

FULL TRANSCRIPT (with timecode)

00:00:08:02 - 00:00:38:12

Well, good morning and welcome to this preliminary meeting. Can all of those present hear me clearly? Thank you. And can I confirm with the case team that the live streaming of this event has commenced? Thank you. It is now 10:00. Welcome to this preliminary meeting for the application made by Gatwick Airport Limited. We will refer to as the applicant for an order granting development consent for the Gatwick Airport northern runway project.

00:00:39:23 - 00:01:11:13

As described in the application form. The application seeks powers to enable dual runway operations at Gatwick Airport through altering the existing northern runway, lifting restrictions on the northern runways use and delivering the upgrades or additional facilities and infrastructure required to increase the passenger throughput capacity of the airport. This includes substantial upgrade works to certain surface access routes which lead to the airport.

00:01:13:06 - 00:01:28:10

This meeting will establish the procedures and timetables for the examination of the proposed developments within the framework set by the Planning Act 2008, as amended, and the Examination Procedure, Rules and regulations made under it.

00:01:30:03 - 00:01:56:15

The application is classified as a Nationally Significant Infrastructure Projects, or CIP, under the 2008 Planning Act. Chapter five of the Planning Acts concerns decisions on applications, with section 104 of the acts being in effect for proposals where a national policy statement has effect in section 105, when no national policy statement has effects.

00:01:58:12 - 00:02:38:15

In this case, section 105 is relevant. This is because the airports National Policy Statement or and PPS has effect in relation to the delivery of additional airport capacity to the provision of northwest runway at Heathrow Airport. It does not have effects in relation to applications for development consent for other airport developments. However, this statement remains an important and relevant consideration in the determination of such applications, particularly where they relate to apply to London or the South East of England.

00:02:39:12 - 00:02:54:27

Section 105 notes that in deciding such applications, the Secretary of State must have regard to any local impact reports submitted by the local authorities and any other matters that are considered important and relevant.

00:02:57:20 - 00:03:14:05

Additionally, the highway elements of the proposed development meet the threshold for a highways end CIP in their own rights. Therefore, the National Policy Statement for the National networks has effect that these parts of the proposed development.

00:03:15:24 - 00:03:31:09

As such, section 104 of the acts has effects in respect of highway proposals. These policy issues relating to the NPS will be addressed further. At issue specific. Want a specific hearing one tomorrow?

00:03:39:27 - 00:04:05:06

So my name is Kevin Gleason. I'm a town planner, a member of the Rural Town Planning Institute, and the lead member of the panel appointed to examine this application. Prior to becoming a planning inspector. Nearly ten years ago, I worked in local government for over ten years and consultancy for over 15 years. This is the seventh nationally significant infrastructure projects I have examined.

00:04:06:22 - 00:04:28:12

In line with Planning Inspectorate policy. I have made a declaration of interest in respect of this project, and that I previously worked for Atkins and her family members who work there too. Noting that Atkins are instructed by both the applicant and Surrey Cairns Council. I'm now going to ask the other panel members to introduce themselves.

00:04:32:12 - 00:04:57:21

Thank you, Mr. Gleason. Uh, good morning, everyone. Uh, my name is Doctor Philip Brewer. I have a PhD in applied acoustics, and I'm a member of the Institute of Acoustics. I have over 20 years experience of noise measurement, assessment and control gained during the development and regulation of national energy and transport infrastructure projects. Thank you.

00:04:59:29 - 00:05:15:03

Good morning, everybody. My name is Helen Cassini. I'm a chartered town planner and member of the Royal Town Planning Institute, worked with the Planning Inspectorate for over eight years, and prior to this I worked in the private sector in renewable energy and telecommunications.

00:05:16:21 - 00:05:36:12

Morning, everybody. My name is John Hockley. I am also a chartered town planner and a member of the Rural Town Planning Institute. Um, I've worked for the Planning Inspectorate for over ten years now, and prior to this, I worked for some time as a town planning town planner in aviation, uh, for the Manchester Airport Group, and latterly after that for Birmingham Airport.

00:05:37:15 - 00:05:54:15

Good morning everyone. My name is Neil Humphrey. I am a chartered civil engineer and a fellow of the Institution of Civil Engineers. I've worked for the Planning Inspectorate for over four years and this is my fourth examination. Prior to that, I worked in local government for 35 years and another five years as a consultant.

00:05:56:14 - 00:06:25:20

Thank you. So we've all been appointed by the Secretary of States to be members of this panel and constitute the examining authority, or EXR, for this application. As the EXR, we have a duty to complete the examination within six months and submit our recommendation reports to the Secretary of State for transport. Three months after that, it is the Secretary of State who will decide whether to approve the application and, if so, to grant development consent.

00:06:28:09 - 00:06:57:20

For those here in the venue, you may have met Mr. George Harold, who's the case manager for the Planning Inspectorate for this projects. He is supported today by Mrs. Jennifer Savage and Mr. Stephen Parker from the case team. For those of you who've joined us online and been present in the Arrangements Conference, you will have been introduced to Mr. Elliot Booth. If you have any questions about the examination process or the technology used, they should be your first point of contact.

00:07:00:12 - 00:07:11:17

Before we consider the items on the agenda, there are a few housekeeping matters we need to deal with. Firstly, can everyone please set all devices and phones to silent?

00:07:13:04 - 00:07:27:25

There are no fire alarm tests or drills today. So in the event of a fire alarm, please exit by the fire exits either side of this room, and the fire evacuation assembly point is just outside the main entrance on the left hand side.

00:07:29:11 - 00:07:32:09

Toilets are located on this floor and the ground floor.

00:07:33:26 - 00:07:43:08

I'm informed that car parking charges will not apply to those attending this meeting. Any issues speak either to Reception or Mr. Harold, please.

00:07:45:07 - 00:08:00:14

If for any reason have to adjourn proceedings today, including for breaks, we will have to stop the live stream. When we recommence the meeting and restart the live stream. You'll need to refresh your browser page to view this. This restarted stream.

00:08:02:18 - 00:08:08:15

Next, I need to address the General Data Protection Regulation, or GDPR.

00:08:10:15 - 00:08:47:24

This event is being recorded as well as live streams. The digital recordings form a public records that can contain your personal information and to which the GDPR applies. The planning Inspectorate's practice is to retain and publish recordings for a period of five years from the Secretary of State's decision on an application. Consequently, if you participate in today's meeting, it's important that you understand that you'll be recorded and that you therefore consent to the retention and publication of the digital recording.

00:08:49:17 - 00:09:21:18

We will only ever ask for information to be placed on the public record. That is important and relevant to the planning decision. It will only be in the rarest of circumstances that we might ask you to provide personal information. The type that most of us would prefer to keep private or confidential. Therefore, to avoid the need to edit digital recordings, what we would ask is that you tried your best

not to add information to the public records that you would wish to be kept private, or that is confidential.

00:09:23:09 - 00:09:26:06

Does anyone have any questions on that specific matter?

00:09:28:13 - 00:09:28:28

Thank you.

00:09:31:12 - 00:09:51:12

Moving on. I understand there is someone from the press here today, and that person has already made contacts with the case team. We thank you. We have considered your request for recording the initial part of the examination or this meeting, and are happy, as you've discussed with the case team. Thank you.

00:09:54:00 - 00:10:11:22

So this meeting will follow the agenda as set out in annex B of our letter dated 5th of January 2024, which we refer to as our rule six letter. This letter is on the Planning Inspectorate website and can be found at the Examination Library. Reference PD oh nine.

00:10:15:00 - 00:10:17:15

We are currently on item one on that agenda.

00:10:19:20 - 00:10:27:25

I was expecting the agenda to be on the screen, but is there an issue with that? Perhaps Kasim could advise or.

00:10:29:24 - 00:10:46:18

We'll do that subsequently anyway. So currently on item one on the agenda and it's our intention to stick to this order set out. We have a list of those interested parties or IP's who previously registered and which items you wish to speak on.

00:10:49:29 - 00:11:20:21

So the examining authority will introduce the agenda item in turn and make any introductory comments on them. Once that has been done, we'll invite those interested parties who have registered to speak. Will then invite other comments from parties. If it's any point you wish to speak against an agenda item, or you subsequently think of another point. We ask that you raise your hand if you're in the room. For the Microsoft Teams hands raising function for those persons joining online. Online.

00:11:22:03 - 00:11:34:15

Once we have heard all the comments, we'll move on to the next item. On that note, please be advised that the Ms. Chat function is disabled and cannot be used. All comments must be made orally.

00:11:38:06 - 00:11:48:01

The preliminary meeting is expected to finish by 1:00. Should the PM take the full allotted time, we may need to take a mid-morning break at around 1130.

00:11:50:15 - 00:11:56:24

So let me please, please let me explain the purpose of the preliminary meeting.

00:11:58:12 - 00:12:28:01

We're here to focus on the way in which the application needs to be examined. We will. We will be discussing only the procedural aspects of this examination today. We're not taking any evidence at this meeting, and we are not discussing the merits or any concerns that you may have regarding this application. Those discussions will only be considered once the examination of the application begins, which follows the close of this PM.

00:12:29:18 - 00:12:51:06

You'll see. That's our draft timetable set out in next to the rule six letter lists a series of hearings. The hearings tomorrow are open. Floor hearings will be the first chance for interested parties to submit oral evidence about this application. My colleagues will say more about different types of hearings shortly.

00:12:54:18 - 00:13:17:29

If any individual or group wishes to use social media reports, film or record during today's meeting or any subsequent meeting hearing. And they are free to do so. But please do so responsibly and with proper consideration for other parties. This must not be done in a disruptive way and the material must not be used misused.

00:13:20:26 - 00:13:46:26

Additionally, we recognize that there are strong views within various communities about the proposed developments and that people may wish to express express their feelings through protests. We would ask that any noise arising from such demonstrations ceases at 10:00 when we commence the examination. In order that we can hear the concerns of individuals who wish to make their views known to the examination.

00:13:49:18 - 00:13:59:10

The recording of this preliminary meeting and written notes will be placed on the Planning Inspectorate website as soon as practicable after the close of the meeting.

00:14:01:06 - 00:14:22:17

Please also bear in mind that the only official record of proceedings are the notes and the audio recordings that are to be placed on the Planning Inspectorate websites. Tweets, blogs and similar communications arising out of this meeting will not be accepted as evidence in the examination of this application.

00:14:25:22 - 00:14:44:03

A link to the planning Inspectorate's Privacy notice was provided in our rule six letter. This document establishes how personal data of our customers is handled in accordance with the principles set out in data protection laws. Please speak to Mr. Harrold if you have any questions about this.

00:14:46:27 - 00:15:11:01

So I'm now going to ask those of you participating in today's meeting to introduce yourselves. When that state your organization's name, could you introduce yourself, confirming your name, your interest in the application and confirm the agenda item on which you wish to speak? Please could you also state how you wish to be addressed, i.e. miss the misses, miss or miss?

00:15:12:19 - 00:15:16:24

Can we start with the applicant and any of their advisors? Thank you.

00:15:17:16 - 00:15:50:26

Good morning sir. My name is Scott Linos, spelled l y and e s. I'm King's counsel. I'm instructed by Ian Marcus to my right, who is a senior associate at Herbert Smith Freehills. Although they won't speak today. To his right is Mr. Tim Norwood, the chief planning officer for the applicant. To his right is John is John Rudd's planning consultant. To his right is Mr. Jonathan Deegan, who is the NRP program lead.

00:15:51:02 - 00:15:56:29

And then to his right, finally, is Lydia Granger, planning manager for the applicant.

00:15:57:27 - 00:15:59:02

Thank you very much.

00:16:04:28 - 00:16:12:17

And then turning to the local authorities. Can I start with West Sussex County Council, please, and other local authorities?

00:16:14:02 - 00:16:46:13

Thank you sir. My name is Michael Bedford. King's Counsel and Mr. is perfectly satisfactory. Anything else would be satisfactory too, but they're way up. Um, so I'm instructed by, as you say, West Sussex County Council. I'm instructed by Sharp Richard Solicitors, but I also represent a cohort of other local authorities. There are some seven local authorities in all at the moment.

00:16:46:28 - 00:16:49:13

And would you want me to list those?

00:16:49:15 - 00:16:51:15

I think it would be helpful. For starters. Thank you.

00:16:51:17 - 00:17:32:00

Thank you sir. So in terms of the, um, authorities that I'm currently representing, that is West Sussex County Council, Crawley Borough Council, Mid Sussex District Council, Horsham District Council, Surrey County Council, Reigate and Banstead Borough Council and East Sussex County Council. Uh, we have apparently, uh, almost finalized the paperwork, which will allow Tandridge District Council to join the cohort.

00:17:32:02 - 00:18:07:05

Yes. Um, but that is still, um, I say the formal position is that that's not yet completed. Um, and although, uh, for some other parts of the examination, Mill Valley District Council is part of the arrangement that is not for all parts, and they are separately represented in relation to matters. I think they may be appearing at the open floor hearing tomorrow. Thank you. So, so in terms of how we should be addressed, I see that the Planning Inspectorate, um, um, Toblerone has got the name, uh, Legal Partnership authorities.

00:18:07:07 - 00:18:11:28

Are you happy with that or would you prefer joint authorities or any other form of term?

00:18:12:11 - 00:18:19:11

I think we have established legal partnership authority as it was on some communication with us. So we're happy to refer to you as that.

00:18:19:13 - 00:18:33:15

Thank you sir. Thank you. Thank you. Sorry. I should simply say just for identification. Next to me is Mr. James Freeman, um, who is the planning consultant advising Crawley Borough Council. Although I expect to be doing the speaking this morning. Thank you.

00:18:35:02 - 00:18:53:00

Good. Thank you. And then in terms of what the local authorities, uh, I think we have someone. Virtually from Mole Valley District Council. So anyone online there? Yes. Someone appearing. Thank you. Go ahead please.

00:18:53:20 - 00:19:08:04

Good morning sir. My name is Mrs. Marie Killip, and I'm the principal planning officer for Mill Valley District Council. I am down to speak today. Um, however, I will only speak if I feel that it is needed. There isn't anything specific that I need to say. Thank you.

00:19:08:20 - 00:19:16:16

Thank you very much. And also from local authorities. We have someone from Tunbridge Wells Borough Council, I think.

00:19:20:03 - 00:19:20:24

Online.

00:19:37:00 - 00:19:44:03

No, no one from temperature wells. Okay, we'll move on. Uh, if their representative does come back.

00:19:45:25 - 00:19:46:10

Oh.

00:19:47:29 - 00:19:50:07

We are getting a message that they are in line.

00:19:52:02 - 00:19:53:06

I can't see anyone.

00:19:55:25 - 00:20:01:25

Can we come back to that person and see if that link can be confirmed, please?

00:20:03:11 - 00:20:13:27

So let's move on to other parties. So we have one statutory party which is registered to speak today and that is National Highways.

00:20:17:19 - 00:20:54:28

Good morning, sir. Uh, my name is Mustafa Lateef Ramesh. I'm a partner and solicitor from BDB Pitman's. Um, acting on behalf of National Highways. To my right is Christopher Bateman, who is the senior planning manager at National Highways. And to my left is, uh, Mr. Rahul Haq, who is a senior associate from, uh, my firm as well. We have made comments on agenda items three and five, but we don't propose to supplement our written submissions unless it's necessary to do so.

00:20:55:29 - 00:20:57:15

Okay. Thank you very much.

00:20:59:29 - 00:21:10:10

Okay, I'm getting a message that, um, Taryn Pearson rose from Tandridge District Council is available. Uh, yes. Here we are. Thank you. Please go ahead.

00:21:11:17 - 00:21:17:24

It's, uh, Yeah. Uh, Taryn Payson rose, Tandridge district council. Um, I'm not intending to speak, sir, at this time. Thank you.

00:21:18:07 - 00:21:19:03

Thank you very much.

00:21:21:27 - 00:21:41:08

Uh, we don't have any parish councils who said they wish to speak? Uh, although one at least is observing. So we can move on, then to interested parties. Uh, the first name on my list is Matthew Collins. It's Matthew Collins here.

00:21:44:09 - 00:21:55:29

No. Um, if it does appear, we will. Invite him to speak at the appropriate point. If we can move on, then to um.

00:22:00:15 - 00:22:08:06

Next on the list is. The communities against Gatwick noise emissions. Thank you.

00:22:09:24 - 00:22:11:07

Morning, sir. Good morning. Panel.



00:22:11:09 - 00:22:15:15

My name is Estelle Dawn King's counsel, Mr. John.

00:22:17:01 - 00:22:31:10

Thank you. And I represent Cagney as each member of the team who is with me today. May at some point during the examination address you. I'm going to ask them to introduce themselves. I'll start to my right.

00:22:33:09 - 00:22:38:21

Good morning. And my name is Odette Chalabi. I'm a barrister, also representing Cagney.

00:22:39:16 - 00:22:40:01

Thank you.

00:22:41:29 - 00:22:55:15

Good morning sir. My name is Sally Pavey. I am chair of Cagney, um, community and environment group. And, um, there are a number of issues, but item five were particularly pleased to speak on. Thank you. Thank you.

00:23:01:07 - 00:23:04:00

And next on the list is Stephen Clarke.

00:23:08:16 - 00:23:09:03

No.

00:23:12:25 - 00:23:14:21

Councillor Jonathan Essex.

00:23:17:16 - 00:23:25:20

Thank you, but I'm here in my capacity as vice chairman of GAC. So refer to Peter for the introductions. Thank you.

00:23:28:13 - 00:23:29:02

Please carry on.

00:23:33:26 - 00:23:37:24

Good morning. I am Peter Barclay. I am the chairman of the.

00:23:37:26 - 00:23:39:05

Gatwick Area Conservation.

00:23:39:07 - 00:23:54:28

Campaign. And Jonathan, to my right is my vice chairman. Um, we have submitted, I think, a fairly detailed comments relating to this hearing, and I don't intend to speak any further unless matters arise.

00:23:55:00 - 00:23:56:23

That we feel are relevant. Thank you.

00:23:57:11 - 00:24:05:06

Thank you very much. Have the next name on the list is Marathon Asset Management.

00:24:07:08 - 00:24:40:29

Good morning sir. My name is Daisy noble, counsel instructed by CLP, um, along with Rebecca Clayton, who's not in attendance today but will be, um, later in the examination. Uh, on behalf of Marathon Asset Management Mcap Global Finance UK LLP, um, which manages assets for High London Gatwick Limited and High CP limited, which is the owner and operator of the Holiday Inn Gatwick Hotel. Um, in attendance to my left is Megan Griffiths of BCP.

00:24:41:08 - 00:24:50:05

Um, and we indicated in advance that we wish to speak briefly on item four, item five, and item seven, and Mrs. Fine for me, miss.

00:24:50:16 - 00:24:51:17

Thank you very much.

00:24:54:12 - 00:24:57:01

A next person is Ben Bennett's.

00:25:00:02 - 00:25:10:22

Thank you. That's, uh. Yes. You can stand as a roving microphone heading towards you. Or you can come to the table if there is space on the end. Okay.

00:25:11:03 - 00:25:43:25

Um, no, I'm happy to sit here and just speak to the microphone. That's fine. Thank you. So, uh, my name is Ben Bernhardt. I'm a chartered environmental scientist and member of the Chartered Institute of Ecology and Environmental Management. Um, I'm a member of, uh, lots of local groups I've been working with in Sussex for over over three decades on specifically on biodiversity. But, um, I'm not coming here representing any of those groups. I'm here just as a as a representative of the citizens of this planet and the biosphere.

00:25:44:01 - 00:25:47:03

And, uh, I wish to speak on item three, please.

00:25:47:21 - 00:25:48:17

Thank you very much.

00:25:51:07 - 00:25:53:27

And next John Blewett.

00:25:58:06 - 00:25:58:21

No.

00:26:02:03 - 00:26:04:27

Um. Richard Cox.

00:26:13:26 - 00:26:14:21

Close your fisher.

00:26:19:23 - 00:26:43:14

Thank you. Um, my name is Claudia Fisher. Um, I'm a mother of five, soon to be a grandmother, a businesswoman, chair and former chair of several limited companies. Former lead governor at Great Ormond Street Hospital. Parham parish councillor and Horsham district councillor. Um, today I'm speaking in an individual capacity on behalf of all of the people in the world currently and those to come, and I'd like to speak on item five also.

00:26:44:00 - 00:26:44:27

Thank you very much.

00:26:50:23 - 00:26:54:13

And then next is Emma Smith.

00:26:58:17 - 00:26:59:03

No.

00:27:01:05 - 00:27:02:00

I'm sorry.

00:27:02:06 - 00:27:02:21

Sir.

00:27:02:23 - 00:27:15:28

Um, we have a delay there. Thank you. Um. Um, I, uh, I am one of the senior planning managers with Suez Recycling and Recovery Limited, UK. Um, I don't intend to speak today, sir. Thank you.

00:27:16:05 - 00:27:17:09

Okay. Thank you very much.

00:27:21:05 - 00:27:46:24

And then that's completes the list I have. Um. Is there anyone else in the room today? Firstly and then go online. Who wishes to speak again? If you could let me know. Um, if you could introduce yourself and let me know which agenda item you wish to speak. So let's take people in the room first. Any hands up! Anyone else wishes to speak?

00:27:49:24 - 00:27:56:06

No, that's fine, thank you very much. Is there anyone else online who wishes to speak?

00:28:01:12 - 00:28:28:03

Nope. Okay. Thank you. If anyone else does decide that they wish to speak during the course of this morning's proceedings, for example, to make comments in response to representations that's been made by the parties, you may do so. Please raise your hands, either physically or using the function within Microsoft Teams if you wish to speak. So are there any other comments anyone wishes to make under Agenda Item one?

00:28:30:24 - 00:28:40:24

No. Thank you very much. If not, that concludes that item. I'm now going to hand over to Miss Cassini, who'll deal with agenda item two.

00:28:42:11 - 00:29:14:11

Thank you, Mr. Gleason. If we can now turn to item two on the agenda, which is the X's remarks about the examination process in annex A of our rule six letter, you'll see that we've made written comments on how we intend to carry out the examination. I'm not going to go back and read this word for word, as I'm hoping that you've by now had the opportunity to read it. However, I am going to discuss the following four areas in more detail. The examination process.

00:29:14:13 - 00:29:57:17

The purpose of the PPM open floor hearings. Issue specific hearings and compulsory acquisition hearings. Conduct during the examination and what you can expect from the ECA. So I'm going to begin with the first item, which is the examination process. We would like to stress that it is important that you understand that the examination is primarily a written process. The submission of a written representation is the opportunity for interested parties to set out their case if they wish, and this gives an opportunity to expand on views provided in their previously submitted relevant representations.

00:29:58:16 - 00:30:35:28

There are also other opportunities to respond in writing, and these are set out at the various deadlines as detailed in the draft examination timetable. Written evidence submitted into the examination is given the same weight as evidence given at hearings. When weighing up the advantages and disadvantages of the proposed development. As such, please be assured that if you are unable to or do not wish to participate in future hearings, but submit your evidence and our information in writing, this will be given the same consideration as if you present it orally.

00:30:36:19 - 00:31:13:25

You will not be disadvantaged by not participating in hearings and only submitting your evidence in writing. So if we now turn to the purpose of the PPM open floor hearings, issue specific hearings and compulsory acquisition hearings. As I've just stated, it is important to understand that examination is primarily a written process, whilst parties can make representations orally at hearings. These are supplemental to written submissions. So I'm going to briefly discuss each of these different types of meetings and hearings in turn, and give an overview their purpose.

00:31:14:04 - 00:31:48:13

As a general point to note, all of the meetings and hearings will be held as blended events. A blended event means that participants can attend in person or virtually. If anyone does attend virtually, they will be given the same opportunity to participate as if they were present in person. All of the hearings

are held in public. Anyone is welcome to attend and view the proceedings, regardless of whether they have previously participated in an examination. It is not necessary for all members of the ICA to physically attend every hearing.

00:31:48:18 - 00:32:19:11

Members of the ECA may join the hearings virtually or watch the recording of the hearing at a later date. So in terms of the preliminary meeting, as Mr. Gleason has already alluded to, the purpose of the PM is to consider how the application will be examined. Each examination is unique and is designed to reflect the particular circumstances of each case. We'll discuss how the application is to be examined and hear your views on the examination procedure.

00:32:20:02 - 00:32:54:00

In addition, we'll discuss the draft examination timetable at agenda item five. Any questions directed to the EXR during this meeting will generally be responded to in writing. This is to allow the EXR to consider our responses. Following the PM, we'll send a letter to everybody who is invited to the meeting. This letter is referred to as the rule eight letter, and sets out the decisions we have made about how the application will be examined. This letter will contain the finalized timetable for the examination.

00:32:55:16 - 00:33:26:18

To confirm the examination starts the day after the PM and can last for up to six months. We've received some comments in respect of the timing of the PM. To confirm there are no specified time frames for when the PM is to be held, although guidance does suggest it should normally be 2 to 3 months after the acceptance of the application. However, in this case we've allowed longer, partly because the applicant has carried out additional consultation and also due to the scale of the application.

00:33:27:04 - 00:34:02:22

It was also scheduled to avoid conflict as far as possible, with the Crawley Local Planning examination and the PM2 offshore wind farm examination. The AXA has six months to examine the application, and following this, we then have a further three months to write a recommendation to the Secretary of State. The Secretary of State then has three months in which to issue a decision. So if we now turn to open floor hearings, as you're aware, will be or will be holding two open floor hearings tomorrow at 10 a.m.

00:34:02:24 - 00:34:33:25

and, and following that, 6 p.m. in this venue. An open floor hearing has a community focus, is an opportunity for individuals and community groups to speak directly to the EXR about their views on the application, and it's helpful if this is based on their submitted relevant representation. Open floor hearings are open to any interested party to attend, and are not about a particular topic in relation to the proposed development.

00:34:34:12 - 00:35:05:20

There is no set agenda about what is to be discussed discussed at an open floor hearing, other than providing the location, start times and the running order of those registered to speak. To ensure that everyone has a chance to speak, we will set a time limit for each person or organization. We may ask

questions based on what has been said. Please try to refrain from repeating issues when you are speaking. A good point made once doesn't get better by repeating it. At the end of the open floor.

00:35:05:22 - 00:35:20:15

Hearing will ask. Also ask the applicant if they wish to respond to any comments or questions raised further. Open floor hearings may be held if a request is made to do so. So if we move on to issue specific hearings.

00:35:22:01 - 00:35:58:12

An issue specific hearing is held to explore in detail a specific issue or set of issues arising from the application. For example, a particular type of impact or impacts on a particular location. This type of hearing enables the Exo to test, clarify and or address conflicting evidence. The Exo decides whether to hold such hearings, what the hearings focus on and how many are to be held. An issue specific hearing will be held, not necessarily because an issue is regarded as more important than other issues.

00:35:59:03 - 00:36:32:03

But because the EXR thinks it's necessary to find out more or clarify matters that were already before them. For example. In an application, document or representation that's been made. As you are aware, in this instance, we are holding the first round of issue specific hearings early in the examination, with hearings being held this week on Thursday, the 29th of February and Friday the 1st of March issue specific hearings also scheduled next week, on Tuesday the 5th of March and Wednesday the 6th of March.

00:36:32:28 - 00:37:08:10

Purpose of these early issue specific hearings is to focus on issues in which we wish to address, primarily to the applicant. We are aware that the timings of the issue specific hearings means that interested parties will not yet have submitted their written representations, and local authorities have not yet submitted their local impact reports into the examination. Consequently, where interested parties and local authorities are involved in these early hearings. We do not expect them to have fully developed their cases and this will be taken into consideration.

00:37:09:20 - 00:37:43:03

Interested parties may participate in these hearings, but contribution contributions must be in the context as set out in the published agenda. Approach to hearings is inquisitorial rather than adversarial. This means that it will generally be the exact asking questions of the participants. Cross-examination during a hearing is an exception and won't normally take place. Further issue specific hearings will be identified in due course, and for example, this may include a hearing on the topic of climate change.

00:37:43:11 - 00:38:13:17

This decision will be made once we have seen all the written representations, submissions and local impact reports. And finally turning to compulsory acquisition hearings. The Compulsory Acquisition hearing explores the issues relating to compulsory acquisition, temporary possession and issues affecting rights over land. The application, if granted, will give the applicant powers to acquire specified land and interests in that land that are needed for the proposed development to go ahead.

00:38:15:00 - 00:38:51:27

The applicant must be able to justify their proposals for the compulsory acquisition of any land to the satisfaction of the Secretary of State. Secretary of State must ultimately be persuaded that the purposes for which an order authorizes the compulsory acquisition of the land are legitimate, and are sufficient to justify interfering with the human rights of those with an interest in the land affected. The compulsory acquisition hearing can be requested by an affected person. Affected person is a person who possesses rights or interests over the land that is proposed to be compulsorily acquired.

00:38:52:28 - 00:39:10:05

This includes those people who have land which may be subject to temporary possession, and also those individuals who would be able to make a claim under section ten of the Compulsory Purchase Act 1965 under part one of the Land Compensation Act 1973.

00:39:12:04 - 00:39:37:07

At this type of hearing, each affected person and the applicant will be able to make oral representations regarding the compulsory acquisition request. As indicated in the draft examination timetable. We are proposing to hold a compulsory acquisition hearing during the week commencing the 29th of April. So the next issue I'd like to discuss is the conduct during the examination.

00:39:38:26 - 00:40:14:06

We do understand that people have strong feelings about the proposed development, but it's important to recognize that we have a process to follow. In order to get the most out of the examination. We expect good manners and respect to be shown to each other throughout. As such, we want everybody to have an opportunity to speak and answer questions. Talking over anyone or repeated interruptions will not be tolerated. Clapping, cheering or booing will also not be tolerated as we need to be able to hear what people are saying, and such behavior can be intimidating.

00:40:14:24 - 00:40:48:08

So please be polite to each other as everyone deserves the same level of respect, even if you do not share the same views. We also understand that people feel nervous when having to speak in public. So please be reassured that we understand that if you stumble over your words or need to repeat something, that is not a problem for us. We wish to ensure that those who are not familiar with the examination process aren't intimidated by it, and as such, there are any points about the process you don't understand or you require more clarity on.

00:40:48:10 - 00:41:04:23

Please contact our case manager in the first instance, Mr. Harrold or another member of the case team. Additionally, we will ensure that those interested parties who do not have legal representation are given the same opportunities as those that do have legal support.

00:41:06:10 - 00:41:40:28

Returning on to what you can expect from the examining authority. As you've heard from our introductions, we come from a variety of different backgrounds, and we have a range of professional qualifications, but are all experienced examining inspectors. As the evidence presented may be specialist in nature, we may request further clarification where we consider it to help other

participants understand the points being made. None of the Xa are local to the application area, which enables us to examine the application objectively.

00:41:42:07 - 00:41:55:19

Between us all. We have all read all of the submitted application documents and relevant representations made to date. We will be open, fair and impartial throughout the examination and will like to reasonably and without bias.

00:41:57:04 - 00:42:27:26

It is important that you are clear in your understanding of the process. Therefore, if there is anything you're unclear about or which you need clarity, as I've said, please do speak to Mr. Harrold or any member of the case team following this meeting. If you have any specific points to make regarding the draft examination timetable, these will be considered later in the agenda under item number five. So I can see that. Mr. Bedford, you said you may wish to speak on this item agenda.

00:42:27:28 - 00:42:29:00

Do you have anything?

00:42:30:29 - 00:42:42:20

I think, Martin, thank you very much. Michael Bedford, Legal Partnership authorities. I think that was very much a precautionary note so far as agenda item two is concern. So thank you very much. But no.

00:42:43:07 - 00:42:49:26

Thank you. Is there anybody else in the room who would like to speak on agenda item two?

00:42:52:25 - 00:42:55:18

Nope. Can't see anybody. Anybody? Virtually.

00:42:59:15 - 00:43:00:02

Nope.

00:43:00:18 - 00:43:09:15

So that now concludes this item of the agenda. Thank you. I'm now going to hand over to Mr. Humphrey, who will deal with agenda item number three.

00:43:10:02 - 00:43:46:04

Thank you, Mr. Cassini. If you have a copy of the rule six letter, please turn to annex C. Uh, possibly it'd be useful if annex C could be, uh, is being displayed. Um, this sets out the examining authority's initial assessment of principal issues. We are required to prepare this under section 88 of the Planning Act 2008. After receipt of the relevant representations and prior to the start of the examination. At this stage, I would comment that the principal issues have been compiled alphabetically and not in order of importance.

00:43:46:22 - 00:44:19:16



This annex is neither comprehensive nor an exclusive list of all the principal issues. It is an indicative list as we start the examination. Based on the information in the applicant's submission and their relevant representations. But it does not determine the scope of the examination. It will inevitably be the case that other issues will arise during the course of the examination, which appear to be important and relevant, and those other issues will be considered and examined thoroughly when that happens.

00:44:20:00 - 00:44:56:23

Equally, issues on the list may turn out to be not as important as they appear to be now. It should also be noted that a number of principle issues have interrelationship and overlap, and these and this will be reflected in the examination. I can see a number of people have registered to speak on this item. And those are Michael Bedford, Ben Bennett, Peter Barclay and Claudia Fisher. Having registered speak against this item, I allow each in turn to speak and then turn to any other parties who want to speak afterwards.

00:44:57:18 - 00:44:59:24

So could I start with you, Mr. Bedford?

00:45:02:03 - 00:45:15:03

Thank you sir. Michael Bedford, on behalf of the legal partnership authorities, this again, I think, was put forward on a precautionary basis. We've reflected on your list of principle issues, and we don't actually have any specific comments we want to make. Thank you. Thank you.

00:45:15:21 - 00:45:17:27

So could I turn to Ben Burnett, please?

00:45:27:06 - 00:45:28:14

Hi. Um.

00:45:30:10 - 00:46:02:21

So, um, I just want to make a relatively simple point about the the procedure of this examination. Um, just just to say beforehand, I come from a background, uh, that were refugees from Hitler's Germany, and they, my family, half of whom were exterminated, observed a community around that remained silent while a genocide unfolded. And it's my view that a similar genocide is unfolding in terms of the climate catastrophe.

00:46:03:02 - 00:46:43:29

Um, I'm going to reserve further detail on that for the, you know, subsequent hearings which are coming after this preliminary hearing. But, um, for now, I feel like, um, I have grave concerns about the examination process, inasmuch as in the first round of consideration of principal issues, climate change is not among that. So, you know, anybody who has these concerns, and I feel like even though I'm a biodiversity specialist, the the climate impacts of the the operational scope three emissions that the contrails, all of the knock on developments, everything dwarfs the other issues.

00:46:44:01 - 00:47:24:07

And it's not it doesn't even feature as in the issue specific hearings in in this round. And um, I understand that, you know, the people in this room, the panel need to operate according to planning

law and legislation. But, you know, I, I'm very concerned about this process and, and I feel like there is room to for interpretation. And I would just reach out to the people here as as human beings and people with families and children, it's imperative this development does not go ahead and that climate change is taken fully into account.

00:47:24:09 - 00:47:30:27

So I just wish to echo the representation already made by GAC on that point. Thank you.

00:47:31:02 - 00:47:43:23

Thank you, Mr. Benner. But you will notice that on the list of principal issues, number three is climate change. And you did here just before in item two, the agenda that there would be a subsequent hearing on climate change.

00:47:44:04 - 00:47:58:28

Is that not going to be in a couple of months time in when the next round of hearings come up? My understanding is that you've set these, uh, issues for the initial round, and climate change is not among them.

00:47:59:09 - 00:48:22:28

Required to set the issues in the Planning Act. Once we've received the relevant representation and the applicant submission, it is only the starting point of the you know, the exam starts tomorrow. This is our starting view of the initial principal issues. It's not definitive in any way, nor does it determine the order or importance of any of these issues.

00:48:23:11 - 00:48:34:09

Okay, I do appreciate that. My concern is that the the biggest issue by far, it will take a couple of months down the line in the six month process before we start to consider it properly.

00:48:34:15 - 00:48:36:13

It's a six month examination.

00:48:36:21 - 00:48:39:13

So it's the whole six months takes.

00:48:39:15 - 00:48:40:02

Is the.

00:48:40:04 - 00:48:48:19

Examination process. It's not do them in order of importance okay. Thank you, Mr. Barkley.

00:48:49:14 - 00:48:50:21

Uh, thank you very much.

00:48:50:25 - 00:48:57:15

Um, no. Very much the same as, uh, Mr. Bedford pointed out, as was a precautionary comment.

00:48:57:23 - 00:48:58:22

Uh, however.

00:48:58:24 - 00:49:04:09

We do emphasize, yes, the climate change requirement, but we acknowledge what you've said so far. Thank you.

00:49:04:11 - 00:49:06:11

Thank you. Claudia Fisher.

00:49:13:11 - 00:49:47:22

Hello. Um, I, um, I hear and see that the principal issues, um, that I'm concerned about are listed as principal issues, but I, I'd like just to register concern that they're not listed as a, as an issue specific hearing as yet. And I'd like assurances that they will be so that these vitally important issues can be considered. Um, as John Kerry, U.S. special presidential envoy for climate, said only yesterday on BBC radio four today programme uh, when speaking about progress and tackling the climate crisis.

00:49:47:24 - 00:50:11:00

We have to move faster, we have to move bigger. We're heading towards about 2.5 degrees warming on the planet. That's unacceptable and I think that should be noted. Um, so I again appreciate your comments that they are listed, but I would really like assurances that they will be issue specific here. Uh, hearings also on those topics listed as soon as possible. Thank you very much.

00:50:11:04 - 00:50:15:27

Thank you. Are there any other comments any parties wants to make on this item?

00:50:20:17 - 00:50:21:15

We went online.

00:50:23:26 - 00:50:24:15

No.

00:50:26:04 - 00:50:34:07

So with that, that concludes agenda item three. And I will pass it over to Doctor Brewer who will deal with the agenda item for.

00:50:38:04 - 00:50:50:19

Um, thank you, Mr. Humphrey. Um, I've now ask you if you may turn to annex F of the the vault six letter sent to you on the 5th of January.

00:50:52:15 - 00:50:53:14

I'll just do the same.

00:50:58:19 - 00:51:01:19

If we could have it on the screen, it might. Might be helpful.

00:51:02:29 - 00:51:03:14

Um.

00:51:04:24 - 00:51:10:22

So you'll see, um, that we made a number of procedural decisions about the management of the examination.

00:51:12:08 - 00:51:21:22

The annex explains in detail the reasons for these decisions. I would like to highlight a few points, um, before inviting comments from participants.

00:51:24:17 - 00:51:42:25

Regarding items one and two of NQF and the submissions of written representations and local impact reports by deadline one. Purpose of this is to front load the examination to allow as much time as possible for the consideration of these written submissions.

00:51:48:21 - 00:52:02:21

Items 5 to 7. Through with statements of common ground. Statement of commonality for statements of common ground and principal areas of disagreement. Some of his statements, which often referred to as Pat.

00:52:05:11 - 00:52:19:22

Regarding statements of common ground. Whilst the applicant has set out the parties, it intends to develop these with, the ECA expects the applicant to keep these this matter under review. During its consideration of relevant representations.

00:52:21:12 - 00:52:41:24

With regards to the local authorities, the OECD considers that whether the Joint Joint authorities, I may use that term, um, share a common view. This is addressed through a separate joint Local Authorities statement of Common ground, meaning that individual authorities statements of common ground need not include them.

00:52:43:21 - 00:52:54:02

We were behind the applicant that their statement of commonality for Statements of Common ground needs to provide a table showing an overview of the position between selves and the relevant parties.

00:52:55:28 - 00:53:16:09

Moving on to pads. These were requested by the EXR from a number of interested parties to provide a clear focus for the examination. I have so far been received from the bodies listed on the item seven. But we'll see that. Um, and the Xa asks that they are updated by the IPS during the examination.

00:53:20:17 - 00:54:01:29

Finally moving on to accompanied site inspections. The first of these is described in nx e and under item eight to enable the Xa to appreciate the context. The parts of the proposed development that

cannot be seen from publicly accessible locations. We'd like to emphasize, this is not an opportunity for the applicant or any other interested party present to make oral representations about the proposed development. On the first accompanied inspection, the Xa will be accompanied by representatives of the applicant, a representative of the host local planning authority and members of Pin's case management team.

00:54:03:24 - 00:54:11:00

The timetable shows that if a further ASI is required, it is scheduled for week commencing 29th of April 2020 for

00:54:12:22 - 00:54:43:17

a procedural deadline. We received several suggestions for site visit locations. Whilst most of the suggested locations would appear to be publicly accessible, some do not appear to have public access. So while we will consider the need for further accompanied site inspection, if it is simply a matter of requiring access, it may be possible to do these as an access required inspection rather than a full accompanied site inspection.

00:54:45:04 - 00:54:46:20

With regard to.

00:54:47:18 - 00:54:48:15

On the company.

00:54:48:21 - 00:54:50:00

Site. Inspections.

00:54:51:17 - 00:55:27:00

We've already carried out a number of these, including some of the summit, some at locations that have been suggested at procedural deadline. A for example Longridge Roundabout. We intend to carry out further unaccompanied site inspections, for example, during the peak summer operational period. With the locations informed by the submissions we received at procedural deadline A and other written submissions, including the relevant representations already received, and we recognize the merits of returning to the same location under different operating and weather conditions.

00:55:33:05 - 00:55:52:14

So I can see that again. Michael Bedford is down to speak on this item. Um, Mammoth and Asset Management are down to speak on this item, I understand. Um. And Barnett and Claudia Fischer. So if I start with you, Mr.. Mr.. Bedford.

00:55:53:21 - 00:56:33:00

Thank you, Sir Michael Bedford, for the, uh, legal partnership authorities. Just on this item, effectively two points for information rather than matters that require any, uh, decision at this stage by the examining authority. Um, in terms of the local impact reports, which the authorities are working on at present, what we're currently envisaging is that there will be three, uh, local impact reports, uh, effectively under the umbrella of each of the counties that are within the partnership.

00:56:33:02 - 00:57:17:05

So there will be a local impact report on behalf of West Sussex and the districts within West Sussex, a local impact report on behalf of Surrey County Council and the districts in Surrey, and then an East Sussex, uh, local impact report. So that's the current, um, intention, uh, if that is helpful information. And then the second point just to, um, comment on which you've already referred to, as you have said in our various procedural deadline A submissions, we have made suggestions in relation to site visit locations that we would like you to consider.

00:57:17:13 - 00:57:42:05

Uh, we are, I think, relaxed as to the mechanics as to whether any of them need to be accompanied or access required. That's a matter that you can deliberate on. What we really want to do is to try to help you by identifying locations. I say the mechanics of how you get to see them is more for your decision. So those were the only points on your procedural decisions that we've wanted to comment on at this stage. Thank you sir.

00:57:42:19 - 00:57:44:00

That's that's helpful. Thank you.

00:57:44:12 - 00:57:44:27

Um.

00:57:45:09 - 00:57:48:14

Could I turn to Marathon Asset Management?

00:57:48:16 - 00:58:20:28

Yes. Thank you, sir. Daisy Noble, on behalf of Marathon Asset Management. Um, in respect of statements of common ground, um, we consider it would assist the Xa if we were to produce a statement of common ground with the applicant to capture the position between ourselves. Um, a second point, which I was going to raise later, but now that site visit has been referred to. I'm just going to raise it now, is that, um, we would request that the Xa does visit, um, the Holiday Inn Gatwick Hotel as part of a site visit.

00:58:24:08 - 00:58:25:04

Thank you. My team.

00:58:25:16 - 00:58:26:01

Thank you.

00:58:27:08 - 00:58:27:23

Um.

00:58:28:11 - 00:58:30:12

Can I turn to Mr. Bennett again?

00:58:35:26 - 00:58:54:22

Pop. I understand, okay, I heard. I think we heard that that you said enough on the item three. Is that correct? And Claudia as well. Thank you. Thank you for that. That's very helpful. Um. Is anybody else online or in the room? Interested parties. I'll come to the applicant in a minute. Um.

00:58:57:26 - 00:58:58:12

Yes.

00:59:00:21 - 00:59:36:23

But thank you, Estelle Dayan, on behalf of Cagney. Uh, you may have noticed that, um, in relation to the site visit, Cagney raised two matters. Uh, before this hearing. Um, the first is that we do have, uh, subviews in relation to areas of the site visit and places to visit that we think would assist the examining authority. Um, we've done some liaising outside of the process and will do more, and hopefully we can join with others in suggesting agreed areas for the site visit.

00:59:37:06 - 01:00:00:11

Um, and so I just wanted to flag that we're progressing that. The second thing that was asked by Cagney was whether it would be possible for Cagney to be present, uh, on the site visits. Um, on the express, understanding that there is no submissions to be made during a site visit, but that there may be an opportunity to point things out.

01:00:05:00 - 01:00:12:18

So. So is it. I'm going back to your first point. So will we receive further clarification as to as to where where you where you would like to see.

01:00:12:20 - 01:00:15:07

So yes hopefully. Agreed. But yes okay.

01:00:15:18 - 01:00:19:16

Okay. Thank you. We've noted we've noted that those comments. Thank you very much.

01:00:21:08 - 01:00:24:10

Is there anything else from anybody else online or in the room?

01:00:27:13 - 01:00:30:11

And I'll let the applicant just make their comments.

01:00:31:27 - 01:01:09:11

Scotland's case for the applicant. Thank you sir. Just to run through a few matters and we obviously will prepare the draft itinerary for the ACI by deadline once work is in hand, taking on board all the suggested locations that we've been able to identify so far. As far as Cagney is concerned in relation to the site visits, I don't think they specified any locations yet, despite being given the opportunity to. But obviously, if, uh, any further locations come forward, we can either incorporate them into the list or they can comment on the list that we submitted deadline one accordingly.

01:01:09:24 - 01:01:41:17

As for the requests in relation to the site visit, it appeared from the written submission made by Cagney that they are requesting attendance at the accompany site inspection the 7th of March. Not sure if that's the point that was being made, but as far as we're concerned, the examiner thought you've given your reasons as to why the site visit has to be conducted in the way it has. We agree with that. There are certain security concerns and capacity concerns, which mean that it wouldn't be appropriate for greater numbers to be on that site visit.

01:01:41:23 - 01:02:15:07

And so far as it was suggested by Cagney and the original submission, it was devoid of an influence on the examining authority. I don't think we need to say too much more about that, other than to say we don't accept that for one moment as a basis for having them on the site visit. As for marathon management, um, we can discuss with them whether statement of Common ground is most appropriate way to proceed. So you'll be aware we have a significant commitment towards the common ground at the moment. It may be as other parties come forward, the process is a better way for them to record differences of opinion with us.

01:02:15:09 - 01:02:28:21

But where there is scope for agreement, and particularly with Marathon Asset Management, who, as we understand, don't object to the principle of the scheme, that may merit moving out into a statement of common ground. We can discuss that with them in due course, sir. Thank you, thank you.

01:02:28:23 - 01:02:30:21

Thank you for that. Um.

01:02:32:11 - 01:02:34:12

So I think that concludes this item.

01:02:34:21 - 01:02:35:06

Um.

01:02:35:17 - 01:02:40:23

I'll now hand over to Mr. Hockley, who will talk about the draft examination timetable. Thank you.

01:02:42:09 - 01:02:50:13

Okay. Thank you, Doctor Boro. Um, if we could have, uh, annex D of the rule six letter, uh, on the screen, please. That'd be helpful.

01:02:59:09 - 01:03:37:26

Thank you. Um, so this sets out our draft examination timetable for the next six months, from the close of today's meeting to completion on Tuesday, the 27th of August, 2024. The draft dates for hearings and deadlines for submission of written documents are all set out in annex D, and it also includes dates for the examining authority to issue documents such as our written questions. Uh, please note the time for submission on each stated date is 2359, so one minute to midnight. Um, in the interest of brevity, um, I don't intend to read out this fully the draft examination timetable, but I will highlight some key points.



01:03:38:25 - 01:04:11:18

So open floor hearings are being held tomorrow. Um, Wednesday 28 for February in the morning and in the evening, as Miss Cassini. Miss Cassini, my apologies mentioned earlier. As the name suggests, open floor hearings are an opportunity for individuals and any community groups to speak directly to the examining authority. We have taken account of the requests made from procedural deadline A, and all those who requested attendance have been allocated slots at one of tomorrow's hearings. These hearings are now, to all intents and purposes, full, and it is unlikely it will be.

01:04:11:20 - 01:04:22:08

We will be able to hear from anyone else at those hearings who has not pre notified us about their attendance. However, people are of course, welcome to request further open floor hearings for later in the process.

01:04:24:09 - 01:05:00:25

Issue specific hearings are being held on the case for the proposed development on Thursday and the development consent order on Friday morning, respectively. Next week sees further issue specific hearings on socioeconomics, surface transport and aviation noise. Um, you also heard from Doctor Brewer about the company site inspection happening next week as well, and that further site inspections, both accompanied and unaccompanied, may follow later in examination. Deadline, one where various documents are requested, including written representations and local impact reports from many local authorities, is currently scheduled for Tuesday, the 12th of March.

01:05:01:18 - 01:05:23:03

Should you wish to submit comments on relevant representations, or wish to notify yourselves that you wish to take part in a further open floor hearing and or a compulsory acquisition hearing deadline, one is also a due date for that. Um, on this note, as referred to earlier, again, the requests have been made for a compulsory acquisition hearing a procedural deadline a so such an event will be held in one of the later hearing weeks.

01:05:25:08 - 01:05:59:01

Our first written questions are programmed to be published on Tuesday the 28th of March, with further written questions if required to follow on Monday the 1st of July. Further weeks for hearings are currently designated for week commencing the 29th of April, 17th of June and the 29th of July. These hearings may cover alternative subjects to those examined over the next two weeks, or may be on the same issues. Um, and as we stressed earlier, it's important to note that the examination is primarily a written process, and not holding a hearing on an individual topic is not an indication of its importance.

01:05:59:17 - 01:06:05:15

Neither is there an obligation to hold hearings on every subject mentioned in the assessment of principal issues.

01:06:07:22 - 01:06:46:15

As mentioned previously, the examination will close on Tuesday, the 27th of August. We have a statutory duty to complete the examination of the application by the end of six months for all new projects, and particularly cases of this size. There is a lot of ground to cover in the six months of

examination. The examining authority is very conscious of this and the work involved to meet the proposed deadlines, particularly for those with limited resources. We have tried to design the timetable to take account of other projects, such as the ongoing examination into the ramp in two wind farm, which we know many of you will be involved with, as well as avoid as far as possible, school holidays.

01:06:47:07 - 01:07:18:19

Um, such a timetable will unfortunately never be perfect or keep everybody happy, but we have tried to take account of all views. On this note, comments regarding the potential clash with the champion two time table have hopefully been eased now following the publication of their final timetable, where they've written first written questions, period has been altered. Um and observations have also been made concerning the Easter break within the response period for our first written questions, and the possibility of moving a response date back further from the 19th of April.

01:07:19:02 - 01:07:31:21

Um, our initial I stress initial, but our initial view on this is that this would not provide enough time for all parties to consider and read the evidence submitted at deadline free in time for the hearings, then due to be held the following week.

01:07:33:15 - 01:08:10:12

We have also noted comments regarding the examination clashing with the pre-election period for local elections in May. During this period, interested parties will be submitting evidence and we will be considering and responding to this evidence to inform the examination of the proposed development and enable us to make a recommendation to the Secretary of State. This is in line with government guidance relating to pre-election periods for hearings held in that week. We will endeavour to provide as much notice as possible of topics and agenda items, particularly so that councils are involved in holding elections and counting votes on the Thursday and Friday of that week are aware and can prioritise effectively.

01:08:12:06 - 01:08:44:13

Um. Okay, so that's all I had to say initially. So if we can move on to questions now, please. Um, we've received requests to speak on this item in agenda from, um, from Mr. Bedford, um, from Murray Killip on behalf of Mal Valley District Council. Um, from Cagney, um, from, uh, GAC as well, um, Claudia Fisher and from Ben Burnett. Would anyone else wish to speak today on a specific matter of the timetable contained within annex D, the applicant as well? Of course.

01:08:44:15 - 01:08:45:00

Thank you.

01:08:46:17 - 01:08:49:05

Yes. Okay. Thank you. Marathon asset as well.

01:08:52:08 - 01:08:52:28

Okay.

01:08:55:22 - 01:09:02:07

I'll start then, uh, by asking Mr. Linus, if you wish to add anything to your previous submission.

01:09:03:26 - 01:09:19:12

Scott Linus for the applicant. So, as you know, we did make an initial request to push back the deadline at three. But having heard what you said this morning, we're not inclined to pursue that further for the reasons you give. Thank you very much.

01:09:19:16 - 01:09:21:03

Okay. Thank you, Mr. Linus.

01:09:23:20 - 01:09:25:25

Okay. Uh, Mr. Bedford, please.

01:09:28:06 - 01:10:01:21

Thank you, Sir Michael Bedford for the legal partnership authorities. So there are four points. Um, but, uh, you have, uh, as it were, overtaken elements of of those four points in your additional remarks. So so far as deadline three is concerned and the timing of the, um, uh, examinations, first written questions, as you have seen, we had raised a concern about the way that the, uh, interaction with ramping two deadlines would work.

01:10:02:16 - 01:10:38:05

Uh, but as you rightly have identified, the final Grampian two timetable differed from that that we'd referred to in our written representations, and they have altered their timetable. So there is now more, uh, of a, um, as it were, a gap between the intervening events. So what we would be, I think, grateful for is that when you finalize the timetable for Gatwick, you do not change your draft published dates in any way that would, as it were, reinstate the clash that previously, uh, existed.

01:10:38:13 - 01:11:10:24

Uh, and we don't need I think now, in the light of what Mr. Lyons has clarified, uh, to comment on the issue about whether it should be the, the 19th or the the 22nd. So that's fallen away. So then the second, uh, point and again, you've, uh, covered this in your remarks about the potential hearings in the week of the 29th of April and the, um, potential pressures that causes with the, uh, local council, uh, elections.

01:11:11:29 - 01:11:59:21

And so obviously we understand the difficulties of your timetable and the problems of, uh, the examination not being able to do its business, uh, because of the local elections on the Thursday or the counting on the Friday of that week. Uh, but, uh, certainly we would ask you, when you're reflecting on the business of the examination during that week, to consider, obviously, if there is a need for issues, sorry, a need for, uh, open floor hearings and or site visits and or potentially compulsory acquisition hearings, uh, that may be that it eases the pressure on issues, but clearly you won't know at the moment what the position is.

01:11:59:23 - 01:12:31:05

But we just ask you to reflect on, as it were, the examination business, uh, to see to what extent one can avoid, um, matters that are problematic on the Thursday and or the Friday. So that's the second

point. Then the third point, um, is a matter of which, uh, is at risk, I suppose, of becoming water under the bridge, but I don't know. So I will raise it, as you will have seen in our procedural deadline, a submissions back at the beginning of this month.

01:12:31:13 - 01:13:06:16

Uh, we express gratitude for early site of the agendas for the initial hearings. But we also noted that particularly I think this applies to issue specific hearing for, uh, on surface transport and issue specific hearing five on aviation noise. Uh, it would assist, uh, certainly the authorities, but I'm sure all parties, if perhaps there were a bit more flesh on the bones of what are fairly high level agendas. Now, we appreciate that by now you're fairly busy before we get to those hearings.

01:13:06:18 - 01:13:42:00

But if there had been any thought given to those, uh, um, remarks in our procedural deadline, a submissions such that you were able to provide as a kind of a supplement or an addendum to the agendas, any more detail, even if that emerged this week, it would be greatly appreciated, I think certainly by the authorities and I'm sure by other parties. So so I leave that with you noting that I say that we did set that out at the beginning of February. So if it's being considered, uh, whether there's any opportunity for further detail, that would be helpful.

01:13:42:08 - 01:14:21:16

And then so the last point, uh, the fourth point I'm raising, uh, is a matter which I know is already on your radar, uh, in terms of your giving consideration, uh, to the future, uh, topics for issue specific hearings. We absolutely understand the starting premise. It's a written process, and one doesn't need any specific hearing to cover a topic. Uh, but it did seem to us from the technical nature of air quality matters, that they would be a candidate for consideration and exploration at an issue specific hearing.

01:14:21:22 - 01:14:37:23

But we would understand that. Obviously, you would wait, as it were, until you've seen the local impact reports and the written representations at deadline one before you finalize that. But that's the one that we would flag up to you. Thank you sir. Those are our remarks on agenda item five.

01:14:38:12 - 01:14:49:11

Thank you very much, Mr. Bedford. That's very useful. Um, if I could then go to, uh, Marie Killip online, please, for behalf of Mo Valley District Council.

01:14:51:25 - 01:15:08:03

Thank you sir. Our our concerns were predominantly, um, around the six month period for the examination. Um, but I think you've covered in your remarks that whilst that is a statutory duty, um, that will obviously be kept under review. Thank you.

01:15:09:09 - 01:15:25:23

Thank you, Mr. Killip. Um, yeah. As I explained before, is a statutory deadline of six months for the examination. Um, if I could go then to please for Mr. Han, for, uh, Cagney or or Miss Pavey. Apologies.

01:15:29:10 - 01:15:34:04

I would say. Thank you very much. Um, Estelle Dawson, on behalf of Cagney. Uh.

01:15:36:17 - 01:16:09:02

Three points. Um, first, may I support, um, the request made by the local authorities? Um, if any further detail may be provided by the examining authority in relation to the issue specific hearings. Um, next week. That would be greatly appreciated. Um, it was very clear, um, what the authority wishes to get out of those initial hearings, and we're very thankful for that indication in relation to what you're looking at, um, predominantly from the applicant.

01:16:09:04 - 01:16:42:27

But we recognise that that will be assisted by, um, other parties raising questions, um, and participating. Um, so that is really what lies behind that, that first point. Um, the second point is related to that, um, and addresses the timing between the issue specific hearings and the representations and information that will be provided for deadline one. Uh, and you've already addressed the fact that these hearings will proceed.

01:16:43:00 - 01:17:14:00

That information being, uh, provided. We just wanted to flag that, uh, Cagney will be providing three expert reports, um, at deadline one, um, two of which surface transport and noise are obviously relevant to the issue specific hearings that are taking place next week. Um, and for full disclosure, those reports are available and could be provided now, but of course it would be out of turn.

01:17:14:02 - 01:17:44:08

But we just wanted to flag that if the examining authority thought that the reports themselves, not any representations about them, but the reports themselves, might be helpful to have in advance, um, we are able to provide those, um, in advance. And then finally, just on the other issue specific hearings, you also have seen that, um, Cagney, um, raised various points, um, taking into account everything that's been said about the written process, which we entirely accept.

01:17:44:18 - 01:18:15:06

Um, you'll see that, um, Cagney also raised, um, air quality as a candidate, and we support what was flagged by the local authorities in relation to the technical nature of that area. Um, again, air quality will be one of the areas where Cagney provides, um, technical evidence. And we see how that might be a prime candidate for an additional hearing of that might assist, uh, in relation to any additional hearings on noise.

01:18:15:17 - 01:18:44:12

Um, you may have seen that there's, uh, various issues raised in, um, the written representations about the linkage between air modernization, air traffic modernization and noise. Um, it may be that that's not something that can be addressed at the initial hearing, even when it is happening. But just to flag that if there was a further hearing in relation to noise, it may be helpful for air traffic modernization to be addressed as part of that as well.

01:18:46:08 - 01:18:48:27

Uh. And then finally.

01:18:51:16 - 01:18:52:19

Yeah. You sure?

01:18:53:19 - 01:19:15:10

Okay. Um. So then as I've started, I may finish. Um, to coin a phrase. Um, and we also note what has been said by the examining authority today in relation to an additional hearing on climate change. And we welcome what's been said. That was one of the areas that we also listed in our submissions. And we're very grateful for the indication from the authority on that.

01:19:18:07 - 01:20:00:06

Thank you. Okay. Thank you very much, Mr. Hunt. Um, just to, um, come back on a couple of points there. Just, um, obviously you mentioned the detailed. You echoed the detail there, um, that Mr. Bedford also raised about the further detail for, um, agendas, possibly for next week. Just to say, obviously, that we we're aware and we mentioned earlier about how that these, um, we have two weeks of issues, specific areas early on in the examination process. And uh, that places a burden on people in terms of, uh, preparing their cases, if you like, but that the principle of these early hearings are for principally for ourselves to ask those questions, um, from reading the relevant representations and obviously the applicant's case as well.

01:20:00:16 - 01:20:14:15

Um, so I think it well, I don't think we'll be releasing any further information on these specific hearings for next week. But as I said before, there may well be other times when we'll come back to those topics later on in the examination process.

01:20:17:00 - 01:20:27:29

Um, the, uh, the question of your, your your documents on surface transport and noise. Um, thank you very much for the offer, but deadline one would be the most appropriate place for those. So thank you for that.

01:20:29:18 - 01:20:39:02

Um, and we note, obviously your comments as well. Um, very. And Mr. Bedford's about air quality and we'll consider those as well. Thank you.

01:20:41:05 - 01:20:44:15

Okay. If I could go now, please, to, uh, Mr. Barclay.

01:20:48:06 - 01:20:57:22

Um, may I speak on behalf of GAC? If that's if that's accessible? Thank you. So I'd like to cover two areas, if I may. The first is with regard to timing. And so just.

01:20:57:24 - 01:21:02:06

For the record, can you, um, state your name, please? So we have it on the recording. Sorry.

01:21:02:08 - 01:21:48:01

Jonathan Essex on behalf of GAC. So two areas of comment. Firstly, with regard to timings as set out and the other is about timings for release of data sets. So firstly with regard to timings, um, this week

and next week, the hearings have taken place Tuesday through Friday. Comments have been made with regard to the local authorities. Um, link to the election week for the next set. Um, may I politely suggest that it might be good to change the days of the week in that week such that it doesn't clash with the election and the count of that week, which might mean more the earlier part a week rather than starting on the Tuesday.

01:21:48:18 - 01:21:49:03

Um.

01:21:50:29 - 01:22:34:22

And I think it's important. I think we would say to have issue specific, um, hearings on topics as well. I accept your comments on the written representations having equal weight. I think what the oral hearings do is provide an opportunity for people to hear, and that the key points raised by different people together and comment on them in real time, rather than have to wait for the the time scale of the written process to happen. And in areas where there hasn't been an issue specific hearing in the first round, I think it would be very important for confirmation from yourself that exa as to whether that will happen in round two and whether that will be for all or just some of the principal issues you've set out.

01:22:34:24 - 01:22:48:21

And in particular, um, flag that we believe that it should cover at least the issues of climate. Air quality. Water and flooding. And ecological issues.

01:22:50:25 - 01:23:17:12

And in in that regard, um, the dates for the current round of Asia-Pacific hearings were announced in the rule six letter back in January, I believe. Um, so one thing it would be useful, if it's possible, is to confirm the time table you have for releasing your future letters. Um, so that we can be aware of when we will be notified of future events in the timetable.

01:23:19:09 - 01:23:51:07

Um, and for the same notice period for the future issue specific hearing topic dates be given as for those at the first stage, so that those wishing to speak on issues not covered at the outset are not prejudiced, excepting that you might cover those extra topics in the second round, and there might be extra things that you would wish to ask. As you said, it's EXR lead, um, on the first round of topics that there might be a possibility, therefore, of extending the second round at least into a second week.

01:23:53:09 - 01:25:03:27

Secondly, as expressed in in our written submission on for the 6th of February deadline, we were particularly concerned not just about the lack of information released by Google following their public consultations, but the lack of complete data sets, subject that national bodies responding have expressed the view that they can't comment until that data is released. Our concern is that if that is left until into the process and it isn't responded to and isn't required to be responded to, that will curtail the effective period of examination of issues where there's been, frankly, completely inadequate levels of release of data, sets of assumptions of models such that they can be independently verified, and without that independent verification, which takes time, we might push be pushing back the effective

review of some of those topics right at the end of the period, which is, you know, falls within a, um, a summer holiday period which could constrain participation from some parties, at least.

01:25:03:29 - 01:25:31:22

So. And what we requested in the February letter, which we submitted, was that we believe that that information should be released at the start of this process, which is tomorrow. I understand such that that evidence can be fully examined by yourselves and all other parties throughout the whole process. My concern is that when that will be released and you clarify the deadline for that, so that preparations by ourselves and others can be made accordingly. Thank you.

01:25:34:22 - 01:25:56:03

Thank you, Mr. Essex. Um, was there anything you wish to add to Mr. Barclay or. That's okay. Thank you. Okay. Um, yeah. Thank you for those comments. Um, I note those, um, and your your requests as well for the further hearings. Um, in terms of timings of, um, notice and so on for future hearing topics. We have statutory, um,

01:25:57:21 - 01:26:19:18

timing set out in the deadline. But what we hope to do, um, as we have done for the hearings this week and next week, is to give you as much notice as possible. So effectively we will look at, um, you know, the, the issues that come in at deadline one and provide as much information as possible, much notice because we as I said before as well, we appreciate the, um, the demands that this process puts on everybody.

01:26:21:14 - 01:26:37:16

Um, the, um, you mentioned the data sets. Also, we noted your comments in your relevant representation, and I'm sure the applicant will be responding to that at deadline one as well. Um. Was there anything else you wish to raise, Mr. Essex?

01:26:38:27 - 01:27:01:00

Thank you. Just in response to your comments on the the the notification, according to statutory deadlines, the clarity and ease of those participating in this consultation, might those deadlines, um, be published in a revised extending time, extended timetable? So we all have clarity as to when we expect you to let us know things.

01:27:02:17 - 01:27:16:11

She is at the moment. And unless we spot that magic email from you, which could come in from our point of view at any time, it's very hard to know when we might be required to put things in the diary.

01:27:16:13 - 01:27:18:27

Thank you. Of course. Thank you. You consider that?

01:27:20:16 - 01:27:22:06

Okay. Uh, Mr. Burnett.

01:27:29:26 - 01:28:09:18



Uh. Thank you. Um, so my my point is, is one that's, uh, closely connected to my earlier statement. It's just I recognize the response that was made to me earlier on, but I would like it to be noted that I have outstanding concerns about the fact that we we still don't have a date set for, uh, an issue specific hearing on what I regard as an overwhelmingly important issue. And I'd like to, uh, reinforce and echo what Councillor Jonathan Essex said about the importance of these oral hearings, uh, in relation to, you know, written representations, etc.,

01:28:09:20 - 01:28:21:22

and also that it takes a long time to, to properly dig down into data sets. And so I think the sooner we get on with this, the better, really, in terms of the examination process. Thank you.

01:28:23:15 - 01:28:27:14

Thank you, Mr. Bennett. Um. Miss Fisher.

01:28:29:20 - 01:29:05:12

Um. Thank you. I've got a couple of questions. Um, so I noted earlier that there was a mention that, uh, open further open floor hearings can be requested. I just wanted clarity about how that would be requested by email, for example. Um, and what the deadline is that 12th of March. Um, and then also, um, does a reason need to be supplied as to why uh, one is being requested? So that's my first question with some sub questions. Um, I also, um, would like some clarity around the date or dates of extra issue specific hearings.

01:29:05:20 - 01:29:49:21

Um, when they're going to be added and how much notice will be given of those dates and put a plea in that as much notice as possible, please, because it's difficult to prepare. Um, I'd echo, uh, Mr. Essex's points about the usefulness and importance of hearing people's representations at issue specific hearings, because it's important that we hear what other people are saying, as well as having a chance to say what we say, what we want to say. Um, in terms of issues, specific hearings, I didn't actually run through the list when I spoke earlier, and I've put them in political order, uh, um, which is, uh, air quality as vitally important climate, uh, as top of the list, ecology and biodiversity.

01:29:49:23 - 01:30:17:02

And then a final question with the last item, which is, uh, water environment, which I noticed, uh, is an issue, um, listed. Um, I'm hoping that water environment covers water quality, flooding, sewage and water abstraction from what is a severely water stressed area. So if I could have confirmation about those, uh, principle, what water environment means as well, that'd be great. Thank you.

01:30:18:25 - 01:30:52:02

Thank you for that, Mr. Fisher. Um, in terms of the open floor hearings yesterday, the deadline for that would be a deadline one the 12th of March to submit a request. Um. In the usual way. The representation sent to the, um, the, uh, examination mailbox is fine if that request. Um, obviously we have the hearings tomorrow, which, as I said earlier, were, uh, all intents and purposes full now because we've had lots of requests, obviously, which is good. Um, but yes, if there are any more requests, then we will hold further open floor hearings later on in the process.

01:30:53:00 - 01:31:10:06

Um, the, uh, as much notice as possible, obviously, that we note that as well. Um, the timetable will be confirmed. As we said before, when our rule eight letter comes out, which will be, um, as soon as possible, hopefully towards the end of next week.

01:31:12:16 - 01:31:20:28

Um. And your requests for the, um, hearings are noted. And, yes, the water environment does cover all those matters that you you outlined.

01:31:23:19 - 01:31:34:05

Okay. Thank you. Um. Is there anyone else here today who wishes to speak on this agenda item in the room? Oh, I do apologize, Miss Noble.

01:31:34:07 - 01:32:07:18

Um, thank you sir. Daisy Noble, on behalf of Marathon Asset Management. I just have, um, one point to make in respect of hearing dates. Um, we note that there are subsequent hearings currently scheduled for the week commencing the 29th of April. Um, I just wanted to, uh, flag now that neither of my client's appointed counsel are available on Tuesday, the 30th of April. Um, our preference would be that issue. Specific hearings in respect of surface transport and noise were not held on that date.

01:32:07:20 - 01:32:23:24

However, critically, we would request that, um, the compulsory acquisition hearing is not held on that date because we would wish to attend. And for my client to be represented, appreciate you'll have to balance availability of of different parties. But I just wanted to flag that now. Thank you.

01:32:24:02 - 01:32:25:00

Thank you very much.

01:32:26:19 - 01:32:33:07

Um, anyone else in the room wishes to speak on this agenda item? Um. Anyone else? Virtually.

01:32:36:17 - 01:32:39:08

Thank you, Mr. Linus. Is there anything you wish to come back on?

01:32:40:02 - 01:32:43:25

No. In the light of the indications you've helpfully given, sir. Um, no, thank you very much.

01:32:44:21 - 01:32:45:17

Thank you very much.

01:32:51:11 - 01:33:22:16

So, um. As I mentioned earlier, I'm sure you're all aware there are many competing aspects when drafting a timetable, including several internal deadlines for ourselves as well as the inspectorate um, which also need to be built into the timetable. Um, and as I mentioned before, it's obviously a difficult task to draft a timetable which everyone is 100% happy with, but we will obviously take all the

comments made here today and those made it procedural deadline, a um, into account when we, um, produce our timetable within our rule eight letter.

01:33:23:07 - 01:33:58:16

But ultimately it did up to the examining authority to decide upon that final timetable. I'd also just like to briefly highlight the importance of ensuring that information is submitted in accordance with set deadlines. Um, while we do have the ability to accept late submissions into the examination, um, this is our discretion and should only be done in exceptional circumstances, as late submissions restrict the ability of other parties involved to respond to the information, which can then subsequently jeopardise the examination timetable. Um, it's therefore important for you to note that if you do submit something late, there is a possibility it may not be accepted into an examination.

01:33:59:12 - 01:34:03:20

Um, are there any thoughts no one wishes to raise before we move on to item six?

01:34:07:14 - 01:34:15:21

No. Okay. Thank you very much. Um, I'll now hand over to Mr. Gleason for item six, the applicant's notification of intention to make changes to the application.

01:34:17:18 - 01:34:52:12

Thank you very much. And I think at this point we don't need to refer to the agenda any further. If the agenda could be taken down, please, on the screen. So item six application applicants notification of intention to make changes. I'm going to provide an introduction to this item before asking the applicants to explain their position, inviting other parties to comment. The background is that on 27th of November, the applicant wrote to the examining authority to notify us of their intention to submit a request to make changes to the application.

01:34:53:12 - 01:35:26:18

The applicant's letter has reference as one one, two with supporting documentation provided it's As1 one three. The examining authority responded to the applicant by letter dated 4th of December, reference PD zero eight. Commenting on the proposed approach in light of the Planning Inspectorate Advice Note 16, which addresses requested to change applications after they have been submitted for examination. The applicant has now formally submitted a change.

01:35:26:20 - 01:35:59:15

Requests and details are on the project website, with the references as 124 to as 143. However, as stated in the banner heading, the publication of this material does not indicate that the proposed changes have been accepted for examination and therefore interested parties should not submit comments at present. The examining authority is likely to decide whether to accept the changes through a procedural decision in our rule eight letter.

01:36:00:22 - 01:36:23:06

So I'm not going to trust the applicant provides a brief overview of the proposed changes, but primarily to explain the process as they see it going forward, particularly with reference to Pin's advice. Note 16. And in doing so, I'd like the applicant to explain on why the changes are required and why they could not have been included in the original application.

01:36:26:09 - 01:36:31:21

To why the consultation took place over the Christmas and New Year periods.

01:36:33:15 - 01:36:39:20

And three whether any other change requests are likely to be required during the examination.

01:36:43:27 - 01:36:46:05

So, Mr. Lyons, have you got those three points down.

01:36:47:02 - 01:37:21:02

Scott? I have, sir. Thank you very much. Thank you. Just to reinforce the background that you give, um, so we gave notification of the intention to submit a change request on the 27th of November. Pursuant to paragraph 3.2 of A and 16 advisory and 16 and the accompanying notification report, amongst other things, explained the changes and short first extension to the design parameters. Um, for the Northern Terminal International departure line, proposed southern extension and demolition of the commercial important passenger lounge and circulation building.

01:37:21:14 - 01:37:54:21

The purpose of that change was to provide greater design flexibility to achieve the extension. The second proposed change was a reduction in height of the proposed replacement care facility to Central area recycling and closure and removal of proposed biomass boilers to become aware sorting facility only, essentially removing the incineration of West. The purpose of that change was to enable further thought in relation to the sustainability of that facility, to be reflected in the project.

01:37:55:07 - 01:38:42:06

Um, the third proposed change was a revision to the proposed water treatment works from a moving bed biofilm reactor to a constructed wetland reed bed system. Um, that, again, was to provide a more sustainable solution for surface water treatment. And to confirm the surface water treatment works would be to treat discharge contaminated rainwater runoff and discharge from existing pollution storage lagoons. And so we explained in the initial notification that none of those changes were made when applying advice notes 16 paragraphs 2.1 and 5.4 in particular, um, amount to change that so substantially, the applicant is effectively seeking consent for materially different project.

01:38:42:16 - 01:39:13:21

We explained that at paragraph 2.3. 1 to 2 of the original notification, we consider the EIA implications and explained that there would not be any new or materially different significant effects beyond those already reported. And we confirmed as well that none of the changes required inclusion of additional land within the order limits, or a change to the nature of the compulsory acquisition powers and sought. We also set out the proposed consultation, which I'll which I'll come back to.

01:39:13:26 - 01:39:57:18

So as for the reason why they weren't proposed stage of the original application. Um, I understand, um, as work develops to prepare evidence and anticipation of the examination. There will often be decisions taken whereby the design can be improved by refinements simply by preparing for the examination. That was just part of the natural process of design evolution, which, as I explained, were

considered by the applicant to result in improvements to the project and therefore they were suggested at the earliest possible time.

01:39:58:00 - 01:40:28:27

I'll come back to the other comments or the other questions that you raise in a moment, sir. But returning to the chronology, um, on the 4th of December in PD 008, uh, the examining authorities you've confirmed, sir, indicated your mind to agree that the proposed changes would not lead to development being different in nature. A substance to what was applied for and consultation was carried out, um, in advance of the formal change request being submitted.

01:40:29:15 - 01:40:59:26

Um, as far as the consultation is concerned, that took place for 40 days, we took on board the comment that was made by the panel and the letter of the 4th of December regarding the Christmas period, and in my submission, a period of 40 days from the 13th of December through to the 21st of January, uh, gave sufficient allowance for the Christmas period and enabled adequate consultation to take place. We did bear that in mind when setting the consultation period

01:41:01:19 - 01:41:33:19

as far as consultation is concerned. We held a briefing session on the proposed changes with ten local authorities a week before the start of the consultation. Separate briefing session was also held with parish and town councils. Shortly after the start of the consultation period. Um with identified parish councils as set out in the addendum to the consultation report and other parish councils and groups were invited to the briefing session but didn't attend that were still able to avail themselves of helpline and email.

01:41:33:29 - 01:42:15:07

Um, correspondence. Should should that be required? Um. A letter and consultation leaflet was sent to local authorities. Landowners, those with an interest in the land relating to the proposed changes and prescribed consultees. We also sent a consultation leaflet directly to residents and businesses in close proximity to the land, subject to the change. We reviewed the extent of residents and businesses again, picking up on the point that was raised in the letter from the 4th of December, and we ensured that the extent of consultation was sufficiently broad to capture appropriate consultees.

01:42:15:09 - 01:43:01:18

A total of 3151 leaflets were sent to residents and businesses, advertise as well, through the local and national news. There were press releases published throughout December and January and site notices were erected. Also, we published the consultation material on the project website and provided the link to the online feedback form. So for those reasons, sir, we say, first of all, that the changes we propose, we maintain that none of those changes is so substantial that we're effectively seeking consent for materially different projects, and the scope and manner of consultation was adequate and our and our submission.

01:43:01:27 - 01:43:37:29

And as for the question of whether there were any other changes likely to be proposed, it is not our current intention at the moment, but as you'll appreciate, those discussions take place with other stakeholders, other statutory consultees. I can't say to you now that we would rule out the prospect of

that happening, and if it is going to happen, we will obviously notify the examining authority as soon as possible. In the same way that we did in relation to the change request we've made already.

01:43:39:13 - 01:43:40:00

Thank you.

01:43:46:04 - 01:43:46:20

Thank you sir.

01:43:52:21 - 01:43:58:00

So, um. On that point. Are there any questions?

01:44:00:01 - 01:44:05:19

From interested parties wanting to comment on the process related to the change requests.

01:44:08:26 - 01:44:10:29

Yes. Cagney. Thank you.

01:44:12:29 - 01:44:43:21

So thank you. Estelle Dawson, on behalf of Cagney. Uh, you all have seen, sir, in our letter of the 19th of January 2024, that we raised a number of matters, and we're grateful for the opportunity to address this issue at this point. Um, I don't want to trespass on matters of substance, but you'll have seen the basis for Cagney saying that we do not consider that these are minor changes. We do consider that these are substantial changes.

01:44:44:14 - 01:45:33:18

Uh, and that part of the reason for this is that each of these changes, which now apparently are being, um, positioned as sustainability driven changes, um, has impacts on and not small impacts, has significant impacts on areas such as surface transport and noise. Um, because just for example, um, if the incinerators removed and replaced, then there will be a need for transportation of the waste off the site that is being sorted, and that will have an impact both on, um, surface transport and on noise, and indeed also the suggested changes in relation to the water solution.

01:45:33:27 - 01:46:09:00

Um, also may have impacts in other areas. And so, um, even if they are sustainability driven changes, there might be sustainability impacts in other areas. And so that's one of the reasons why we say that these are not minor changes, even if there's no change to the nature of the extent of the land that is being required. But focusing back on the procedural elements. And Cagney raised serious concerns around the extent of consultation.

01:46:09:02 - 01:46:47:11

And this is partly linked to a theme that seems to be developing in this examination about the lack of detailed information. Being provided by the applicant, making it difficult for those who wish to engage. And then provide comments to help the examining authority, making it difficult for us to do that. And that was one of the elements that, apart from the timing of it, which is, of course, all of the applicant's own making with when they brought this forward.

01:46:47:22 - 01:47:21:09

Um, that was one of the things that made the consultation particularly difficult, um, that the extent of the information and the nature of information that was provided, um, put additional pressure on what was already a pressurised consultation process. We indicated on the 19th, in the 19th of January letter that Cagney had been engaging with the airport in relation to that, and that we only wrote as a result of that engagement not having yielded satisfactory results.

01:47:21:26 - 01:47:52:12

Um, if you wish, Miss Pavey, to deal with that in any more detail, she can. She's here so she can give you details in relation to that. But overall, we do flag, um, two things. First, substantively that these we ask that these changes not be accepted. They are not insignificant changes. And there's a significant lack of detail, um, which will assist the authority in understanding why they are significant changes. And secondly, there is a procedural difficulty around the extent of consultation.

01:47:52:14 - 01:48:02:16

I know that causes a problem for the examining authority. If we had found any way to get around raising a consultation point, we would have done so, but we couldn't.

01:48:03:19 - 01:48:10:07

Thank you for that. Thank you. Mr. Linus, don't come back on that point, and then I'll ask if there's anyone else wishes to speak.

01:48:10:14 - 01:49:04:20

Thank you. Sir. Scott Linus for the applicant. In short, we don't accept either of those submissions. There is no impediment whatsoever to the examining authority accepting these proposed changes, which can then be commented on following a procedural decision that subsequent deadlines in the normal way, as far as the point on impact is concerned, you will have noted both in the original notification and in the report accompanying the formal request to change every single environmental topic was considered, and an explanation given as to why the changes which had been described, we say entirely adequately in the earlier part of the documents, did not have any significant effect on the environmental topics that have been taken into account through the preparation of the environmental statement.

01:49:05:05 - 01:49:40:18

Um, to give one example, we specifically considered whether the change the care facility would have a material effect on the transport movements associated with that facility, and concluded that those movements were minimal and would not change. These points have been considered by the applicant and are simply, as any evidence put forward by cognitive disputes. The conclusions that have been reached in that document. As for the extent of consultation point, again, it's very it's difficult to see what actual substance there is and the complaint that's been made.

01:49:40:24 - 01:50:14:28

If this is about the extent of information, then planning, we have set out, as I've indicated in and sufficient detail and ample detail, what the changes proposed are and to the extent that any submissions need to be made about, uh, these changes, they can be carried out through the

examination process, um, in the normal way. There hasn't been any proper substantiation of the areas in respect of which detail ought to have been provided, and the further detail has to be provided and been done through the examination process.

01:50:15:00 - 01:50:30:19

So we, uh, reject both those submissions and we repeat, there is absolutely no reason either in law or under advice. Note 16 why these changes shouldn't be requested and given now.

01:50:31:14 - 01:50:32:00

Thank you.

01:50:33:02 - 01:50:57:12

Uh, as I've said, we are looking at the submissions, which are on the website, both in Sousa's 1242 as one, four, three. They are available there. We haven't taken the decision yet, but we will take on board comments made from all parties. Is there anyone else who wishes to comment on the process of the change request? Yes. Claudia Fisher.

01:51:03:26 - 01:51:34:29

Thank you. Um, so listening to the changes detailed by, um, Gatwick, um, applicants. Um, they sound pretty significant to me. Um, and the timeline in terms of consultation over the Christmas period sounds pretty inadequate. Um, I'd also like to highlight that 3000 leaflets is a pitiful amount of leaflets. Uh, a standard size ward, which is really normally just for three councillors. Uh, would, uh, only would have 7500 residents.

01:51:35:01 - 01:51:59:19

So that would cover less than one ward. Um, and I'd be interested to know where where was leaflets and why that area was chosen. Um, and finally, I'd like to ask, were the people who responded to the DCO by the closing date, like myself, notified of these changes and given the chance to respond? Because this is certainly the first time I've heard about this, unless I missed an important email. Thank you very much.

01:51:59:21 - 01:52:00:08

Thank you.

01:52:01:06 - 01:52:03:09

Brazilian students come back on those points.

01:52:04:08 - 01:52:37:11

Uh, as far as the first point on the significance of the changes, uh, so that Scott Linus for the applicant, I've covered that already. The details have been set out twice in two separate documents, which give an entirely adequate basis to reach a judgment. And bearing in mind that the question is whether this would amount to a substantially different application given the size and scope of this application, the changes that request come nowhere near meeting that threshold in my submission. So our second point as far as the timeline is concerned, yes, consultation has taken place over the consultation period.



01:52:37:13 - 01:53:09:05

It was a 40 day consultation period, which is more than adequate to allow for the festive season as far as the leaflets are concerned. Um, the first point to make in respect of that is obviously this is one element of a wider consultation process which I, um, have set out, which included advertisement through the national and local news press releases, uh, in December and January. Um, site notices, um, uh, as well rejected.

01:53:09:07 - 01:53:58:02

And Radford, Lee and steers land to the south of the land, subject to project three in particular and other notices as well, which were all maintained through the consultation period, as well as consultation material, uh, on the project website. And anyone following the penned website would have been aware of the changes to as far as the leaflets themselves were concerned. Obviously a judgement has to be, um, reached by shall we review the extent of residents and businesses to be sent a copy of the consultation leaflet and the wider context of the other consultation activities that were at taking place? We were satisfied that in that context, the area was sufficiently broad to capture appropriate consultees, and we don't accept that sending out 3151 leaflets is in any way insignificant.

01:53:58:08 - 01:54:16:12

Uh uh, whether or not you view that in the context of the wider consultation, um, at process, all these matters are set out in the consultation reports addendum section one and two and as at 140. So we just don't accept that the consultation has been adequate in any respect.

01:54:17:13 - 01:54:20:07

Thank you for that. Mr. Bedford, I think you wanted to come in.

01:54:21:05 - 01:54:51:13

Thank you, sir. It was more a point of information for the examining authority, rather than to enter into the debate that you've just been hearing about, and we haven't taken a position on that. And we await your procedural decision. It's simply that, as you've indicated, the procedural decision is potentially towards the end of next week in your rule eight letter. If you feel able to have made it at that stage, and obviously you're not tying yourselves to that.

01:54:51:15 - 01:55:24:03

We understand that procedural deadline one is on the 12th of March for the local impact reports, because at the moment we don't know what your procedural decision is. We have taken the position that the local impact reports will not address any of the changes, because they're not yet part of the application. That is before the examination. Obviously, if the procedural decision is to accept the changes, we will have an opportunity to comment on those as they are then part of the application.

01:55:24:05 - 01:55:43:13

And if that leads us to have to refine or revise anything that we've already said in the local impact report, I'm not sure it necessarily will, but if it did, we would issue an addendum to the Local Impact report or the relevant parts of to make that clear to you. So that's just really for information to let you know the process that we're envisaging to deal with those.

01:55:43:15 - 01:55:45:28

That's helpful. Thank you very much. You agreed to that. Yes.

01:55:47:11 - 01:55:50:16

Scott, the applicant we understand that. We're grateful. Thank you sir. Thank you.

01:55:50:18 - 01:55:53:01

Very much. Uh, Claudia Fisher again.

01:55:57:10 - 01:56:18:15

Uh, thank you very much. I just wanted to note that Mr. Lynas, for the applicant didn't answer my final question, which was, uh, were the people like myself who had been or had made applications, who had made a response? Um, answered or informed of these of these, uh, applicant changes? I would like an answer. Otherwise, I'm going to assume the answer's no. Thank you.

01:56:18:17 - 01:56:20:18

Thank you. Uh.

01:56:21:18 - 01:56:26:16

Councillor Essex. Do you want to come in now? And I'll ask Mr. Linus to comment.

01:56:26:25 - 01:56:59:14

Thank you. Um, this was following on the excellent comments made by Cagney and also the slightly concerning reply given by Mr. Linus. I understand from what I've heard, and this, I think, is very much a process issue that Mr. Linus believes it's up to the applicant to determine whether a topic has a significant effect, and there is no obligation on the applicant to submit sufficient evidence to allow anyone else to actually come to a view as to whether they think there is any significant effect or not.

01:56:59:16 - 01:57:34:00

So the consultation didn't include sufficient evidence for us to be able to determine whether we agreed with Gatwick or not. Um, the, the idea that we might go through an examination process where even just one element of elements of it wasn't able to be sufficiently, um, examined because the applicant doesn't provide sufficient information, evidence, data, assumptions to allow us to determine what our views are. Effectively freezes us out as members of the public from being able to properly participate.

01:57:34:02 - 01:58:06:08

So my concern would be, as has already been stated, that the consultation was inadequate because the underpinning evidence, the data, um, to support the assertion that there was no significant impact was not in any way provided it was just a flimsy, 20 page, glossy, wordy document without the supporting evidence needed. So my worry is if that is the process and the standard, if that's repeated on other issues through the next six months, then that would jeopardize the integrity of this overall process.

01:58:06:10 - 01:58:30:00

We we will be testing evidence. Anything that is submitted. Um, we do not. Uh, take at face value any submissions made by any parties I will use to test the evidence. We will be doing that, but we do need to decide, first of all, whether or not the applicants change. Requests should be accepted, and we'll go through that. Yes.

01:58:30:18 - 01:58:58:24

And I think my my concern is, is that, um, is it up to the applicant to provide the information to allow us to be able to look at the evidence and determine if you want significance, or is it okay if the applicants say it's not significant? And then if we want to challenge that, we have to then search out the evidence ourselves. And if it's the latter, I think that that puts us in a difficult starting point compared to a very powerful proponents of this scheme.

01:58:58:26 - 01:59:02:09

I understand your position. Thank you. Mr. Lyness. Do you want to come back?

01:59:03:05 - 01:59:39:10

You, sir, can just deal with. The point was made about notifications. I think if we understood it correctly, there wasn't a process followed whereby interested parties were individually notified to appreciate any parties made a relevant representation. For example, we don't know who they are because the relevant representations are sent to the Planning Inspectorate. So the process was followed was essentially the consultation process that I have identified, which we say was adequate to allow members of the public, including interested parties at this examination, to understand what the changes were.

01:59:39:12 - 02:00:10:04

But there wasn't a process followed where IPS were contacted. Um, individually, um, as we've said before, it was the geographical nature of the proposed changes that meant that we primarily aim the consultation of prescribed consultees, local authorities, landowners, those in the interest and the land under section 42. And we consulted members of the public in the way that has been identified. There is no in principle difficulty with targeted consultation. Without nature.

02:00:10:08 - 02:00:40:25

There's no requirement on us in my submission for consultation to be effective only if individual IPS are, um, are notified. Um, as for the other point about the extent of information, again, I don't want to repeat points. I've said before, uh, in my submission, when one looks at both the original notification, uh, of an intention to submit a change request on the report that was submitted, uh, there's more than adequate information there for you to judge whether or not this changes material.

02:00:40:27 - 02:00:53:04

And of course, given the nature of this examination process, any submissions or evidence needs to be made on the information we've provided can be dealt with through the examination process itself. Okay. Thank you very much.

02:00:54:05 - 02:00:59:20

Okay. I think uh, sorry. There is gentlemen there. Final comment.

02:00:59:22 - 02:01:00:07

Then.

02:01:00:18 - 02:01:01:15

You need to move on.

02:01:05:05 - 02:01:08:16

Hello. My name's Mr. Hayden. Um, I'm a.

02:01:08:29 - 02:01:30:03

Landlord, and the owner won the flats in the Gatwick area. I didn't have no knowledge of this until my lease holder got hold of me a couple of weeks ago, and we have not received no leaflets or anything, any kind to explain what this one way application is.

02:01:32:11 - 02:01:57:07

I'm just a normal member of public trying to get on with my job, and I get a letter two weeks, two weeks ago saying about the Gatwick, um, runway. That's why I'm here, to try to find out what's going on, because I got a flat, which I went out to people and they are concerned and they don't understand why this is going on or what it's about. Okay.

02:01:57:09 - 02:02:30:03

Thank you for that. Um, if you want to make representations about the application and all the information is available on the Planning Inspectorate website. Um. If you want to make representations, we will be holding further open floor hearings, uh, at the end of April, and you'll have an opportunity to comment on the proposals there. Um, Mr. Linus, do you want to comment more generally about the consultation? Briefly, I think.

02:02:31:24 - 02:02:40:12

Scott lives for the applicant. Um, so as I, as I set out, um, there is no in principle, difficulty with a targeted consultation, given the.

02:02:40:14 - 02:02:47:27

I think this gentleman is talking more about the consultation about the application as a whole rather than the change.

02:02:47:29 - 02:03:09:25

I think the short answer, sir, is that all all the consultation was carried out in accordance with statutory requirements. I don't think you need to add anything further at this stage, other than to emphasise the point that you have made, that the gender wants to comment on the application. He has the rest examination period to do so, and if you need any further information from us, we'll be happy to provide that.

02:03:09:27 - 02:03:20:10

So, Mr. Heydon, I'd suggest that you speak to our case team, um, if you want further information and also speak to the applicant's team to understand more about the proposal.

02:03:21:05 - 02:03:27:24

Well, I'd like to say thank you to the board, and that is acceptable. So when is the meeting in? In April.

02:03:27:26 - 02:03:37:21

We haven't set a date yet. But if you speak to Mr. Harrold after the meeting, this meeting, he will advise you how you can engage in the whole process going forward.

02:03:37:25 - 02:03:39:22

Thank you very much for your time. Thank you.

02:03:41:13 - 02:03:42:07

So I think that.

02:03:42:09 - 02:03:43:06

Concludes.

02:03:43:14 - 02:03:54:16

Item seven on the agenda. So item six will now move on to item seven. Any other matters. Is there anything anyone wishes to raise. Additionally.

02:03:57:06 - 02:04:45:01

No, thank you very much. I've been notified of no other matters under this agenda item. Um, in that case, I'll move then to close the meeting. So thank you all for contributing so fully and usefully to this meeting. Those within the room and virtually as well. We very much look forward to commencing the examination of this application tomorrow. So can we remind you that both notes and the digital recording of the proceedings today will be made available as soon as practicable on the project page of the National Infrastructure website? And also, as you've heard, the next stages of the process, open for hearing one here at 10 a.m.

02:04:45:03 - 02:05:17:13

tomorrow. Open the floor. Hearing two here at 6 p.m.. Issue specific hearing one on the case for the proposed development. 10 a.m. on Thursday. Issue specific to uncontrolled documents and draft DCO here at 930 on Friday. We will be finishing that at lunchtime and then issue specific hearings 3 to 5 on Tuesday and Wednesday next week, fifth and 6th of March, with the accompanied site inspection on Thursday the seventh.

02:05:18:08 - 02:05:39:04

And the issue of the examination times timetable will also take place next week. Finally, deadline one will take place on Tuesday 12th of March. So the time is now 1205. This preliminary meeting for the Gatwick Airport northern runway projects is now closed. Thank you very much.