



Mr K D Barton
C/o Programme Officers (POSL)
Lydd Airport Inquiry

14 April 2011

By email
posltd@virginmedia.com
Our ref. SMG/AMc/586005

Dear Sir

Lydd Airport Inquiry – Response to the Inspector’s note regarding evidence concerning the Council’s Handling of the Case (ID/5)

We write on behalf of LAA in support of the approach being suggested that the topic of the Council’s handling of the applications can be dealt with by way of written submission and does not require or merit an oral hearing at the Inquiry.

First and fundamentally, it is clear that the Inquiry has involved and will continue to involve the hearing of expert evidence presented and scrutinised during the course of the Inquiry by all parties, as well as continuing discussion and agreement between the relevant parties, and the Inspector’s report to the Secretary of State will be based on all this evidence and material. The Secretary of State’s decision will be taking the decision based upon his appraisal of the evidence.

Secondly, it will be clear from the course of the Inquiry to date that the Council’s decision to approve planning permission was itself taken at a time when many of the objections which it weighed when making its decision have since been resolved by agreement (including imposition of relevant conditions or agreements) or withdrawn (for example, in areas such as air quality, ecology or flooding). Therefore the Council’s position that planning permission ought to be granted which it has maintained in its appearance at the Inquiry could only inevitably have strengthened since the time of the Council’s decision and LAAG’s purported criticisms of the Council in this regard are therefore artificial in this regard anyway.

Thirdly, in light of the points set out above, LAAG’s contentions on this issue can be dealt with by way of written submission and there is no particular need for oral evidence on the topic. The Inspector and Secretary of State have the benefit of the detailed material that was before the Council at the time of its decision. It will be clear from this material that many of LAAG’s assertions and contentions are simply unjustified, but this is all a matter which can be dealt with by way of written submission and the hearing of oral evidence would not materially assist in this process.

Fourthly and finally, LAA do rely upon the decision made by the Councillors in March 2010 as an important expression of the views of the local population as expressed democratically through the clear majority of the locally elected

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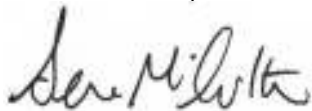
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members representing their many thousands of constituents (as compared with the views of one or two individuals in a non-democratic organisation such as LAAG). The views of a locally democratic council will be a fundamental part of the forthcoming Localism Bill. Although the Bill had not been published at the time of the Committee, the decision to support the applications at the local level is relevant given the Government's commitment to the Localism agenda. The support given by the clear majority of Councillors for the applications (notwithstanding the presence of objections at the time many of which have now subsequently been withdrawn or resolved) does reflect the support of local people for what is proposed. However this again is a matter which can be dealt with by way of submission and does not require or justify the need for any oral hearing.

Accordingly, we agree that this is an issue which can be dealt with in writing and that it does not justify the use of Inquiry time. The parties can make submissions on how the applications were considered in depth by the Council and the conclusions it reached at the time, and the significance of that as an expression of the local support for the proposals when the Inspector reports and the Secretary of State decides upon these applications.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sean McGrath', is positioned below the text 'Yours sincerely'.

Sean McGrath