

From: [Cllr-David Green](#)
To: [Manston Airport](#)
Subject: Consultation on non material change to Manston Airport consent order
Date: 20 August 2023 09:44:38

RSP has applied to amend the security figure from £13.1 million to £6.2 million at Article 9(1)(a) of the DCO.

Some of my residents are liable to be affected by this proposed change either because their land is at risk of CPO or because they may be at risk of relocation or be claiming mitigation of noise impacts should the DCO go ahead.

We have significant concerns with any proposed reduction to the guarantee to the amount in article 9 of the DCO.

Riveroak purchased the site on 9th July 2019. This occurred on the day that the examination ended, and the sale is referred to directly and considered in the Examining Authority's (ExA) report.

1 At 9.8.127 of the ExA report, they "note that the Applicant's DL12 cover letter submitted on the final day of the Examination covered a range of issues but did not seek to amend the figure stated in Article 9(1)(a) as a consequence of the purchase of land from SHP."

However notwithstanding the lack of request to change the figure, this was considered directly by the ExA at 9.8.128 and conclusions at 9.19.5(g), stating: "given the need to seek to ensure that the sum specified in Article 9 is adequate to cover the potential costs related to CA, implementation of insulation policy, Part 1 claims; and implementation of relocation policy, and not withstanding that the sum required for noise insulation may have been reduced, the overall sum of £13.1m should not be changed in any final DCO to allow sufficient headroom for any contingencies;"

In both Secretary of State (SOS) decisions (9th July 2020 and 18th August 2022), this conclusion was not disputed nor was the amount altered, therefore this figure was considered appropriate by the SOS at £13.1million.

The proposed change could result in less security that the applicant will be able to provide the required finances to cover both the noise mitigation plan (NMP) and compulsory acquisition under Article 9. Whilst certain figures in the NMP are fixed, the relocation costs (stated as up to 40 caravans by both the ExA and the SOS) are not, as these are set in part by market value.

Concerns have been raised by members of the public that the current amount set for mitigation, £4.35 million, will be inadequate once the changes in market conditions (and costs) since assessment in 2019 are included.

In addition, the submission by the applicant outlines the reduction to only affect the amount for compulsory acquisition, now valued by them at £1.1million on the basis of an "up-to-date valuation carried out by CBRE". This has not been provided to the public for consideration, therefore we are unable to attach any weight to the figure stated. It has therefore not been demonstrated that the change would not materially affect the compulsory acquisition of the remaining land.

The security figure also applies to the amount set aside for relocation and noise mitigation required should the DCO be approved. Given inflation since 2019 in building materials ect we again question the adequacy of the proposed security.

Yours

Cllr David Green, Thanet District Council

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