

**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.**

In response to the above, I wish to make the following submission in order to object to the granting of Development Consent:

the Planning Inspectorate, consisting of independent, qualified professionals, rejected the application on a number of grounds that you will, without doubt, be familiar with. None of these grounds have been obliterated since their recommendation was presented to the Secretary of State. This in itself should be enough reason for the Secretary of State to follow the Inspectorate’s recommendation – without asking for further submissions.

Recent developments and opinion regarding the following statements in the Inspectorate’s Report, i.e. **Clause 8.2.74 the Proposed Development will have a material impact on the ability of Government to meet its carbon reduction targets** and

**Clause 11.2.6. The ExA concludes that there are impacts of the Proposed Development in terms of climate change which weigh against making the proposed Order**

once again emphasize the rightfulness of the Inspectorate’s conclusion as follows:

At the G7 meeting in June the UK has led with a goal of cutting emissions by 68% by 2030 and 78% by 2035, based on 1990 levels. The Sixth Carbon Budget will be enshrined in UK legislation and targets for carbon emissions from UK international aviation will be included from 2033 onwards.

RSP claim that Manston will be carbon neutral without substantiating this claim in detail. Their claim does not appear to include the airport being used by aircraft – since no zero carbon emission aircraft are currently in existence and to date there are only ‘plans’ for a project to develop such aircraft by 2030. Whether this will be a reality is anyone’s guess and that an airport that has consistently failed in its commercial operations in the past would even be considered by the operators of such aircraft is highly unlikely. The use of existing aircraft (and especially those older ones favoured for cargo use) therefore contradict RSP’s claim of Manston going to be ‘carbon neutral’ as does the issue of pollution caused by supply lorries transporting goods to and from Manston (not by any description in a central position to distribute freight) as well as aviation fuel tankers to service those polluting aircraft.

Lord Deben, Chairman of the Climate Change Committee, said: “The targets set by the UK are remarkable and have set a major example to the world. But the policy is just not there. It’s very clear we need to step up very rapidly”.

Granting a DCO for a cargo hub in the scenario of G7, COP26, the Government-stated commitment to cutting emissions and the recommendations of the Planning Inspectorate, will only lead to another Judicial Review and an embarrassing international faux-pass that will be loudly proclaimed and demonstrated to the participants of COP26 in Glasgow by those opposing the DCO. It will not only be the Secretary of State and the DfT who will lose face but the UK itself will rightfully be accused of making a mockery of the commitment it made.

***Clause 8.2.25 The applicant has failed to demonstrate sufficient need for the Proposed Development***

and

***11.2.3. The ExA concludes that the Applicant has failed to demonstrate sufficient need for the Proposed Development, additional to (or different from) the need which is met by the provision of existing airports, and this weighs against making the proposed Order***

Both statements are not only still utterly valid, but since July 2019 further evidence is available to not only underline them, but to add to the detail supplied by the Inspectorate at the time.

In the UK, the pandemic year has provided ample proof of the resilience of the UK's existing airport infrastructure and operators during a time of crisis and its ability to quickly adapt to changing market conditions. Airports and operators swiftly pivoted from the usual preferred passenger/belly-hold freight operations to service the short-term demand for cargo aircraft quickly and effectively.

The CAA reports a 45% increase in cargo aircraft ATMs across all UK airports, from 57,529 in 2019 to 83,355 in 2020. This short-term increase of 25,826 cargo aircraft ATMs in a single year, driven by the temporary lack in supply of belly freight in passenger aircraft, is 50% higher than the 17,170 cargo ATMs which RSP originally forecasted to achieve at Manston by its 20th year of operation. RSP has since stated that the number of ATMs will be smaller (12,000 at this moment, but RSP statements tend to be variable) than quoted during the DCO examination.

The above suggests that the existing airport infrastructure is sufficiently resilient to adapt to any change in market conditions that might require a shift in demand from passenger/belly freight to cargo aircraft – whilst there is no evidence or even indication to suggest that the findings of the Inspectorate that there is enough spare cargo capacity at other airports are in any way invalidated. In fact, they have been proven as fact.

It is envisaged that the pandemic will also have far-reaching consequences regarding investment. Airports Council International recently warned of a “severe airport

investment crunch” in Europe after the industry was forced to take on more than €20bn of additional debt last year.

In addition, the issue of climate change will add to investment uncertainties and investor reservations: “many investors and fund managers could question in future whether airports sit well within their portfolios,” said David Lowery, head of research insights at data analyst Preqin. “Depending upon how serious they are, these assets may well be off the radar entirely.”

RSP has consistently refused to divulge information about its investors – calling into question whether there actually are such investors and whether sufficient monies can/will be raised under normal circumstances. It would be prudent to yet again consider the likelihood and viability of future investment and especially with reference to the statements quoted above.

The moving of goal posts (number of ATMs reduced, number of people forecasted to be employed reduced, etc, etc) together with the secrecy surrounding financial investment does not create any confidence in the sincerity, the motives or the financial security/competence/capability of the applicant.

New information dated 26/3/2021 adds to questions and doubts regarding the applicant and the application by demonstrating the technical incompetence of the applicant when the applicant did not meet the CAA's Gateway One criteria (Gateway One being the very FIRST Gateway). Statement by CAA as follows:

Develop & Assess Gateway Assessment of (RSP) airspace change proposal (ACP): ‘In our Gateway Assessment, the CAA concluded that the submission did not meet Criterion 3 and Criterion 5 above for the reasons set out below: 1. Criterion 3 (Design Principles Evaluation): The development of the baseline (“Do Minimum”) scenario and comparative assessment of the suggested Design Options against the Design Principles contained errors and inconsistencies which did not evidence clearly that the Design Options had been adequately assessed against the Design Principles. (CAP 1616 - Step 2A Para 128 and Para E21). 2. Criterion 5 (Initial Options Appraisal): In Step 2B, the presentation of the Options Appraisal (which built on Step 2A) contained errors and inconsistencies which did not allow us to conclude that it had been correctly undertaken. (CAP 1616 - Step 2B Para 133 and Appendix E Para E12). 3. Criterion 5 (Initial Options Appraisal): The Options Appraisal did not take account of all environmental assessment requirements associated with an ACP that has potential to alter traffic patterns below 7,000 feet (CAP1616 - Appendix B Para B12). ‘

I am more than aware that there are many more arguments to be made in objecting to the DCO. The vast majority has already been made and submitted in the past. In my view, this particular stage is wholly unnecessary as the Secretary of State has had every opportunity to acquaint himself with the issues before now.

The residents in the local area affected by the proposal – and that is not only Ramsgate – are committed to resisting the application and as mentioned earlier will, if need be, again pursue the route of a judicial review.

During such legal action the amount of time available to the objectors to employ an expert before 9 July will without doubt be raised. The Secretary of State had already acquired an advantage by employing an 'independent (?)' expert from the moment the decision was made about the timescale of this latest exercise – leaving the other side at a distinct disadvantage due to the reduced time available to them.

I hope that this latest exercise will enable the Secretary of State to gracefully overturn his previous decision to grant the DCO. He will be able to make use of new information, the pandemic, etc. to justify such a changed decision and in doing so he will be able to avoid yet another legal action and the ridiculing (by national and international media and member states) of the UK being host of COP26 whilst knowingly and willingly undermining its own climate targets.

Mieke Vrijhof (Ms)

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