



Department
for Transport

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19 January 2023

Dear Helen,

Following our recent meeting on Faversham swing bridge, I am writing to update you as to the progress being made, the current position of the Department, and to reassure you and your constituents, that this issue is still being actively considered within Government.

I am aware that this issue, and the slow path to resolution, must be frustrating for those who have been engaged with it for a number of years, and in particular where potential local plans are predicated on a functional bridge and access to Faversham Creek.

Whilst I know my predecessors have been engaged in this case, as the newly appointed maritime Minister I intend to help kickstart discussions again on this issue. My policy and legal officials have and are continuing to provide advice to me, as they have to my prior Ministerial colleagues, on the options and role for the Department to assist in progressing this matter. That advice has now been updated to factor in recent information that has been submitted to the Department.

As has been previously discussed, this is a complex legal case in which the facts are disputed. In order to gather fuller information on the circumstances, my officials wrote out to parties asking for submission of evidence and organisational position. At that time not all parties responded, but I have subsequently intervened and have recently succeeded in obtaining the requested information from Peel Ports – and the Department is now working to fully assess and understand that.

Given the sensitivity of these matters I cannot provide details of the information provided by all parties, but divided opinions remain on the ownership and liability for the bridge. It is also important to note at this stage, the Department from a constitutional law perspective, needs to be careful to avoid making judgements that should be the place of the courts. The degree of complexity of this case, as well as the obscurity of some of the laws

quoted, makes arriving at a clear position for the Department difficult. Work is ongoing by policy and legal officials at this time.

However, I would like to assist in finding a way forward and in due course propose convening a meeting of all the major parties for a further attempt to find a mutually agreeable solution.

Should such an agreement still prove elusive, at that point, I will consider again if it is appropriate to take further Government action and work is ongoing to understand what the most sensible and effective course of action the government would be should it prove necessary.

I hope the above is helpful.

Yours,
Charlotte

BARONESS VERE OF NORBITON