

From: [REDACTED]
To: [Manston Airport](#)
Subject: Manston - SoS Consultation Submission re Sixth Carbon Budget and Material Matter since 9 July 2019
Date: 07 July 2021 14:53:42
Attachments: [SoS_R_021 Manston - SoS Consultation July 2021 - Submission R021 \(1\).pdf](#)

FOR THE ATTENTION OF THE MANSTON AIRPORT CASE TEAM

Dear Sirs

Please find attached our submission, (our ref SoS/R/021), with regards to the Secretary of State's call for representations relating to the extent to which the Secretary of State should, in his re-determination of the application, have regard to the sixth carbon budget (covering the years between 2033 – 2037) which will include emissions from international aviation); and any other matters arising since 9 July 2019 which Interested Parties consider are material for the Secretary of State to take into account in his re-determination of the application.

Please note we will be submitting further representations relating to this and other matters in due course before the 9th July deadline.

Please confirm and acknowledge receipt of this submission.

All the best
Jason and Samara Jones-Hall
Five10Twelve Ltd

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To: Secretary of State for Transport
% Planning Inspectorate,
National Infrastructure Planning

Date: 6 July 2021
Our Ref: SoS/R/021

Email: manstonairport@planninginspectorate.gov.uk

For the attention of the Manston Airport Case Team

1. This submission is in response to the SoSFT's call for submissions relating to:
 - 1.1. the extent to which the Secretary of State should, in his re-determination of the application, have regard to the sixth carbon budget (covering the years between 2033 – 2037) which will include emissions from international aviation); and
 - 1.2. any other matters arising since 9 July 2019 which Interested Parties consider are material for the Secretary of State to take into account in his re-determination of the application.
2. The reinstatement of the Airports National Policy Statement¹ ("**Airports NPS**") in December 2020 creates a presumption in favour of the Government's preferred scheme in the South East of England - the Northwest Runway at Heathrow ("**LHR NWR**")².
3. One of the material impacts of the reinstatement of the Airports NPS, is that the Secretary of State must have strict regard to airport expansion beyond Heathrow in order to meet the overall carbon emissions target.
4. There is only one 'pot' from which to take carbon emissions and "*current planned additional airport capacity in London, including the third runway at Heathrow [LHR NWR], is likely to leave at most very limited room for growth at non-London airports*"³.
5. The policy support for airports beyond Heathrow, The Future of UK Aviation: Making Best Use of Existing Runways, ("**MBU**") was developed with a DfT aviation model to look at the impact on carbon emissions and to ensure compatibility with the UK's climate change commitments. This MBU

¹ Airports National Policy Statement: new runway capacity and infrastructure at airports in the South East of England. Available online at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/858533/airports-nps-nw-runway-capacity-and-infrastructure-at-airports-in-the-south-east-of-england-web-version.pdf (accessed 6 July 2021)

² Government decides on new runway at Heathrow. Available online at:

<https://www.gov.uk/government/news/government-decides-on-new-runway-at-heathrow> (accessed 6 July 2021)

³Page 14, Last Paragraph, Letter from Lord Deben (Chairman, Committee on Climate Change) to Rt Hon Grant Shapps MP, Secretary of State for Transport, of 24 September 2019. Available online at:

<https://www.theccc.org.uk/wp-content/uploads/2019/09/Letter-from-Lord-Deben-to-Grant-Shapps-IAS.pdf> (accessed 6 July 2021)

Forecast for United Kingdom (UK) airports (the “**MBU Forecast**”)⁴, covered a central demand scenario that included LHR NWR.

6. The MBU Forecast did not include Manston Airport as Manston closed in May 2014.
7. The MBU Forecast - excluding Manston - showed total UK aviation emissions of 40.79MtCO₂⁵ by 2050. This is already 77.34% higher than the aviation emissions cap of 23MtCO₂ under the Sixth Carbon Budget⁶.
8. In its Response to the Secretary of State’s Request for Comments and Further Information of 31 January 2020⁷ with regards to Climate Change, the Applicant states:

“Chapter 16 of the Environmental Statement [APP-034]⁸ assesses greenhouse gases (GHGs) associated with the Proposed Development and concludes that aviation emissions would amount to 730.1ktCO₂ in year 20 of operation at paragraph 16.9.5. This is 1.9% of the 37.5MtCO₂/annum planning assumption for aviation emissions in 2050.”

9. The target of a total emissions cap of 37.5MtCO₂/annum from the aviation sector by 2050 relied upon by the Applicant is now out of date, as it has been superseded by the Net Zero requirement prescribed by the Climate Change Act 2008⁹ and under the Carbon Budget Order 2021¹⁰ to a target total emissions cap of 23MtCO₂/annum from the aviation sector by 2050¹¹.

⁴ Department for Transport Disclosures to SSE Freedom of Information Request on Forecasts Projections. Available online at:

<http://www.hwa.uk.com/site/wp-content/uploads/2020/10/SSE59-DfT-Disclosures-to-SSE-on-Forecasts-Projections-Aug-2019.pdf> (accessed 6 July 2021)

⁵ Department for Transport: Making Best Use of Airport capacity: Airport Level Data, Department for Transport Disclosures to SSE Freedom of Information Request on Forecasts Projections. Available online at:

<http://www.hwa.uk.com/site/wp-content/uploads/2020/10/SSE59-DfT-Disclosures-to-SSE-on-Forecasts-Projections-Aug-2019.pdf> (accessed 6 July 2021)

⁶ The Sixth Carbon Budget, required under the Climate Change Act, provides ministers with advice on the volume of greenhouse gases the UK can emit during the period 2033-37, Page 176/177. Available online at:

<https://www.theccc.org.uk/publication/sixth-carbon-budget/> (accessed 6 July 2021)

⁷ Page 8, No. 22, Para 4 (found on Page 9), Applicant’s Response to Secretary of State’s Request for Comments and Further Information of 31 January 2020. Available online at:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-005296-Applicant%27s%20cover%20letter%20and%20responses%20and%20enclosures.pdf> (accessed 6 July 2021)

⁸ Applicant’s 5.2-2 Environmental Statement Volume 2: Main text - Chapters 11-16. Available online at:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020002/TR020002-002408-5.2-2%20-%20Environmental%20Statement%20-%20Main%20Text%20-%20Chapters%2011-16.pdf> (accessed 6 July 2021)

⁹ Pursuant to Section 1 of the Climate Change Act 2008 it is the duty of the Secretary of State to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline (“the Net Zero target”) Climate Change Act 2008 (2050 Target Amendment) Order 2019 SI No 1056, art.2(2) (June 27, 2019). Available online at:

<https://www.legislation.gov.uk/uksi/2019/1056/made> (accessed 6 July 2021)

¹⁰ The Carbon Budget Order 2021. Available online at: <https://www.legislation.gov.uk/uksi/2021/750/signature/made> (accessed 6 July 2021)

¹¹ The Sixth Carbon Budget, required under the Climate Change Act, provides ministers with advice on the volume of greenhouse gases the UK can emit during the period 2033-37, Page 176/177. Available online at:

<https://www.theccc.org.uk/publication/sixth-carbon-budget/> (accessed 6 July 2021)

10. The MBU Forecast - excluding Manston - shows total dedicated Freighter emissions of 0.85MtCO₂¹² - or 850ktCO₂. Assuming this is also 77.34% higher than the aviation emissions cap under the Sixth Carbon Budget, the adjusted MBU Forecast for dedicated Freighters - **excluding** Manston - should be 479ktCO₂ by 2050. As such, the Proposed Development's aviation emissions of 730.1ktCO₂ by 2043 already exceeds the total Freighter emissions in the Sixth Carbon Budget by some 52.42%, before even taking into account Freighter emissions from existing UK Airports under the MBU Forecast.
11. Therefore any carbon emissions associated with the reopening of Manston Airport put MBU at risk of incompatibility with the UK's climate change commitments.
12. The Government agreement to legislate for the inclusion of international aviation emissions in the Sixth Carbon Budget from 2033, means that the Applicant will have to demonstrate not only how Manston Airport will be compatible with NetZero by 2050, but also how it fits with 78% reduction in economy-wide emissions (below 1990 levels) by 2035.
13. The Climate Change Committee has recommended in the Sixth Carbon Budget report that, even after applying demand management, there is no case for a net increase in airport expansion. Although it is framed in passenger numbers, the advice is based on emissions calculated from the number of air traffic movements including freight.
14. In June 2021, in its Report to Parliament the Climate Change Committee made the following recommendation as a Priority Recommendation for the Department for Transport:-

"Assess the Government's airport capacity strategy in the context of Net Zero and any lasting impacts on demand from COVID-19, as part of the aviation strategy. There should be no net expansion of UK airport capacity unless the sector is on track to sufficiently outperform its net emissions trajectory and can accommodate the additional demand. A demand management framework will need to be developed (by 2022) and be in place by the mid-2020s to annually assess and, if required, control sector GHG emissions and non-CO₂ effects¹³".

15. **Conclusion**

In light of the reinstatement of the Airports NPS, the exclusion of Manston from the underlying supporting Carbon Emission forecast data of the MBU, the Climate Change Act 2008 (2050 Target Amendment) Order 2019, the Carbon Budget Order 2021, the Sixth Carbon Budget and the recent

¹² Department for Transport Disclosures to SSE Freedom of Information Request on Forecasts Projections. Available online at: <http://www.hwa.uk.com/site/wp-content/uploads/2020/10/SSE59-DfT-Disclosures-to-SSE-on-Forecasts-Projections-Aug-2019.pdf> (accessed 6 July 2021)

¹³ Table A6, Page 22 Climate Change Committee Joint Recommendations 2021 Report to Parliament. Available online at: <https://www.theccc.org.uk/publication/2021-progress-report-to-parliament/> (accessed 6 July 2021)

Priority Recommendation in the Climate Change Committee Report to Parliament should the Secretary of State in his redetermination grant the DCO to the Applicant this would: (1) lead the United Kingdom to be in breach of its international obligations; and (2) lead the Secretary of State to be in breach of his duty imposed by the enactment of the Carbon Budget Order 2021.