

Secretary of State for Transport
FAO Gareth Leigh
Head of the Transport Infrastructure Planning Unit
Department for Transport
c/o Great Minster House
33 Horseferry Road
London SW1P 4DR

Our Ref
RAQ/ADW/166055.0003
Date
11 July 2023

Dear Sir

Application for Non-Material Change to Development Consent Order

We act for RiverOak Strategic Partners Ltd (**RiverOak**). RiverOak was granted the Manston Airport Development Consent Order 2022 – S.I. 2022/922 (the '**DCO**').

In August 2022, the Secretary of State for Transport made the DCO authorising the reopening and redevelopment of Manston Airport into a dedicated air freight facility able to handle at least 10,000 air cargo movements per year, whilst also offering passenger, executive travel, general aviation and aircraft engineering services (the '**Project**').

Since the DCO came into force on 8 September 2022, RiverOak has been working to ensure the Project is delivered effectively and efficiently. As a result of this process, RiverOak is now seeking consent from the Secretary of State to make a non-material change to the DCO (the '**Application**') in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, as amended (**2011 Regulations**). The Application comprises of two corrections to the DCO.

1. a non-material change to amend the security figure at Article 9(1)(a) from £13.1 million to £6.2 million to reflect RiverOak's acquisition of the main airport site prior to the making of the DCO; and
2. a non-material change to Article 21(3) to confirm that RiverOak's time limit for exercising its compulsory acquisition powers are limited to one year after either the DCO comes into force or the outcome of any challenge, rather than one year after the DCO comes into force and immediately after the outcome of any challenge.

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In accordance with Regulation 4 of the 2011 Regulations, we enclose copies of the documents outlined below:

1 Supporting Statement

1.1 This document includes:

- 1.1.1 The details of the proposed non-material change to the DCO as prescribed by the 2011 Regulations;
- 1.1.2 An explanation as to why the proposed change is considered non-material; and
- 1.1.3 The statement required pursuant to regulation 7A of the 2011 Regulations concerning publicising the Application and the Applicant's duty to consult.

2 Draft Amendment Order

- 2.1 The enclosed draft Amendment Order sets out the amendments proposed to the Order to reflect the changes sought.
- 2.2 The Applicant includes a word and PDF copy of the draft Amendment Order, and a validation report.

3 A copy of the notice required by regulation 6 of the 2011 Regulations (the Regulation 6 Notice)

- 3.1 The Regulation 6 Notice was included with all consultation letters and will be published in newspapers as set out below.
- 3.2 The Regulation 6 Notice will be published in the following newspapers on the following days:
 - 3.2.1 East Kent Mercury Series: **Wednesday 12 July, Wednesday 19 July**
 - (a) East Kent Mercury (Deal & Sandwich)
 - (b) Dover Mercury
 - 3.2.2 Kentish Gazette Series: **Thursday 13 July, Thursday 20 July**
 - (a) Kentish Gazette
 - (b) Faversham News
 - (c) Herne Bay Gazette
 - (d) Whitstable Gazette

3.2.3 Isle of Thanet Gazette: **Friday 14 July, Friday 21 July**

3.2.4 London Gazette: **Wednesday 12 July** (publication required only once)

4 Consultation and Publicity Statement (to follow)

4.1 While the Supporting Statement already includes the necessary information required by regulation 7A of the 2011 Regulations, the Applicant intends to submit copies of all published newspaper notices to the Secretary of State once published.

The consultation period will run between 12 July 2023 and 11:59pm on 25 August 2023. The Applicant requests that the Manston Airport webpage run by the Planning Inspectorate is updated with the relevant application documents.

The Applicant confirms that the application fee of £6,891.00, as required by Regulation 5 of the 2011 Regulations has been paid to the Department for Transport.

For ease of reference, we also enclose a checklist at Schedule 1 to this letter, setting out all the information required by regulation 4(2) of the 2011 Regulations.

We would be grateful if you would acknowledge safe receipt of this letter and its enclosures.

If you have any questions or require clarification on the content of this letter or accompanying information, please do not hesitate to contact us.

Yours faithfully



BDB Pitmans LLP

SCHEDULE 1

Checklist of details required by Regulation 4(2) of the 2011 Regulations

Regulation	Requirement	Response
4(2)(a)	Name and address of applicant	RiverOak Strategic Partners Ltd c/o BDB Pitmans, One Bartholomew Close, London EC1A 7BW
4(2)(b)	Name and address of an agent, if appointed	BDB Pitmans, One Bartholomew Close, London EC1A 7BW (REF: ADW)
4(2)(c)	The Secretary of State's reference for the development consent order to which the application relates	The Manston Airport Development Consent Order 2022 – S.I. 2022/922 PINS DCO Reference: TR020002
4(2)(d)	Details of the change being applied for	The Application seeks to make a non-material change to: <ol style="list-style-type: none"> 1. amend the security figure at Article 9(1)(a) from £13.1 million to £6.2 million to reflect RiverOak's acquisition of the main airport site prior to the making of the DCO; and 2. Article 21(3) to confirm that RiverOak's time limit for exercising its compulsory acquisition powers are limited to one year after either the DCO comes into force or the outcome of any challenge, rather than one year after the DCO comes into force and immediately after the outcome of any challenge.
4(2)(e)	Any documents and plans considered necessary to support the application	The following documents form the Application: <ul style="list-style-type: none"> • Supporting Statement • Draft Amendment Order • Regulation 6 notice as published and sent to consultees. <p>As published newspaper notices will follow as part of a consultation and publicity statement, but the Applicant considers that it has complied with regulation 7A of the 2011 Regulations through the information provided in the Supporting Statement.</p>

		The Secretary of State is requested to confirm that the above documents are sufficient for determination of the Application.
4(2)(f)	A statement as to the status of the applicant, as referred to in regulation 4(2)(f)(i) and (ii)	RiverOak Strategic Partners Ltd is the person who applied for the development consent order to which the Application relates.
4(2)(ff)	The consultation and publicity statement referred to in regulation 7A	The statement required by regulation 7A is within the Supporting Statement. As published newspaper notices will follow as part of a consultation and publicity statement, but the Applicant considers that it has complied with regulation 7A of the 2011 Regulations through the information provided in the Supporting Statement.
4(2)(g)	Details of the applicant's interest in the land	The Applicant owns the main airport site and has compulsory acquisition powers over areas within the Order limits, as more particularly set out in certified the Land Plans and Book of Reference to the DCO (neither of which require amendments as part of this Application)
4(2)(h)	If requested by the Secretary of State, 3 paper copies of the application and other supporting documents and plans	The Applicant has confirmed with the Secretary of State that no paper copies are required.