Airport, development consent should take place through a DCO rather than through

compulsory purchase via the local authority. At any event, the fact is that a QC widely regarded as one of the giants of his field clearly takes an entirely different view of the issue of public risk to the local authority or to the public interest.

5. Five10Twelve then proceed to address the issue of Operation Stack/Operation Brock. Five10Twelve's argument is more than a bit confused, but it is also irrelevant. The Operation no longer exists, RiverOak own the land, and RiverOak have zero interest in permitting the land to be used for the purposes of Operation Stack/Operation Brock. The likelihood of it ever being an issue in future is near to vanishing point, and it is irrelevant to the DCO (which would, in any event, put the renewal of such an operation at Manston beyond reach). There are no implications on-going for further Public Funds to be put at risk in this matter as I have no doubt will be perfectly clear to the Secretary of State! Were this to be considered a 'showstopper', I have little doubt that view would be challenged by way of judicial review.

6. Five10Twelve then address the issue of Public Safety Zones. As this was dealt with during the Examination and as Five10Twelve add nothing to that issue in this Post-Examination Submission, it is highly unclear how they believe they may assist the Secretary of State in this matter: they certainly do not make their case that they can.

7. There follows a single sentence in which Five10Twelve suggest that the impact of the reopening of the Airport will have an impact on the 'low level' of housing supply and delivery in Thanet. That's certainly not substantiated and it is in any event contrary to the Local Plan now (as amended following the Planning Inspectorate's Public Inquiry, and at all times previously in terms of 'saved elements' of the local plan that previously prevailed. In short, the Five10Twelve point is simply wrong and in any event any such deficit would be more than compensated by the economic and social benefits to Thanet and to Thanet District Council that will flow from the reopening of the Airport. Airports, put simply, are amazingly effective in terms of economic regeneration and the benefits to local authority revenue are profound.

8. Five10Twelve's arguments re. Eurotunnel Freight are unpersuasive, and in the aftermath of Brexit are of no consequence at all. The airport is not a substitute for train travel. They may both facilitate travel, but they are quite literally not the same. The Shuttle will not facilitate trade with the USA, Canada, Latin America, Africa, the Middle East, Russia, the Far East or Australasia. Even in Europe much of incoming air freight that presently comes in by truck will proceed faster and more cheaply by air freight directly into Manston, as Dr. Sally Dixon's research showed very clearly, supported by other leading authorities. Five10Twelve's views about the strength of evidence submitted during the Examination have no place in Post-Examination Submissions to the Secretary of State. The DCO Process relies heavily upon the Report and Recommendation of the Examining Authority and nothing is supplied in this Post-Examination Submission by Five10Twelve that offers any compelling basis to overturn or support that which has not been seen.

9. The same observations I have made in the previous paragraph of my Response applies with equal strength to what Five10Twelve write in relation to "Nationally Strategic Bodies and Government Bodies", "Highways England", "Inward Investment", the "Draft Local Plan", "Tourism" (Five10Twelve are silent as to my own coverage the latter in my submissions to the Examining Authority), "Cultural and Creative Industries". What Five10Twelve say about the Port of Ramsgate and the Royal Harbour are, frankly, risible: the presence of the airport will be hugely beneficial to those amenities and their activities, as airports always are when in such proximity.

10. There's nothing of substance in Five10Twelve's comments about "First Aviation DCO": what IS the point of this waffle by Five10Twelve?

11. Finally, in their conclusion, Five10Twelve lay down a clear threat that if they and other Anti-Aviation, Anti-Airport activists lose and Development Consent is granted to the Applicant, they are raising funds for judicial review of that decision. Well, I doubt they realise that no judicial review against consent has ever been successful. My view of them? “Nothing to see here: time to move on!”

Yours sincerely,

Dr. R. John Pritchard, BA, MA (History), PhD (Econ.), LLB (Law), FRHistS, MBIICL

[Redacted signature]

[Redacted signature]