

**From:** [Ian Scott](#)  
**To:** [Manston Airport](#)  
**Subject:** DCO Variation  
**Date:** 25 August 2023 10:27:57  
**Attachments:** [DCO VARIATION.docx](#)

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Dear Sir/Madam please accept this submission from Nethercourt Action Group and Ian & Hilary Scott regarding RSP's application to vary their DCO

## **NETHERCOURT ACTION GROUP**

### **RSP'S REQUEST TO VARY THE DCO**

I am writing on behalf of Nethercourt Action Group to register our opposition to Riveroak Strategic Partner's (RSP) application to vary the Manston DCO being accepted. We are registered as interested parties and have made many submissions.

Firstly we wish to complain that as an interested party we were not notified of the consultation until over a week after it had started putting us at a disadvantage from the word go. The timing and lack of any notice has also meant that authorities like Thanet council have been unable to respond as during this period the relevant local authorities do not have any scheduled meetings where this matter could and should be raised and discussed. Looking at the paperwork it looks like the DfT did not respond to the application in a timely manner and as a result we have been disadvantaged.

It is bad enough that the Secretary of State for Transport ignored the recommendations of the DCO examiners, his own experts, Ove Arup, and many aviation experts and passed the DCO but yet again are we to be sold out? Many residents are liable to be affected by this proposed change either because their land is at risk of compulsory purchase, at risk of relocation or be claiming mitigation of noise impacts should the DCO go ahead. 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. In both of the 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/DfT at £13.1million.

This is being applied for as a non material change, one of the characteristics of whether a change is material or not is whether there is an impact on local people. We would argue that limiting the level of security and therefore potentially limiting compensation and/or noise insulation would potentially impact on local people and is therefore a material change.

RSP's application glosses over the impact of inflation since 2019 when RSP submitted its noise mitigation plan and cost estimate. We know from personal experience there has also been a massive increase in the price of building materials since the COVID pandemic with prices more than doubling. There is also the fact some of these payments may not be payable for several years so costs will increase further with inflation.

There are hundreds of new houses being built in very close proximity to the airport, one development has the landing lights in its perimeter. When planning permission was put in place for these properties the noise mitigation necessary was based on noise contours for the airport as operated at the time, 2-3 ATMs a day. What RSP are proposing is a massive increase in that number. With the new noise contours for the cargo hub these properties could also be entitled to further noise mitigation measures. So we believe that the figure put aside for noise mitigation should not be reduced as it could well be inadequate anyway.

RSP are also looking to reduce the figure put in ESCROW to cover compulsory acquisitions to £1.1m. RSP say they have obtained an updated valuation for compulsory acquisitions from CBRE. This has not been provided to the public for consideration, therefore we are unable to tell if the valuation is accurate or not for the remaining land required. This valuation, they say, is consistent with their proposed new land acquisition figure of £1.1m. CBRE previously valued the entire airport site at £2.5 (Written evidence of this in PINS documents, publicly available [HERE](#). See page 28 of this PDF). actual cost of the site when they purchased from Stonehill Park was actually 6.6 times this amount at £16.5m. So if CBRE's estimates/RSP's figures are anything like as inadequate this time around, there is a risk that RSP will not have enough money in the security figure to purchase all the land required (including that owned by KCC/TDC which will affect council tax payers). What happens if the rest of the land RSP needs to acquire also costs nearly 6.6x more than CBRE's valuation and RSP do not have the funds to top it up ?

Land values have increased since 2019 with a lot of development locally. Thanet District Council are looking to update the local plan and will be looking for land to use so if anything we feel the figure should be increased to reflect the rises in land value.

We also object to any change in the compulsory acquisition time scale as applied for. This is entirely unfair on any person who's land is subject to a possible compulsory purchase It blights their property and leaves them in limbo and could do so for a long time if legal challenges continue. It was in the first DCO in July 2020, repeated in August 2022 and obviously accepted until now, over three years later, so why should it be changed. RSP have had a year with the current DCO in place to start purchases and from what we understand have made no movement.

For a company that is continually making claims in the local press of spending £500m plus on this project we are left wondering why they wish to reduce money put in ESCROW to protect local communities that will be affected negatively by their proposals. It is worrying that they wish to reduce this amount as it will be put in ESCROW and any monies not used will be returned. The concern is that this is driven by RSP needing to service its own debts and/ or shareholders rather than meeting the requirement to make sure funds are secured in for compulsory land acquisition and noise mitigation for the people of Thanet. We have to wonder are RSP short of funds and we see this application for a reduction in the security figure as a drive for reduce RSP's costs rather than honour the requirements in the DCO for the local community. We have many concerns regarding RSP but the most immediate is that the original security figure should be held in an ESCROW account to ensure they meet their commitments to the local community. It is worth noting that this company's finances are shrouded in secrecy with investors based in the BVI & Panama with funds seeming to be funnelled into the UK via Freudmann Tipple Ltd so nobody knows who the investors are or even if they exist.

**Ian Scott On behalf of Nethercourt Action Group Reg: 20013745**

**Hilary Scott reg; 20014097**

**Ian Scott reg; 20013013**