

TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 77 AND TOWN AND COUNTRY PLANNING (INQUIRIES PROCEDURE) (ENGLAND) RULES 2000

**APPLICATIONS BY LONDON ASHFORD AIRPORT LTD
SITE AT LONDON ASHFORD AIRPORT LIMITED, LYDD, ROMNEY MARSH, TN29 9QL**

- DOCUMENTS: 1) S106 HEADS OF TERMS RELATING TO OPERATIONAL RESTRICTIONS ONLY FOR SECTION 106 AGREEMENT RELATING TO PLANNING APPLICATIONS Y06/1647/SH & Y06/1648/SH 12 JUNE 2008**
2) LYDD AIRPORT PROPOSED DEVELOPMENT: DUNGENESS AIRCRAFT CRASH REPORT ESRT/D0010905 18 JULY 2007

Client: LYDD AIRPORT ACTION GROUP (LAAG)

Statement of JOHN H LARGE

PLANNING INSPECTORATE REFERENCE: APP/L2250/V/10/2131934

LPA REFERENCES: Y06/1647/SH and Y06/1648/SH

INQUIRY DOCUMENT REFERENCE: LAAG/4/G

ISSUE	REVISION N°	APPROVED	CURRENT ISSUE DATE
JANUARY 2010	LAAG-4-G-R3		27 JANUARY 2011

This pdf version of [LAAG-4-G](#) contains hyperlinks to other documents shown thus [M3136-A1](#) will display the whole of the paper, report, etc., referred to providing the host computer is internet connected. The printed hard copy of this document does not contain these links or full citation of the source references - access to the [Large & Associates](#) web page displaying the linked documents is direct by entering the Secure Passcode [CZ3136](#) on the [Client Zones](#) tab.

- 1) **S106 HEADS OF TERMS RELATING TO OPERATIONAL RESTRICTIONS ONLY FOR SECTION 106 AGREEMENT RELATING TO PLANNING APPLICATIONS Y06/1647/SH & Y06/1648/SH 12 JUNE 2008**
- 2) **LYDD AIRPORT PROPOSED DEVELOPMENT: DUNGENESS AIRCRAFT CRASH REPORT ESRT/D0010905 18 JULY 2007**

1 **QUALIFICATIONS AND EXPERIENCE**

2 I am John H Large of the Gatehouse, 1 Repository Road, Ha Ha Road, London SE18 4BQ.

3 I have given my qualification and experience in [LAAG/4/A](#) [¶4 to 7].

4 **INSTRUCTIONS:**

5 On 10 January 2010 Ms Louise Barton, of the Lydd Airport Action Group (LAAG), asked me to provide advice on a document bundle that LAAG had obtained from the Health and Safety Executive (HSE). Included within the bundle was a document entitled [Lydd Airport Briefing Note](#), dated December 2008.

6 **LYDD AIRPORT BRIEFING NOTE**

7 For further information on the claims and statements contained within the Briefing Note, I approached the HSE Nuclear Installations Inspectorate (NII) with a *Freedom of Information Act 2000* (FOIA) on 18 January 2010 – [M3136-A1](#).

8 Following a number of reminders, one year later on 11 January 2011, I received a [response e-mail](#) from the NII that included 2 file enclosures. My original FOIA request had been, for reasons best known to the NII, by then dealt with under the *Environmental Information Regulations 2004*.

9 The two document files provided by the NII are:

10 **S106 HEADS OF TERMS RELATING TO OPERATIONAL RESTRICTIONS ONLY FOR SECTION 106 AGREEMENT RELATING TO PLANNING APPLICATIONS Y06/1647/SH & Y06/1648/SH 12 JUNE 2008**

11 This document comprises 3 pages of draft heads of agreement for the draft [S106 Agreement](#).

12 The document appears to be complete, save for redaction of personal details of the individuals involved.

13 I do not know if this 12 June 2008 S106 document or the agreement that it pertains to has been subsequently modified.

14 **LYDD AIRPORT PROPOSED DEVELOPMENT: DUNGENESS AIRCRAFT CRASH REPORT ESR TECHNOLOGY DRAFT ESRT/D0010905 18 JULY 2007**

15 This [ERS Technology](#) draft report comprises a single page letter and report of originally 32 pages.

16 The ESR report is heavily redacted with almost all of the subject matter aircraft crash rates redacted from the text, and pages 20 to 22 have been completely removed from the report for reasons of *national security* and *public safety*, stated by the NII to qualify for non-disclosure under *Exemption 12(5)(a)*¹ of the *Environmental Information Regulations 2004*.

17 Also, most of the even pages of the report have been (inadvertently) excluded in the copy provided by the NII – I have asked the NII for these omitted pages to be copied to me ([M3136-A12](#)).

18 However, because of the importance of this document to the LAAG Experts Spaven, Pitfield and, indeed, to this Planning Inquiry, I have circulated the incomplete copy without waiting further for a possibly delayed corrective response from the NII.

19 Should the NII provide the missing pages of the ESR Technology report prior to the completion of the Inquiry then, of course, I will circulate the corrected copy directly to all parties who have expressed an interest.

20 I have asked the NII ([M3136-A12](#)) if the provided ‘draft’ version has been superseded by a final version and I have challenged the outcome of the public interest test engaged by the NII to justify the heavy redacting and non-disclosure of the report text. Should I receive a response from the NII on either of these two matters then I will advise all of the interested parties accordingly.

1 “12(5) For the purposes of paragraph (1)(a), a public authority may refuse to disclose information to the extent that its disclosure would adversely affect:- International relations, defence, national security or public safety; .”

21 I state here that I confirm that I have made clear which facts and matters referred to in this Statement that are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.



JOHN H LARGE
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