

Classification: Public

Key Decision: No

Gravesham Borough Council

Report to: Strategic Environment Cabinet Committee

Date: 31 March 2021

Reporting officer: Director (Planning & Development)

Subject: London Resort

Purpose and summary of report:

To provide Members of the Committee with an update in respect of the current position with the London Resort Development Consent Order (DCO) application and note the current timetables of other major infrastructure projects

Recommendations:

Members are asked to note the current position and raise any issues they may wish to in relation to the application.

1. Introduction

- 1.1 This report summarises the current position on the London Resort Development Consent Order Application (DCO) and explains the process going forward.
- 1.2 Also included are updates on the timetables for the other major infrastructure projects.

2. London Resort

- 2.1 The DCO application was submitted on 31 December 2020 and accepted by PINS on 28 January 2021. The section 56 notice was issued on 18 February 2021 by the applicant, London Resort Company Holdings (LRCH). This starts the formal registration process with PINS, which is required for anyone who wishes to engage with the Examination process. A 500 word summary is required of main issues that those registering wish to raise through the process, which must be completed by 31 March 2021. If individuals or groups wish to be involved they must register by this date.
- 2.2 The Borough Council is a host authority so has a seat at the table in any case, but a summary of our views will be helpful to the Examining Authority. The Local Authority position is complicated for this site as it straddles the Dartford/Gravesham borough boundary (although mainly in Dartford), who are the Local Plan making authorities. Ebbsfleet Development Corporation is the Development Management Authority for most, but not all, of the land in the

development boundary, with the two Districts also involved. When the EDC ceases to exist, the Development Management role will revert to the two districts. Kent County Council is the transport authority. The element in Tilbury is covered by Thurrock Council, a unitary. The potential impacts, positive or negative, spread far wider than the red line boundary.

2.3 An outline of the application will be given by means of a presentation. Members received had an online presentation on 12 August 2020, when they raised numerous questions and issues. The applicants' summary of the proposal is:

- four hotels providing a range of accommodation totalling up to 3,550 suites or 'keys'. One or more of these hotels might be located within the leisure core. One hotel will incorporate a water park;
- a 'Conferention' Centre (i.e. combined conference and convention) with a floor area of up to 11,000 m², capable of hosting a wide range of entertainment, sporting, exhibition and business events;
- a linked building hosting a range of eSports, video and computer gaming events, with a total floorspace of up to 16,500 m²;
- a 'Back of House' area accommodating many of the necessary supporting technical and logistical operations to enable the Resort to function, including security command and crisis centre, maintenance facilities, costuming, employee administration, employee welfare, medical facilities, offices and storage;
- car parks with a capacity of up to 10,750 spaces;
- the A2 Highways Works comprising a signalised at-grade gyratory junction to replace two existing roundabouts at the A2(T) / B259 junction;
- land remediation works;
- terrain remodelling, landscape works and planting;
- a people mover and transport interchanges;
- a Resort access road of up to four lanes (i.e. up to two lanes in each direction);
- local transport links;
- river transport infrastructure on both sides of the Thames, including floating jetty and ferry terminals and the repair or replacement of White's Jetty;
- utility compounds, plant and service infrastructure;
- flood defence and drainage works;
- habitat creation & enhancement and public access;
- security and safety provisions;
- data centres to support the Resort requirement; and

- up to 500 dwellings as Resort staff accommodation, typically consisting of 4-6 bedrooms and shared kitchen and lounge facilities.
- 2.4 A plan of the site can be found at Appendix 2, and Section 4 has links to the application documents.
 - 2.5 PINS are in the process of appointing the Examination Authority (ExA), which will be a panel of inspectors. They will consider the initial representations and devise an Examination timetable. The first step will be to hold the Preliminary meeting, at which stage procedural issues and the draft timetable can be discussed. An obvious unknown currently will be how far this will be an online process and how far it will be possible to hold physical sessions. The timetable suggested below is based on that followed by other major DCOs, but it must be stressed is illustrative only.
 - 2.6 Based upon the precedent of the Thurrock Flexible Energy scheme, the Preliminary meeting may be split. When the meeting formally closes the six month examination process runs from that point. After about a month, submission of the formal full representation (what the Borough Council's views on the application are) and the Local Impact Report (LIR – this is a factual document on the implications for the Borough) will need to be submitted.
 - 2.7 The Examination proceeds by way of the ExA issuing a set of questions to various parties and seeking response on very strict, short, deadlines. There are opportunities to comment on other parties' responses and also public sessions are held (currently on line) on particular issues. For local residents, there are normally open sessions where comment can be made on a range of topics. Site visits will also be held, accompanied or unaccompanied.
 - 2.8 The aim of the process is to get agreement between the applicant and as many parties as possible on issues via Statements of Common Ground (SoCG), a section 106 Agreement (which will be examined in its own right) and measures that can be incorporated into the various DCO documents.
 - 2.9 The London Resort is the first application that is for a 'commercial' development that has been dealt with via the DCO process. Unlike Lower Thames Crossing, this is not a one-off development (3 lane dual carriageway with a tunnel and junctions is clearly defined and built in one overall construction period). The resort consists of 2 'gates' and a central area with hotels and other facilities, and Gate 2 will be under construction whilst Gate 1 opens. Furthermore, the resort will change and evolve with time (e.g. new rides) so it is not 'fixed' in a way most infrastructure projects are.
 - 2.10 A DCO is a statutory instrument and therefore can have significant implications for legislation far wider than the planning system, for example Environmental Health Acts. Once granted, changing a DCO is possible but complicated, and would rest with the applicant. The term DCO applies specifically to the order itself, but there are other documents that get bound to it which deal with some of the mechanics of the development process.

3. Other Major Projects

- 3.1 This section provides Members with an update in respect of other major projects:
 - 3.1.1 Lower Thames Crossing - a fresh round of public consultation is currently expected in the summer, leading to resubmission of the DCO in the

autumn. The timetable would then follow a similar pattern to that assumed above for the London Resort. The delay means the full Examination periods will not overlap.

- 3.1.2 Thurrock Flexible Energy scheme – this is at Examination and the Council's formal representation is being finalised. The main issue is in respect of the implications for air quality and the relationship with new development, such as the Canal Basin (Albion Waterside) proposals.
- 3.1.3 Hoo Transport and Works Act Order – this is intended to be an application by Medway to put passenger trains back on the Isle of Grain Branch as far as a new station at Hoo in connection with the proposed housing development. This is one part of a large project that has a £170m Housing Investment Fund grant from Ministry of Housing, Communities and Local Government (MHCLG). The Council has responded on the Environmental Scoping on the rail part of scheme, which sets out what impacts need to be examined. The actual Environmental Statement will address what the scheme's impacts are and what can be done to avoid / mitigate / compensate for them if significant.

4. BACKGROUND PAPERS

- 4.1 Information on the application and its current progress can be found on the Planning Inspectorate Web site at:
<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/the-london-resort/>
- 4.2 The application documents can be found at:
<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/the-london-resort/?ipcsection=docs>
- 4.3 However it is strongly recommended that the Examination Library document be consulted in the first instance to navigate the 450+ documents at:
<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/BC080001/BC080001-000825-London%20Resort%20Examination%20Library.pdf>

Anyone wishing to inspect background papers should, in the first place, be directed to Committee & Electoral Services who will make the necessary arrangements.

IMPLICATIONS	APPENDIX 1
Legal	As a Development Consent Order application when granted it can override existing legislation and therefore normal controls and processes may not be available
Finance and Value for Money	Whilst current resources will be used insofar as possible, and some support can be funded via our Planning Performance Agreement (PPA) with LRCH, it is likely that additional funding will be required for, e.g., legal advice, but this will be subject to reports as necessary and appropriate.
Risk Assessment	The application in the short term will require significant input of staff resources. In the longer term the application, if permitted and built, will have economic consequences for Gravesham residents and potentially on demand for some Council services.
Data Protection Impact Assessment	<i>A data protection impact assessment (DPIA) should be carried out at the start of any major project involving the use of personal data or if you are making a significant change to an existing process.</i>
	<p>a. Does the project/change being recommended through this paper involve the processing of personal data or special category data or criminal offence data? A definition of each type of data can be found on the Information Commissioner's Office website via the above links.</p>
	<p>b. If yes to question a, have you completed and attached a DPIA including Data Protection Officer advice? n/a</p>
<p>c. If no to question b, please seek advice from your nominated DPIA assessor or the Information Governance Team at gdpr@medway.gov.uk. n/a</p>	
Equality Impact Assessment	<p>a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community? If yes, please explain answer. n/a</p>
	<p>b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality? If yes, please explain answer. n/a</p>
	<i>In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above</i>
Corporate Plan	#1 People, #2 Place & #3 Progress
Climate Change	No implications from this report
Crime and Disorder	No implications from this report
Digital and website implications	Role for the Council in signposting the process

Safeguarding children and vulnerable adults	Not applicable
--	----------------