



Press Release: Monday, December 5th, 2016

Kent Crime Commissioner urged to speed up delayed Police investigation into suspected bribes accepted by Shepway District Councillors

LAAG has written to the Kent Police and Crime Commissioner, Matthew Scott, urging him to take steps to ensure this case is given priority by the Kent Police. The case involves the reported giving of material undisclosed gifts to Shepway District Councillors by Lydd Airport ahead of the determination of its planning application for its large scale development in March 2010.

The case arose from a 2011 High Court judgment (Neutral Citation Number: [2011] EWHC 354 (QB) - Case No: HQ09X00332) involving litigation between the former Managing Director of London Ashford Airport Ltd (Lydd Airport), Zaher Nicola Jeries Deir (Mr Deir) and Fahad Bin Saleh Mohammed Al Athel (Sheikh Fahad al Athel) - the owner of Lydd Airport and associated companies.

There were a number of claims and counter claims by the respective parties in relation to Mr Deir seeking payment of unpaid directorship fees. The substance of the claims against Mr Deir included that he misused his company credit card and incurred excessive expenditure. Some of the items challenged were items that Mr Deir said constituted gifts to councillors. The judgment makes clear that there is evidence available and that the sums involved were material.

At the determination meeting on March 3rd, 2010, 66% of the 41 councillors present voted for Lydd Airport's development. This was in stark contrast to the 66% of local residents who voted against the development in the earlier referendum conducted by Shepway District Council. There was also strong opposition to the airport's expansion from the UK's main national environmental organizations and local opposition groups.

This case was first brought to Kent Police's attention in February 2012, but it was April 2016 before the Kent police confirmed that the matter was being investigated (case reference number ZY/035502/14 in the Police National Database). The investigation is on-going.

High priority should be given to the solving of this case as years have passed since the gifts were allegedly made. Valuable evidence is in danger of being destroyed as institutions are only required to keep records for prescribed periods. Of more concern to local residents is the knowledge that many of the councillors present at the time are still in office, proposing and making decisions about equally controversial developments.

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Notes to editors:

- The judgment (Neutral Citation Number: [2011] EWHC 354 (QB) – Case No: HQ09X00332) was handed down on 25/2/2011 but not brought to LAAG's attention until October 2011. The relevant paragraphs are 188-190.
- Lydd Airport is located less than 3 miles from the Dungeness Nuclear Power Complex (height restriction of 2000ft) and less than 2 miles and 8 miles respectively from the Lydd (D044) and Hythe (D141) Military Ranges (respective height restrictions of 4000ft and 3200ft).
- Lydd Airport submitted a planning application in December 2006 to both extend its runway by 444metres and build a new terminal to accommodate up to 500,000 passengers per annum (ppa.). This is Phase 1 of a Master Plan ambition to increase passenger numbers to 2mpppa. The decision to grant planning permission was made by the Secretary of State for Communities and Local Government and the Secretary of State for Transport on April 10th 2013. High Court appeals by LAAG and the RSPB in early 2014 were not successful. High Court Appeals do not examine the merits of the facts.
- Lydd Airport's development was strongly opposed by a wide range of conservation and local groups on environmental and nuclear safety grounds.
- **On development no other regional airport in Europe and possibly the world will be as close to a nuclear power complex.**
- Lydd Airport recently announced that the extension of the runway will be delayed until 2017.
- LAAG is an action group formed in 2004 to oppose the large scale development of Lydd airport.