

From: [REDACTED]
To: [Manston Airport](#)
Subject: Final impressions of the DCO process
Date: 05 July 2019 21:02:44
Attachments: [Estelle response.docx](#)

Please from accept me personally
David Green

[REDACTED]

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

Tory Stitch Up Over Ramsgate – why do they hate us so much?

With the Planning Inspectorates (PINS) examination of Riveroak Strategic Partners (RSP) bid to impose a 24/7 freight hub at Manston, coming to end on July 9th, it is perhaps a good time for some final thoughts.

RSP have applied through the Development Consent Order (DCO) process directly to the Secretary of State (SoS) for Transport, currently Chris Grayling. They have resorted to this, because only the Conservatives are prepared to give them time of day, having twice failed to persuade Thanet District Council to invoke a Compulsory Purchase Order (CPO) to take possession of the site, under both Labour and UKIP administrations.

It is worth noting why these two bids failed, even though the two administrations at the time were supportive of Manston as an airport, though in Labour's case were opposed to night time flying. Each administration commissioned an independent assessment of RSP's business plan which found the plan seriously wanting. This was not surprising as Manston had failed commercially, managed by three previous owners. The second major problem was RSP's failure to identify the necessary funding for the project. The third was the major reliance on night time flying, particularly as 40,000 residents in Ramsgate were directly under the flight path.

How can we explain why RSP's DCO bid to grab the land at Manston from the rightful owner being entertained at all by PINS?

Is the DCO process a suitable mechanism for assessing such a hostile bid by one commercial company to the detriment of another?

In Labour's opinion, Secretary of State Grayling's decision to approve the bid for examination is against all logic and can only be explained through internal Conservative politics.

We know that our two Thanet Conservative MP's are hopelessly compromised regarding the airport, with Mr McKinlay owning a dummy airline business and Sir Roger Gale chairing the all-party aviation group of MP's, and known locally as the "MP for Riveroak".

Normally, we could expect some scrutiny of schemes such as this by our local Council. However the Conservative Leader of TDC appears to be in thrall to the MP's and far from conducting proper scrutiny, has personally written twice to PINS without any authority from the Council to pledge the Council's support for the Freight hub. The Local Conservatives also have ignored planning officer advice and submitted a Local Plan with thousands of houses on green field land around Westgate and Birchington, solely to try to protect RSP's DCO bid.

Mr Grayling's support for Seabourne Freight, the ferry company with no ferries, or agreements with port authorities, shows that he is inclined to favour dishing out public money and favours to shady private enterprise. However that was a one off decision during

the Government's panic over Brexit. His decision in support of RSP and Manston is more concerning due to the precedent it sets.

To summarize, we have in Riveroak Strategic Partnership, the rump of a few individuals remaining from an American company Riveroak Inc. that failed to make the grade as a strategic partner with Thanet District Council in a bid to CPO the Manston Site. Under two administrations at TDC, Labour and UKIP, professional examinations of their business plan were highly critical, they failed to provide evidence of the capital required or of any evidence of the experience required to carry out their promises.

Following the withdrawal of Riveroak Inc., the individuals left behind set up company or companies off shore and constructed an even more ambitious and outrageous plan to ask government for a Development Consent Order(DCO). Encouraged by our two MP's, they now claim they can construct a Nationally Important Strategic Project (NISP). Evidence submitted to PINS to date would appear to show the deficiencies seen earlier still exist, plus a complete failure to justify the project as nationally significant. With no identified airlines, no identified logistics carrier, the operation sounds very like Seabourne Freight.

However, the significance of Mr Grayling giving this application, by a foreign, offshore company, with no identifiable capital, no experience in running a NISP, leave to pursue a DCO is a dangerous precedent. By his actions, Mr Grayling risks opening any legitimate, land owning, British Company to attack by foreign entities using start up off shore companies, and untraceable finance of dubious origins. The suspicion is that the real motive behind this bid by RSP is to gain control of the land for future profit. Who knows who will ultimately benefit?

Respecting people's property rights is an important principle of British law, and until now a fundamental of Planning Law. At the end of this process, PINS report to the SoS for a final decision. This really could be Mr Graylings worst failing of all.

The DCO process until now has been employed to further genuine national infrastructure projects such as roads, railways, electrical transmission etc. usually invoked by a government agency or local authority. Possibly because of this, PIN's have stated, that the DCO legislation does not place a requirement on them to carry out due diligence on the applicant (note: this is one of the two reasons the previous RSP CPO bids failed). There is also no evidence of any examination of the various and ever changing mix of companies under the Money Laundering Legislation, this despite the legislation requiring all public and private organisations to comply.

PINS have been asked under FOI legislation to provide copy of all correspondence between them and the SoS office. They have twice refused, despite admitting that such correspondence does exist.

Did they point out the deficiencies of the legislation to Grayling and he ignored them?

As the DCO examination has progressed, it has become increasingly obvious that the process itself is flawed. PINS will not, or are not allowed to, commission any investigation or other work themselves. This may be satisfactory for previous DCO applications where the applicant is a statutory body, or well established utility company. It has been found wanting when the process has been informed by work commissioned directly by an applicant such as RSP. The whole process starting with the required consultation, demanded by the legislation has been flawed. It has become apparent that whole areas of Ramsgate directly under the flight path were excluded from the consultation. Residents also complained of intimidation at the consultation meetings.

RSP have been less than clear concerning their business plan, justification of a NSIP, environmental impact, night flying requirements, noise levels, public safety zones, even number of flights. It has been left to the public to challenge these statements. The public has responded, with over 1000 people and groups writing to share their personal experience of the old airport or research contradicting RSP's statements, most recently commissioning a noise contour examination showing that RSP is grossly underestimating the impact of noise under the flight path.

PINS claim the DCO legislation allows no feedback to any interested party other than the applicant, so interested members of the public have no indication whether PINS have even read their submissions.

Less than 2 weeks of the examination to go and still much unexamined and unanswered (one list by Barry James is below)

- Why have RSP denied the residents of Ramsgate the legitimate compensation they deserve?
- Why is the Ministry of Defence still in the dark over a significant Infrastructure facility?
- Why are the people most affected still in the dark about Night Flights?
- Why is there no verifiable evidence on the Beneficial Ownership of MIO (Belize) and HLX Nominees (Tortola)?
- Despite it being mandatory why are there no Public Safety Zones in RSP's plans?
- Why is this submission considering Compulsory Acquisition powers for the Northern Grass when it is unrelated to a Cargo Hub?
- Why is Cogent Land LLP being kept in the dark by RSP over their Manston Green planning permission?
- Why are the trustees of the Spitfire & Hurricane museum still in the dark about their historical museum?
- Why is it still unclear whether the application is an NSIP at all?
- Clearly this application does not meet the criteria to be considered as a "compelling case in the Public Interest"

After 6 months of examination PINS have issued 175 pages of written questions for RSP still to answer. On past form RSP will try to ignore some, partially answer others, and change aspects of their plans to avoid some of the most significant ones.

Of course the majority of the public have no clear idea of RSP's initial intentions or the many changes that RSP has been allowed to make to their application, or what these changes would mean to them. There has been no clear statement by RSP or PINS of the current shape of the DCO bid.

Kent County Council, Stone Hill Park, No Night Flights and many residents have already expressed serious concerns about this

It is clear, that under any normal Planning criteria, this application would never have been accepted for examination, if accepted would have been rejected when it became apparent that RSP failed to demonstrate a NISP, had no viable business plan, no identified customers or source of funding. PINS weakness in allowing RSP to change their plans as flaws are pointed out by both statutory bodies and members of the public, and allowing RSP to even now be unclear over a whole list of many aspects.

Hopefully, PINS report to Grayling will document these deficiencies, suggest he rejects the bid and that Grayling acts accordingly. I hope this is so, but I fear not. This fear is based on an understanding of Conservative Party politics and the relentless pursuit of private profit above what is best for residents.