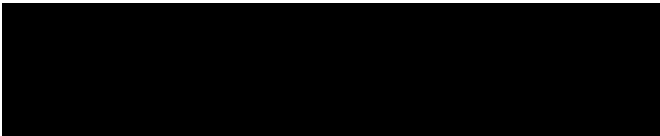
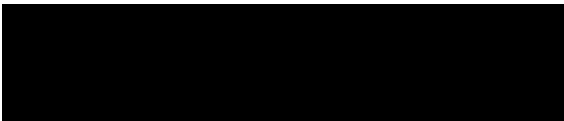


Five10Twelve Ltd



To: Secretary of State for Transport
% Planning Inspectorate,
National Infrastructure Planning

Date: 1 March 2022
Our Ref: SoS/R/010322

Email: manstonairport@planninginspectorate.gov.uk

Important new evidence regarding national security for the attention of the Manston Airport Case Team

1. This submission is in response to the SoSFT's letter of 21 October 2021 and specifically paragraph 8.
2. We submit our comment as an additional response in relation to currently unfolding events and in the interests of national security.

3. Current context

- 3.1. As you will be aware, airports were amongst the first wave of strategic targets in the Russian invasion of Ukraine¹ in an effort for Russia to seize control of these airports.
- 3.2. Since control and ownership of an airport may be achieved more easily during peacetime through financial means than through military force in a conflict, the question of who has ultimate control and ownership of the UK's airports - specifically for cargo and/or military use - is clearly of paramount importance.

4. Strategic importance of the Manston site

- 4.1. The strategic importance of the Manston site is further underlined by the

¹



long-standing objections to the application and safeguarding concerns submitted by the UK's Defence Infrastructure Organisation². These concerns are in relation to the High Resolution Direction Finder (**HRDF**).

- 4.2. The importance of the HRDF to the UK's security infrastructure was summarised by the UK Planning Inspectorate in its Recommendation Report of 18 October 2019 as follows:

"A HRDF is an antenna and associated equipment which, in conjunction with similar units in other locations, provides a navigational aid to aircraft operating within its range. The HRDF is used to precisely locate transmissions from emergency transponder beacons on aircraft (military and civilian) or any military aircrew that have bailed out of their aircraft."

5. Ultimate ownership and control of the Proposed Development

- 5.1. As you will be aware, press reports of 28 February 2022 indicate that the Prime Minister *"has promised to rush forward plans for a new public register, revealing the ultimate owners of properties across the UK"*³. Legislation will be introduced in Parliament on 1 March 2022 to *"require anonymous foreign owners of UK property to reveal their real identities to ensure criminals cannot hide behind the secretive chains of shell companies..."*⁴.

- 5.2. The nature of unfolding events in Ukraine and this rush by the UK Government to introduce emergency legislation underlines the urgency and importance of transparency regarding ultimate ownership in relation

²

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-005755-Defence%20Infrastructure%20Organisation.pdf>

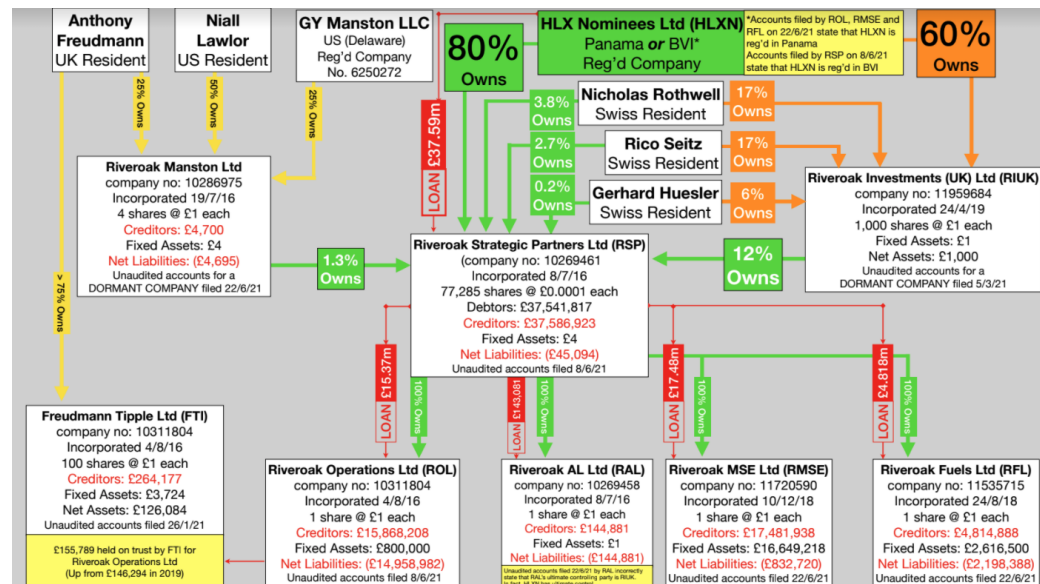
³

⁴

<https://www.gov.uk/government/news/government-takes-landmark-steps-to-further-clamp-down-on-dirty-money>

to nationally significant transport infrastructure - now and in the immediate future. This must surely be a critical and urgent consideration with regards to this application.

- 5.3. As you will be aware, questions regarding the ultimate owners of the Applicant company, the Manston Site housing the HRDF and of the Proposed Development have gone unanswered throughout the Examination.
- 5.4. The current state of the Applicant's secretive chain of shell companies and lack of transparency regarding ownership and ultimate control, as per up-to-date filings made at Companies House, was documented in our response to the SoS Second Consultation, ref TR02002-006245-350⁵ at paras 7.4 - 7.8 and illustrated in the chart below:



- 5.5. This is summarised in the fact that the Applicant, Riveroak Strategic Partners Ltd, is 87.2% owned by HLX Nominees Ltd (HLXN), with no transparency as to whether HLXN is registered in Panama or the BVI and no transparency as to HLXN's Directors, Members and ultimate controlling party.
- 5.6. We further draw attention to the strong Swiss connections via HLXN and

the Applicant's Directors, Nicholas Rothwell, Rico Seitz and Gerhard Huesler. This is significant in relation to both the Credit Suisse leaks⁶ and to the recent reports that:

*"stocks controlled by Russian investors in Switzerland increased from 8 billion francs in 2014 to 29 billion in 2018, making the Russians the most significant direct investors in Switzerland"*⁷

5.7. We further draw attention to our intervention during the Examination with regards to the Applicant's lack of transparency in relation to the regulation of its Swiss operations, summarised in the UK Planning Inspector's Report at paras 9.8.64 - 9.8.66 as follows:

"9.8.64 *In its repose to F.3.3 [Rep7a-002⁸] the Applicant stated that:*
"For the avoidance of doubt, HLX Nominees Limited is a BVI registered company, but is managed and administered out of Switzerland. As it is owned by Helix and performs a role within legal structures for Helix Fiduciary AG it also falls under the review of the regulator of Switzerland".

9.8.65 *Evidence submitted by Five10Twelve [REP7a-030⁹] stated that Helix is not under supervision by FINMA (Swiss Financial Market Supervisory Authority) and is not a member of the Swiss Association of Trust Companies.*

9.8.66 *In response, the Applicant provided a letter from Helix at Appendix CAH2 - 10 of its written summary of oral*

6

7

8

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-04084-Third%20Written%20Questions%20Answers.pdf>

9

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-04149-Five10Twelve%20Limited%20Submission%20Deadline%207a%20Helix%20Fiduciary%20Final.pdf>

submissions put at CAH2 [REP8-011] which stated that:
"Since inception, Helix has chosen to be regulated by
following fully FINMA-recognised SRO: Financial Services
Standards Association VQF (see <https://www.vqf.ch/en/>)"

- 5.8. By definition, an SRO is a "Self Regulatory Organisation" which, whilst recognised by FINMA, clearly does not carry the same authority or levels of reassurance.

6. Conclusion

- 6.1. Security concerns with regards ultimate ownership of the Applicant, the Manston site housing the HRDF and of the Proposed Development, raised in our response ref TR02002-006245-350 at para 7.8, are now all the more urgent in light of unfolding global events and emerging national policy and legislation.