

INTRODUCTION

Airport Industrial Property Unit Trust ('AIPUT') hereby provides a brief Deadline 4 submission relating to the examination of the application made by Gatwick Airport Limited ('GAL') for a development consent order ('the DCO application') for the Gatwick Northern Runway Project ('the Project') under the Planning Act 2008 ('PA 2008').

AIPUT is a limited partner in the Airport Industrial Limited Partnership, the General Partner of which is Airport Industrial GP Limited ('AIGPL'). AIGPL, together with its wholly owned subsidiary Airport Industrial Nominees Limited ('AINL'), own the legal title to the leasehold land and have rights in certain parcels of land to which the DCO application relates (as described in their relevant representation and written representation).

AIPUT, AIGPL and AINL make this Deadline 4 submission as a group under the name 'AIPUT'.

The following Deadline 4 submission, includes:

- Comments on the Applicant's first update to the Land Rights Tracker;
- Comments on responses to ExQ1; and
- Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010.

Comments on the Updated Land Rights Tracker

AIPUT's Written Representation submitted at Deadline 1 queried why AIGPL and AINL, as Category 1 landowners under s44(1) of the PA 2008, had been omitted from Appendix A of the Applicant's Statement of Reasons and consequently from the Land Rights Tracker. AIGPL and AINL own the legal title to the leasehold land comprising Viking House, part of which (Plots 6/733, 6/734, 6/736, 6/737 and 6/740) are proposed to be subject to powers of compulsory acquisition. The term of the lease is over 900 years.

AIPUT notes that the ExA asked GAL if AIPUT should be included within the Land Rights Tracker in CA.1.41 of the First Written Questions (ExQ1). AIPUT's comments on the Applicant's Response to CA.1.41 is set out below in this Deadline 4 Submission.

AIPUT notes that the Updated Land Rights Tracker (doc ref 8.6) submitted by the Applicant at Deadline 3 (23 April 2024) does not include AIGPL or AINL. In its response to AIPUT's written representation (doc ref 10.14) [REP3-072], the Applicant says that Appendix A of the Statement of Reasons only reports on negotiations with those parties who have a freehold interest in the Order Land. Given that AIGPL's and AINL's interest in the subject land is a long leasehold of over 900 years, AIPUT does not understand why it is being treated differently to owners of a freehold interest. AIGPL and AINL fall within Category 1 under section 44(1) of the PA 2008 just like the freehold owners – the statutory provisions make no distinction between the freehold and leasehold interests so far as categorising the land interests affected by compulsory acquisition proposals is concerned. There is no reason in principle why the owner of a leasehold interest with a term over 900 years whose land is proposed for compulsory acquisition should be engaged in a different manner from the owner of a freehold similarly affected by compulsory acquisition proposals. AIPUT recognises that GAL is now engaging and negotiating the terms of a potential agreement but, as explained in AIPUT's written representation, until recently the level of engagement has been lacking.