

Natasha Kopala
Head of Transport Infrastructure Planning Unit
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR
By email: transportinfrastructure@dft.gov.uk

Your ref:
Our ref: DAW0011

Email: 

16 June 2021

Dear Sirs,

Re-determination of the Application by RiverOak Strategic Partners Limited ("the Applicant") for an Order granting Development Consent for the reopening and development of Manston Airport in Kent ("the Development").

We are instructed by Jenny Dawes, the claimant in judicial review proceedings which resulted in the High Court's quashing order of 15 February 2021.

We write further to your letter of 11 June 2021, which was sent to our client as an Interested Party in the above matter.

We note that the deadline for responding to your letter and providing all additional information is 9 July 2021. A timeframe of 4 weeks for our client and others to gather information on a number of different and complex topics is insufficient. We therefore request that you extend the 9 July deadline to provide for a reasonable time-frame that will allow Interested Parties sufficient time to prepare responses to the questions raised and to participate effectively in the re-determination process, in line with the UK's commitments under Article 6.3 of the Aarhus Convention. We would suggest an alternative deadline of 9 August 2021.

Please also confirm whether all Interested Parties have had the same time to prepare a response to the re-determination process, or whether the Applicant and/or any other party was provided with advance notice of any of the matters set out in the letter.

We also wish to seek clarification in relation to the procedure that will apply to your re-determination of the development consent order ("DCO") application.

Paragraph 9 of your letter states that the Secretary of State has appointed an independent aviation assessor to advise him on matters relating to the need for the Development and to produce a report summarising those findings. The letter also states that the report will be made available "as soon as possible" after the 9 July 2021 deadline. It is not clear, however, whether the responses from Interested Parties will be passed to the aviation assessor and will therefore contribute to the report. Please confirm that Interested Parties will have the

opportunity to contribute to the aviation assessor's advice as well as to comment on his or her report after it has been completed.

Paragraph 10 of your letter states that Interested Parties will have the opportunity to comment on the aviation assessor's report, representations received and supporting information, and that responses and information received will be considered by the Secretary of State before making a decision. Please clarify how long Interested Parties will have to consider and respond to the assessor's report, representations and supporting information. Once again, we note that Interested Parties must have sufficient time to respond and participate effectively.

Please also confirm that all previous material sent to the Planning Inspectorate and the Secretary of State prior to 9 July 2020 and published on the National Infrastructure Planning website, including the Examining Authority's Report, will be taken into account by the Secretary of State in his re-consideration of the DCO application, and that the request for cross-references in paragraph 11 of your letter is for ease only.

Finally, please clarify the reason why your letter in some instances seeks information relating to changes since 9 July 2020 and in other instances since 9 July 2019 or whether this discrepancy arises out of typographical errors.

Please acknowledge receipt of this letter and, due to the short time-frame for consultation, respond by return.

Yours faithfully,



HARRISON GRANT