

BY EMAIL

Secretary of State for Transport,
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FAO Manston Airport Case Team

8th July 2021

Dear Sir/Madam,

Met Office Consultation Response in relation to the 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

I write in response to your letter dated 11th June 2021 in respect of the 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.

Under paragraph 6 of the Statement of Matters, Met Office have been asked to provide confirmation or otherwise of consent to the compulsory acquisition under section 135 of the Planning Act 2008 in relation to plot 27.

Please note that Solicitors acting on behalf of the Applicant and Met Office have previously agreed that consent pursuant to Section 135 of the Planning Act 2008 in relation to acquisition of the land within plot 27 of the Development does not apply in this case. It is our understanding that Crown land cannot generally be acquired compulsorily. Therefore, where such land is required for a major infrastructure project the land (or an interest in it held by or on behalf of the Crown) will need to be acquired through negotiation and bilateral agreement.

Section 135 does, however, provide the ability to authorise the compulsory acquisition of a lesser interest in Crown land (e.g. lease or right of way over Crown land) where that interest is held by a party other than the Crown. However, it only relates to an interest in Crown land. The Planning Act 2008, ss227(3) and (4) define a Crown interest. Ss227(3)(b) states that this includes "an interest belonging to a government department or held in trust for Her Majesty for the purposes of a government department". However, it should be noted that the Met Office (on behalf of the Secretary of State) have an interest in land held by RiverOak MSE Limited i.e. a third party and not a government department. Therefore, section 135 is not of relevance at all and the Met Office interest can be either included in the DCO and acquired that way or by separate negotiation.

As confirmed, Met Office hold a leasehold interest in plot number 27 for the purposes of an unmanned Met Office weather station. The weather station is an important operational site within the Met Office network of weather stations and it is likely that the proposals will affect the location and exposure of the weather station to the extent that it will not be possible to retain the weather station in its current location.

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Whilst it is preferable to avoid any changes to these sites, the Met Office have been in negotiation with the Applicant seeking to ensure suitable mitigation against the impact of the proposal through the relocation of the weather station to a suitable alternative location.

Therefore, subject to the completion of a suitable legal agreement (currently in draft form), the Applicant and the Met Office have agreed terms relating to the relocation of the weather station to a suitable alternative location nearby. The terms include for the surrender of the current leasehold interest in plot 27, and grant of a new lease for the new weather station location upon grant of the DCO application (subject to the terms of the legal agreement being negotiated).

I trust the above provides suitable confirmation of the Met Office position, but should you have any queries, please do not hesitate to contact me.

Yours sincerely



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