

File Name: ISH1 29th February 2024 Part 1.mp3

File Length: 01:26:29

FULL TRANSCRIPT (with timecode)

00:00:05:06 - 00:00:06:23

Present. Hear me clearly.

00:00:09:05 - 00:00:12:12

And can I confirm the live streaming of this event has commenced?

00:00:15:17 - 00:00:52:28

It is now 10 a.m.. Welcome to this issue specific hearing in relation to the application made by Gatwick Airport Limited, who we will refer to as the applicant for an order granting development consent for Gatwick Airport northern runway project. 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 of the airport.

00:00:53:00 - 00:01:12:05

This includes substantial upgrade works to certain surface access routes which lead to the airport. My name is Neil Humphrey. I am a chartered Civil engineer and a fellow of the Institution of Civil Engineers. I will be chairing this hearing and making some introductory comments. Can I ask my colleagues to introduce themselves, please?

00:01:14:00 - 00:01:21:19

Hello. My name is Doctor Philip Brewer. I have a PhD in applied acoustics and am a member of the Institute of Acoustics.

00:01:23:18 - 00:01:29:21

Good morning. My name is Helen Cassini. I'm a chartered town planner and member of the Rural Town Planning Institute.

00:01:31:13 - 00:01:40:15

Good morning. My name is Kevin Gleason. I'm also a town planner, a member of the Old Town Planning Institute, and I'm the lead member of the panel pointed to examine this application.

00:01:42:01 - 00:01:49:09

Good morning everybody. My name is John Hockley. I am a charter town planner, a member of the Royal Town Planning Institute, and I'll be asking the majority of the questions today.

00:01:50:06 - 00:02:24:10

We have all been appointed by the Secretary of State to be members of the panel, and we constitute the examining authority for this application. We will be reporting to the Secretary of State for transport as to whether the Development Consent Order should be made. But I was here in the venue. You may have met Mr. George Harold, who is a case manager at the Planning Inspectorate for this project. He is supported today by Mrs. Jennifer Savage and Mr. Elliot Booth from the case team. If you have any questions about the examination process or the technology we are using, the case team should be your first point of contact.

00:02:25:08 - 00:03:03:10

For 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? There are no scheduled fire alarm tests or drills today, so in the event of a fire alarm, please exit via the doors and the fire evacuation Assembly point is just outside the main entrance on the left hand side. Toilets are located on this floor and the ground floor. In addition to this in-person event, the hearing is taking place on Microsoft Teams platform and is being both live stream and recorded.

00:03:03:24 - 00:03:35:08

For those persons joining online, you may switch cameras and microphones off if you are not participating directly in the discussion. Should you wish to wish to raise a question, please raise the Microsoft Teams hand function and when invited, please turn on your microphone and camera. On that note, please be advised that the chat function on Microsoft Teams is disabled and cannot be used. If we have to adjourn proceedings today, including for brace, we will have to stop the live stream.

00:03:35:19 - 00:03:55:27

When we recommence the meeting and restart the live stream. You will be. You will need to refresh your browser page to view the restarted stream. Because the digital recordings that we make are retained and published. They are form of public record that you can, that can contain your personal information and to which the General Data Protection Regulation.

00:03:57:13 - 00:04:21:21

Apply. The planning Inspectorate's practice is to retain and publish the recordings for a period of five years from the Secretary of State's decision. Consequently, if you participate in today's hearing, it's important that you understand that you'll be live streamed and recorded and that the digital recording will be published. If you don't want your image to be recorded, you can switch off your camera.

00:04:24:24 - 00:05:04:07

If any individual or group wishes to use social media report or film or record during today's meeting or any subsequent hearing, then they are free to do so. But please do so responsibly and with proper consideration for other parties. This must not be disruptive and a material must not be misused. The only official record of proceedings is this recording, which will be uploaded to the Inspectorate's website as soon as practicable after the hearing. Tweets, blogs and similar communications arising out of this meeting will not be acceptable as evidence in the examination of this application.

00:05:04:27 - 00:05:36:06

The hearing today will be a structured discussion which the examining authority will need based on the agenda that has already been published. We will be asking questions to ensure that we have all the

information we need to make our recommendation to the Secretary of State. We are familiar with the documents already submitted. So when answering a question you do not need to repeat at length something that has already been submitted. When referencing a document, please give the appropriate pins. Examination library reference.

00:05:37:08 - 00:05:48:21

Additionally, the first time you use an abbreviation or an acronym, can you give the full title as there will be people participating or observing that may not be as familiar with the documents as you are.

00:05:50:12 - 00:06:21:11

The hearing will focus on issues which we will address primarily to the applicant. We acknowledge that interested parties have not submitted written representations, and local authorities have not yet submitted their local impact reports on matters arising from such submissions, and residual matters arising from the hearings will be addressed subsequently if necessary. We will look to take a break around 1130. We'll look to break for lunch around 1 p.m. for 45 minutes or an hour.

00:06:21:16 - 00:06:28:21

We will also take an afternoon break about 315. We intend to close a hearing no later than 4:30 p.m..

00:06:30:11 - 00:07:02:19

The examining authority has a list of persons present today who wish to speak in in relation to various agenda items, and we note everyone who gave advanced notice notice of wishing to attend it in present. There's not an intention to do full introductions at this point, however, but the purpose of identification and for the benefit of those who may be watching the digital recording later. Those intending to speak are asked to state your name, who you represent, and any preference on how you wish to be addressed.

00:07:03:18 - 00:07:37:10

Please speak clearly into the microphone. Additionally, please give your name and organization you are representing every time you are asked to speak during the hearing. I will now turn to the agenda for this hearing. The agenda for this hearing was published and placed on the Planning Inspectorate website on the 30th of January, 2024. Examining authority has decided to hold this issue specific hearing because we wish to discuss matters relating to the case for the proposed development following the submission of relevant representations.

00:07:38:11 - 00:08:11:23

We consider the main items for discussion are policy and extent of the proposed works, recent growth and need and future demand. We will seek to allocate sufficient time to each issue to allow proper consideration of it. We conclude we'll conclude the hearing as soon as all relevant contributions have been made and all questions asked and responded to. But if the discussions can't be completed or are to take longer than anticipated day, it may be necessary to prioritize matters and defer other matters.

00:08:11:25 - 00:08:47:29

The written questions. It is important we get the right answer to the questions we are going to ask. Therefore, if you cannot answer a question is being asked or required time to get the information requested, then rather than giving it restricted or potentially wrong answer for the smooth running of

the examination, can you please indicate that you need to respond in writing, and we can defer the question to the next round of written questions or later hearing. As noted at the preliminary meeting, the examination is predominantly a written process, supplemented where necessary by hearings.

00:08:48:22 - 00:09:13:03

For the avoidance of doubt. To conclude each agenda item, we will be asking the applicant for any final comments they have on any representations made during this discussion on each item. Finally, this hearing is not an inquiry. And therefore. There will be no formal presentation of cases or cross questioning of other parties as such. Questions.

00:09:15:12 - 00:09:29:26

That you may have for other parties need to be asked through the examining authority. This approach is set out in section 94 of the Planning Act 2008. Are there any questions at this stage about the procedural side of today's hearing or agenda?

00:09:33:03 - 00:09:42:09

So. Move on. I would now like to move on to agenda item two and I will pass to Mr. Hockley will take us through the next agenda items.

00:09:43:24 - 00:10:14:24

Thank you, Mr. Humphrey. So this hearing seeks to consider the case for the development, um, as confirmed by the applicant. The proposed development actually contains two nationally significant infrastructure projects for the proposed northern runway works and for the accompanying highway works. The hearing today will focus on the case for the proposed runway works. Transport matters will be considered in a separate hearing next week. This topic is or could be quite extensive, and I know many of you will be keen to have your say today. You'll have heard from Mr. Humphrey of our proposed timings today, and I am Mr.

00:10:14:26 - 00:10:49:11

Humphrey, are keen to ensure that these are adhered to. If necessary. Any items not considered today will be carried forward into written written questions. Just to reiterate as well, that we're aware that this hearing and the following ones, uh, next week have come early in this examination and before written representations and local impact reports from the relevant local authorities are due. Due to this, I do not have many direct questions for parties other than for the applicant. However, I do have a fairly extensive list of questions that I would like to ask the applicant based on my understanding and reading of both the case and the relevant representations submitted.

00:10:50:01 - 00:11:09:13

The purpose of this hearing is to enable us, as the examining authority, to gain a further understanding of the evidence relating to the need and the case for the development to help the hearing run as smoothly as possible in general. I intend to run through my questions on each agenda item before asking for contributions from others present at the end of the agenda item.

00:11:11:08 - 00:11:26:12

Aside from the policy documents, the documents I'm drawing my questions from primarily are the need Case app 250 and the Forecast Data Book. Environmental statement appendix 4.3.1, which references app 075.

00:11:30:10 - 00:11:33:00

Are there any questions so far on the purpose of the hearing?

00:11:37:08 - 00:11:56:14

Hi. Okay. Thank you. So we'll now move on to agenda item three then, which is policy and extent of the proposed works. Um, so firstly on this topic I would like to ask the applicant, um, could you confirm your view on the applicability of the airports National Policy statement, the Amps to the proposal, please.

00:11:57:26 - 00:12:19:26

Good morning, Sir Scott, for the applicant. Um, I'm going to ask Mr. Rhodes for the applicant to deal with policy matters. Um, I take it from the way you structured your questions. Rather than be introducing the team for the entire agenda. Should we do that as we go through the agenda? Uh, and I'll just introduce Mr. Rhodes at this stage because he's going to be dealing with policy. Yeah, that'll be useful.

00:12:19:28 - 00:12:20:13

Thank you. Thank you.

00:12:20:15 - 00:12:26:24

Very much. Um, yes. I'd ask Mr. John Rhodes for the applicant to cover that question, please.

00:12:29:14 - 00:13:03:15

Thank you. John Rhodes, for the applicant and the airport's national policy statement in in my view, provides the principal policy framework for this application. And I say that for 2 or 3 reasons. Um, first of all, we know that the principal policy framework is not provided by what some may regard as the normal policy framework within the National Planning Policy Framework or the Local Plan. And we know that because both of those documents say directly that they don't contain policies for nationally significant infrastructure projects.

00:13:03:24 - 00:13:39:10

And the Local Plan explains that any decision relating to significant growth at Gatwick would be a matter for national policy. Um, so we do have national policy for, uh, infrastructure projects. And in this case, we have two relevant national policy statements. The aim for airports and the national networks policy statement for highway works. And we know that there's a, um, a matter that has to be addressed in this case, which is that the formally, the National Policy Statement for national networks does have effect for the highway works.

00:13:39:29 - 00:14:18:10

Um, and kind of necessary explain the legal consequence of that. Uh, whereas the airports national policy statement does not have a formal effect, and many people will know that that raises issues about decisions under section 104 and 105. We can make submissions about that if appropriate. Um,

but this is an aviation application. And therefore the principal policy framework is the airports National Policy Statement. The highway works are obviously important in their own right, but they are ancillary to and to support the expansion of the airport.

00:14:18:28 - 00:14:54:05

So that's why we say the airports national policy statement is the principal policy framework. Um, second point is the Airports National Policy Statement tells us that it provides government policy for airport and nationally significant infrastructure projects in the South East, and it provides government policy for any new runway capacity in the South-East. And it explains that it will be an important and relevant, particularly in London and the South East. So on its face, it's directly telling us that it provides the relevant national policy.

00:14:55:21 - 00:15:27:12

It's got line ups of the applicants. I just said that I had a useful discussion with Mr. Bedford before the examination started on this question of 104, 105. Um, we anticipate it would help you if we explained in a little more detail in writing at deadline one, how we saw the interrelationship working between these provisions. Given this is an unusual case where the primary element of the project is subjects, as Mr. Rogers said, to an MP, which does not have effect, whereas the secondary element, uh, in relation to an MP does have effect.

00:15:27:14 - 00:15:42:16

We recognise as a question to be resolved there, we don't think there's any ultimately difference between the parties on the desk, on the destination. We just have to work out the route to get there and we can happily deal with that and deadline one and take it further after that.

00:15:43:19 - 00:15:45:02

Okay. Thank you. That's useful.

00:15:46:28 - 00:15:49:24

Okay. Be yourself. Mr. Bedford, you confirm your agreement.

00:15:50:24 - 00:16:21:05

Thank you. Thank you sir. Michael Bedford King's council, on behalf of. I think I've now got a joint local authority's badge, um, which may be a little bit clearer as a mouthful than referring to the legal partnership authorities, although that one is actually underneath. Um, but, um, so clearly I introduced, um, the various authorities that I'm representing at the, uh, preliminary meeting, so I won't rehearse that position again if you're content.

00:16:21:26 - 00:16:53:21

So in terms of, uh, the particular position on the national policy statements, um, we don't, I think, take a radically different position to what you've had rehearsed by Mr. Rhodes. Uh, we are in agreement that the airport's MSS, um, from 2018, does not have an effect using the language of the 2008 act in relation to this application.

00:16:53:23 - 00:17:24:28

But we do accept that both you and the Secretary of State are likely to think using the language of the act, that nonetheless, it is an important and relevant matter for you to take into account. Uh, we think currently that that's important and relevant by reference to section 104, subsection two D of the 2000 and act, rather than by virtue of section 1052C of the 2008 act.

00:17:25:15 - 00:17:58:08

But that is a matter which, again, as Mr. Lyness has referred, would benefit from being set out as a written note to you at deadline one. And it may be that in the light of the information that you receive at deadline one, the parties may be able to work on a joint. That position to you, because I'm sure you would prefer to have an agreed legal position on what, as Mr. Linus has said, is a somewhat unusual set of facts.

00:17:59:05 - 00:18:26:01

There is, as you will be no doubt aware, a High Court case, the f w group case involving the Wheeler breaker, uh, proposals which shed some light on that issue. But it's not on all fours with what you're presented with here. So it is somewhat complicated, which is why it's better dealt with as a written matter.

00:18:27:21 - 00:19:06:11

Uh, then, um, in relation to the national networks, MPs, uh, which Mr. Rhodes made brief reference to, we agree that that does have effect, uh, for the purposes of this application. Uh, I say the written representations at deadline, one will clarify to what it actually has effect and how you apply it, because there are, uh, some, um, less than straightforward, uh, matters there, given both the language of the act and then the language of the national networks, uh, MPs.

00:19:07:24 - 00:19:14:07

And I'm just check whether there's anything else I need to say at this stage. But I think.

00:19:23:02 - 00:19:24:27

Yes. No. I think that covers the matters. Thank you sir.

00:19:26:14 - 00:19:27:06

According to Bedford.

00:19:27:27 - 00:19:33:25

Um. That's fine. So we're expecting a written submission from the two of you. Deadline one.

00:19:34:18 - 00:19:57:04

Uh. Yes, sir. And as Mr. Bedford indicated, hopefully we can progress that after deadline one and proceed towards an agreed statement. Or, as I mentioned, even if there may be potential differences in the the route that one takes to get to the same destination, hopefully the destination can be agreed as far as the decision making is concerned.

00:19:57:06 - 00:20:12:20

Okay. Thank you. Um, yeah. Mr. Horner, I will come to you, but I you'll understand that this was, um, I hope I said at the start, but normally I'll go for each agenda item, but obviously, because this is a cropped up. Of course you can. Um, I'll come to you now. Mr..

00:20:13:15 - 00:20:22:02

Thank you very much. I'm grateful. Estella de Haan, um, King's counsel for the communities against Gatwick. Noise and emissions, or Cagney.

00:20:27:08 - 00:21:04:29

Two points. First, to agree with what Mr. Bedford said about the NPS, we take the same approach and also to flag that. My second point that we consider the section 104, section 105.2 be quite difficult. We have given some thought to the matter, and we are leaning towards the position that Mr. Bedford set out. But we will also collaborate on any legal note, and we will address the matter in our written reps for deadline one.

00:21:05:12 - 00:21:05:29

Thank you sir.

00:21:06:08 - 00:21:07:11

Thank you. That's very useful.

00:21:11:04 - 00:21:12:24

Okay. Thank you. Um.

00:21:14:23 - 00:21:33:06

My next question to the applicant is, um, many interested parties, both in their relevant representations and in the open floor hearings yesterday, um expressed their view that the proposal constitutes, um, a new runway as opposed to an alteration of an existing runway. Um, what would be your response to this?

00:21:34:14 - 00:21:38:11

Let's go to the applicant. Can I ask Mr. Rose to pick up that question, please?

00:21:43:02 - 00:21:45:21

Uh, John Rhodes for the applicant. Um.

00:21:47:26 - 00:22:06:24

To the northern runway exists at the moment. It's there. And a new runway. Um, it is proposed to move it, as you know, by 12m. Um, and that enables it to come into, uh, proper operational use. So.

00:22:08:17 - 00:22:45:06

The way I look at it is it cannot be. But I think the question arises from, um, perhaps the definition of government policy for making best use. So, um, examination will know that government policy, uh, encourages best use of existing runways and existing airport infrastructure. In the document Beyond the Horizon, which was published at very much the same time as the airports National Policy Statement and both the National Policy Statement and Beyond the Horizon, um, say that the



government is supportive of airports making best use of existing runways and existing airport infrastructure.

00:22:45:17 - 00:23:22:20

This is an existing runway. It cannot be its best use for it to lie idle. While there's an unmet need for airport capacity in the southeast. And we have some assistance in two particular respects from that. Um, one is that there have been other proposals for airport development recently, and you asked later about case law. Um, but it establishes that other proposals for making best use have involved operational development at the airports, not simply an increased use for runway, but significant development within the airfield.

00:23:22:25 - 00:24:09:00

And those decisions have established that that's not inconsistent with making best use. Some of those proposals have significant operational development, but the decisions have confirmed that that represents making best use so far as government policy is concerned. And the second is that the government has confirmed itself through its Jet Zero strategy and the documents which support it, its estimates of capacity for making best use. On the gesture of strategy explained directly, but it has taken account of airport development, latest plans for airport development, which are considered to be consistent with the airport's national policy statement and making best use.

00:24:09:03 - 00:24:18:28

And it provides a schedule of those proposals, and the schedule includes the Northern Runway Project. The government's understanding of making best use includes this application.

00:24:21:28 - 00:24:32:13

Okay. Thank you. I'll come back to the jet zero point in due course. Um, the, uh, you mentioned the various pieces of case law. Could you give us any more reference to those, please?

00:24:34:25 - 00:25:07:12

Of Scotland and perhaps I can help in the Stansted decision. Uh, sir, um, footnote five of our decision, we can again provide details of this deadline. One but there's nothing in NBU which suggests that making best use proposals cannot involve operational development of the type proposed in this case that involves two new taxiway linked to the existing runway. Six additional remote aircraft stands and three additional aircraft stands. And then the Manston decision.

00:25:07:21 - 00:25:36:10

And there's no suggestion there that Mbu making best use of the acronym. You'll probably hear Mbu more than once from now on, but no suggestion there that Mbu wasn't applicable. Uh, were developed included the upgrade of a runway. The realignment of the parallel taxiway stands for multiple air freight aircraft installations, the new high mass lighting for aprons and stands, cargo facilities, etc., etc. I think those were two decisions Mr. Rhodes was referring to.

00:25:38:01 - 00:26:07:21

Thank you. That's useful. I suppose the counter that to that may be that, um, the examples that Stansted, the um the taxiways and the stands that you've just mentioned, uh, and the examples are, uh, operational development at airports that, for instance, would normally or could be carried out under

permitted development powers. Whereas, um, the runway works, as far as I'm aware. Do not fall within that bracket. I wonder if there's any distinction there.

00:26:09:21 - 00:26:43:15

Scott for the applicant. Um, no, we don't see that that distinction having an impact on the operation of Mbu or making best use, bearing in mind in Manston that there was the upgrade of a runway and realignment of the parallel at taxiway two. I think fundamentally, um, sorry. Mr. Rhodes will add that this is necessary. If you stand back and look at the objectives of the policy. It was apparent that both the aviation policy framework and the Airports Commission were generally concerned with the need to increase the aviation capacity.

00:26:43:21 - 00:27:10:12

There's nothing to suggest that that wouldn't embrace making innovative use of existing runways or existing standby runways. And although it's not necessary to do so, you can look at the language, for example, of the amps. It uses the words existing runways and infrastructure interchangeably. So we don't think that the PD issue has a bearing here. And when you look at the policy themselves, it's broad enough to encompass the workers envisaged in this case.

00:27:13:17 - 00:27:43:28

Uh, John Rhodes for the applicant. If I could just say so. We'll come back to you on the point about permitted development. It's an interesting point, but I think an important point to make is that it's clearly very different from the provision of a, a new runway. And one can reach that conclusion by looking at what would be involved, for instance, in building a new runway at Heathrow or the second runway as was contemplated at Gatwick. But that involves very substantial extension of the airport operational boundary onto fresh greenfield land.

00:27:44:04 - 00:27:52:25

I think that's what is understood by reference to a new runway, whereas this is operational development within the existing operational boundary of the airport.

00:27:55:07 - 00:28:27:14

Okay. Thank you. The works on the face of it required, um, to the runway appear to be fairly substantial to the movement of the centerline of the runway, as you say, by 12m to the north. Um, and subsequent knock on effects to Juliet taxiway and so on. Um. And the proposal would also allow then the two runways to operate at the same time in a way which isn't possible now. Um. So I suppose the question arising from that is. Because with that in effect not be considered a new runway.

00:28:35:13 - 00:29:01:25

Well, not a new runway in the sense that the runway exists at the moment. Similar point and can be used, but not in the same way. Um. Similarly, for instance, no airspace change is required for its operation because it all operates on the same airspace as the existing runway. Um, so it's a relatively small movement of the runway, but it's a movement of the runway. It's not the creation of a new runway.

00:29:03:26 - 00:29:31:02

Okay. Thank you. So on the construction details, for instance. Um, and obviously we don't need to get into full details and so on, but the, the construction of the repositioned runway, if you like, what construction will be required? Um, is it as simple as. Uh, you know Tom Donovan 12m and taking away or would the existing northern runway be required to be dug up a new foundations, top and profile and etc. works carried out.

00:29:31:26 - 00:30:05:26

Scott Leonard the applicant um the the project description signposting document. Um so it's pdl a zero uh one one um reconciles the different ways in which the project descriptions have been set out in different documents in the examination library, but it refers to the repositioning of the existing northern runway 12m at north, removal of a redundant strip of hardstanding and return to grass south of the repositioned northern runway, and also resurfacing of the repositioned northern runway.

00:30:06:05 - 00:30:41:22

Now, um again in anticipation of the point that Mr. Bedford may make following conversations we had before. We're quite happy if it would help you, sir. Just explain, uh, again at deadline one, what that resurfacing will involve. It's it's a it's a it's work that, um, takes place has taken place relatively recently in relation to the main runway. So it's not a case of digging up everything and laying an entirely new, entirely new runway. Um, uh, there's some work to take off the top parts of that and resurface, but we're happy to explain that in slightly more detail.

00:30:41:27 - 00:30:56:21

That line one. Uh, it goes to the point, though, that what we're not doing here is effectively digging up the existing, uh, northern runway and creating a new resurfacing of what is fundamentally an existing runway, subject to the repositioning of 12m.

00:31:01:03 - 00:31:17:05

Okay. Thank you. Um, the northern runway at the moment, the existing northern runway. Um, does it has the capability to handle, um, want of a better word, all types of planes. Um, but only when the southern runway is closed. So not just up to code C planes.

00:31:24:04 - 00:31:35:17

Uh, Scott liner for the applicant. Um, so can I introduce Andy Sinclair of the airport? Answer that question. Perhaps Mr. Sinclair could introduce himself by reference to position and area of responsibility. Please, before answering the question.

00:31:38:15 - 00:31:44:18

Thank you. Good morning sir. I am Andy Sinclair. I'm head of noise and airspace strategy at Gatwick Airport.

00:31:47:22 - 00:32:08:02

Um, in response to the question regarding the use of the northern runway. You are correct that the northern runway can be used for arrivals and departures of all kinds of aircraft, but today they can only be used independently. So as you suggest, the main runway can be used, but the northern runway can not be used as a runway and vice versa.

00:32:09:21 - 00:32:10:23

Thank you. That's useful.

00:32:13:24 - 00:32:32:06

Okay. Um. If we can move on now to, um, uh, the Beyond the Horizon future of UK aviation document. Um, paragraph 1.29 of that document states that the government is supportive of airports beyond Heathrow making best use of their existing runways. Um.

00:32:33:28 - 00:32:54:08

However, that paragraph um 1.29 could be interpreted as referring to aviation projects that require consent from local planning authorities. Um, the phrase is. We therefore consider that any proposal should be judged by the relevant planning authority, and not projects of a size which fall to be considered under the Planning Act. Um, what would be your views on this?

00:32:55:29 - 00:32:59:09

Uh, Mr. Rose picked up that question. Please.

00:33:01:04 - 00:33:19:01

Uh, John wrote for the applicant, sir. Um, the same document at paragraph 1.7 identifies that there may be applications to increase capacity by more than 10 million passengers per annum, which would qualify as nationally significant infrastructure projects to be dealt with in the way that this application is being addressed.

00:33:20:16 - 00:33:23:27

So is that paragraph 1.71.271.27.

00:33:45:29 - 00:34:03:17

Okay. Thank you. I guess my question on that then would refer to. F 1.27 and 1.29 is the concluding paragraph on that in that chapter. In bold and so on. He's already. Do you think there's any distinction to be drawn between the two paragraphs on that basis?

00:34:04:14 - 00:34:34:16

So I don't. John Rhodes for the applicant? I don't think so. Clearly, there can be a range of bastard generated by making best use of different scales of of airport. Um, this is the largest airport apart from Heathrow, so it's perhaps not surprising that making best use at Gatwick involves a larger capacity increase. And what paragraph 1.29 does, says should be considered by the relevant planning authority? Relevant planning authority in this case is the Secretary of state.

00:34:35:04 - 00:34:45:07

Um, and I think paragraph 1.27 is is clear that it contemplates that making best use may involve capacity gains of this scale.

00:34:47:01 - 00:35:23:17

Thank you. Okay if we turn now. You mentioned earlier the jet zero strategy. Um, I should stress that my questions on this matter purely relate to the need for the development. Um, I don't intend to go into the matters relating to climate change today. Um, that will be considered through written

questions and at a later issue, specific hearing. Um, your needs case. Notice that the, uh, jet zero strategy predicts a growth of 70% in passenger demand between 2018 and 2050, and that the airport capacity is assumed in the government's assessment in support of Jet Zero.

00:35:23:19 - 00:35:53:20

Incorporate known um airport expansion. Planned commitment, as you mentioned before, including the NRP at Gatwick, sorry, the northern runway project, for the latter of which it assumes a maximum capacity of 386,000 air transport movements a year, and consistent with your own assessment. Um, do you consider, um, that the inclusion of the proposal in the Jet zero modeling represents policy support for the proposed development? And do you see Jet zero as government policy?

00:35:57:00 - 00:36:34:08

John wrote to the applicant. So we definitely, definitely see Jet Zero as government policy. Um. The inclusion of Gatwick in the um schedule of assumed capacity is is not a policy statement. Um, it's an understanding of capacity. It's interesting in that it represents and is described to represent government's understanding of airport capacity that is consistent with making best use and with the airport's national policy statement, and that set out in the modelling framework which supports the Jet zero strategy.

00:36:34:10 - 00:37:03:25

We can put the precise reference in in in a deadline one. Um, so it's helpful in understanding that, first of all, the government understands the scale of the proposal to be consistent with making best use. And secondly, that it's, um, modelling of the carbon impacts, um, of that scale of growth, including the board and runway project, are consistent with its net zero commitments.

00:37:11:21 - 00:37:48:27

Okay. Thank you. Um, the, um. I'm not sure if this supports your point or you know, you can reflect on, but, um, the Jet Zero consultation data set that informed the Jet zero strategy. Um, there was uh, there is a statement within that consultation data set that the assumptions for the Jet zero modeling, um, don't represent any proposals for limits on future capacity growth at specific airports. Uh, equally, nor do they indicate maximum appropriate levels of capacity growth at specific airports for the purpose of planning decision making.

00:37:49:23 - 00:37:53:11

Um, is that what you were saying just then or.

00:37:57:26 - 00:38:39:29

John Rhodes for the applicant. I think the government's position has, um, moved on in increasingly so um, in beyond the horizon, for instance, it said it thought it likely that expansion through Mbu would be consistent with its carbon policies. Um, then it consulted on net zero zero strategy. And the modelling framework which supports it says directly that the scale of capacity, including an ordinary project, is consistent. And most recently, the government's response to the Climate Change Committee said that in all modelling scenarios, we can achieve our net zero, um commitments taking account of the scale of airport capacity that's planned.

00:38:42:14 - 00:38:48:19

Thank you. I guess I guess what I'm getting at is that I understand that it may have been included in that modeling. Um.

00:38:50:08 - 00:38:58:24

It's a point about whether that, uh, whether that represents government policy in terms of. The northern runway project at Gatwick.

00:39:01:10 - 00:39:27:19

But Don Rhoads for the applicant. The northern runway at Gatwick is included within the capacity which government was modelled to make that policy statement. Um, which is, I guess slightly different from saying that the government has specifically modelled the net runway project by itself to test its sufficiency, but it's part of that basket of capacity gain, which the government has concluded is consistent with its net zero and net zero commitments.

00:39:30:12 - 00:39:58:27

Okay. Thank you. Um. I just have one more question on this agenda item, and then I'm going to open up the floor to others. Um, it's just a quick question really, on the passenger demand in London section of your news case. Um, refers to Heathrow and the suspension of work on its proposed third runway. Um, and you also refer to the Secretary of State's conclusions in the Manston airport case. Um.

00:40:01:23 - 00:40:22:21

Are you aware that, um, an appeal has been granted on the Manchester case? Um, a judicial review, one of which grounds one of the grounds that has been granted refers to an error in law. However, potential for growth other airports is a material consideration or not. Um, of course it hasn't altered anything at present, but, um, does that alter any of your conclusions or your views on.

00:40:23:14 - 00:41:01:04

Scotland or the applicant? Uh, no. As a short answer, sir, perhaps I can deal very briefly with, uh, with, with Manston. One of the issues in that case, which was debated in the High Court, was, uh, a conclusion in relation to the capacity of, uh, for our fair trials being met by other airports and in particular, um, a challenge was raised in relation to the decision letter and the relationship with briefing advice given by ministers, uh, by two ministers, uh, by civil servants.

00:41:01:08 - 00:41:39:18

Uh, fundamentally, the issue that was considered in that case was a conclusion that factually, there is no certainty that capacity from other applications would be delivered. Um, the Secretary of State reached the view that he wasn't going to touch any significant weight to proposals which were not yet the subject of applications, and where decisions had to be made were planned for future growth could be modified or changed. Now, as I say, some of the judgment addressed argument about the terms of a ministerial briefing that was not in precisely the same terms as a draft decision letter, which itself differed from the final decision letter.

00:41:40:00 - 00:42:10:11

But fundamentally, it was held that one looked at the ministerial briefing and the the draft decision letter together. The Secretary of State had lawfully decided that the potential for airport capacity expansion elsewhere was something to which very little weight should be attached. He was not, as far

as the judge in that case was concerned. Uh, taking the view that airport expansion was entirely immaterial, there being a distinction between materiality on the one hand and weight on the other.

00:42:10:25 - 00:43:03:10

But we do understand that permission has been granted recently, I think, on the second of the 7th of February for underpaid, which we understand may be heard in, in April, um, and in part we understand that relate to the specific terms of the briefing, including a suggestion that, in fact, what the Minister did do as a result of the briefing he received was to treat other airport capacity as a material that doesn't change our position. We have said that we don't regard Heathrow in this case as something which is immaterial, but we have said in the planning statement that we take the view that because there isn't adequate certainty over, uh, runway three in particular, uh, that it's not something it should be given significant weight, which is why we have developed forecasts without Heathrow.

00:43:03:24 - 00:43:41:07

I can explain that a little bit more detail in due course. Um, uh, but as far as our position is concerned, um, the decision at first instance drew the distinction between materiality and weight. We think that's correct. We're not sure that distinction is necessarily something that will be debated in the Court of Appeal, as opposed to the specific terms of the briefing in that case. But fundamentally, that judgment reflects our position that in circumstances where it's not certain that Heathrow Runway three will come forward, it's entirely justifiable not to attach significant weight to it.

00:43:41:09 - 00:44:10:21

That said, we have gone on looked at the sensitivity analysis of runway three, and we've concluded that if and to the extent that more weight is given to runway three does not affect our needs case, and that there is effectively room and justification for both Gatwick and Heathrow, our position is you shouldn't attach an elegant weight to it. It's entirely consistent with Manston. And in any event, if you treat it as a sensitivity, no issue arises.

00:44:14:04 - 00:44:16:01

Thank you. Mr.. Right.

00:44:16:27 - 00:44:57:01

Thank you, Sir John Rhodes, for the applicant. I think the other thing to say from a planning policy perspective are, um, first of all, the Manston decision stands at the moment, obviously, but the point being made by the Secretary of State doesn't seem an unreasonable point that one cannot assume that, um, the third runway at Heathrow is going to be, um, promoted, going to be consented, going to be financed, going to be constructed and um operated. Um, but our case doesn't rely on on that, because the airport's national policy statement is clear that there's a need both for making best use and for the third runway at Heathrow.

00:44:57:03 - 00:45:43:27

It's not a binary choice. Um, what the airport's national policy statement did say was that it may take a while for the new runway to be developed at anticipated, not within ten years, or it may take ten years. And it was expected by 2030 that the new runway would be in place at Heathrow. Clearly, that date is not going to be met, but what the MPs did say was in the interim period, it was imperative that additional aviation capacity was added and that, um, clearly, if one was to wait to see whether the

third runway was constructed or not, it's possible that the national need for aviation capacity would never be met if almost to defer other airport decisions.

00:45:43:29 - 00:46:10:17

But that's not what the app requires, because it supports both the third runway and the best use of existing airports. And it doesn't place any kind of limit in policy terms, either. In time, it doesn't say if the third runway is constructed, then we wouldn't want to make best use of other existing airports. The support for the best use of existing airports is with or without before and after the third runway. They are both required.

00:46:13:02 - 00:46:31:19

Thank you. Um, so that, um, that was my my last question initially on that section of the agenda, the policy and extent of proposed works. Um, so now, obviously, as I probably said, I would open it wider. Um. Mr. Bedford. Was there anything you wish to raise at this point?

00:46:33:08 - 00:46:43:06

Thank you sir. Um, if I can start Michael Bedford for the joint authorities, if I can start with, um, some comments on the.

00:46:45:07 - 00:47:22:23

Policy position. And then I'm going to introduce in a moment Miss Louise Condon from York Aviation. She's the managing director of York Aviation and is advising the joint authorities. And you will have seen in the applicants material, um, dealing with the um data set, um, references to the dialogue that has been undertaken with York Aviation thus far. So can I just start by dealing with, uh, the um, um, policy document Beyond the Horizons making best use.

00:47:24:13 - 00:47:58:16

And we would recognize that there is some, uh, ambiguity and uncertainty from the language of that policy document as to its, uh, scope. And we can see that there are parts which use the expression existing infrastructure, and there are parts which use the expression existing runway. And the policy appears to be formulated in the last paragraph 1.29.

00:47:58:27 - 00:49:08:20

At the end, the piece in bold and that uses the words existing runway. So that's a uh, an issue which, um, there needs to be some consideration of what actually is the proper interpretation of government policy. But then once one has interpreted the policy, there is the application of policy to the particular facts. And obviously the courts are being quite clear that interpretation and application are two different things. And we at present don't actually have a concluded view on how Mbu is intended to work when applied to the facts of this case, because we are not ourselves entirely clear as to the scope of the works which are proposed, which I think, chimes sir, if I can say so with your point in question, to the applicant of a little bit more detail about what actually the engineering works are to provide the, uh.

00:49:09:27 - 00:49:41:21



Northern runway, noting that it utilizes, as it were, part of the footprint of the existing emergency runway. We've read, uh, the project description, and this is in particular, um, I'm looking at the revised project description in PDL, A007. At paragraphs 5.2. 22 and 5.2.

00:49:41:23 - 00:49:42:23

23.

00:49:44:20 - 00:50:18:21

Um, and what is said is that there is an intention to retain the current width of 45m or the runway. But there is a repositioning. So that 12m of existing runway are to be removed and returned to grass, and 12m of new runway surface is to be provided to the north. And then there is simply a reference to the central band, if I can call it that.

00:50:18:23 - 00:51:00:11

Between those two, the central band of 33m is simply, as he said, resurfaced, and we haven't seen in either the plans or in a written description anything more detailed as to what that resurfacing entails. And so we do welcome the indication from the applicant that it deadline. While they will be providing more what you might call an engineering specification for the scope of those works, because that would, we think, help understand whether in substance.

00:51:01:13 - 00:51:36:06

This is a part of the project which should be viewed as an alteration to a runway, or whether it should be viewed as beyond an alteration to a runway and the creation of a new runway. So at the moment, we're agnostic about that, because we just don't think that there's enough information in the application materials to provide an answer. So, so that that's the position, particularly on, um, just Mbu in terms of its scope and its application.

00:51:36:08 - 00:52:06:08

If I could then bring in Miss Condon more to talk in terms of any comments on the the way that one looks at jet zero. And if I say, first of all, that we would accept that there is a distinction between jet zero as a policy document and then any capacity data which is presented within it which might have informed the policy document.

00:52:06:10 - 00:52:46:29

And we certainly do not think that merely because there is inclusion of figures in relation to the northern runway project in the capacity figures that that gives the northern runway project and as it were, policy endorsement, we think that that is still a matter that clearly is a matter to be tested through this examination. And one can't say that Jet Zero provides an answer to that. But then if I just ask Miss Condon if she's got any particular comments on how she is, the interrelationship between policy on the one hand, and then capacity on the other.

00:52:49:01 - 00:53:22:07

Louise Congdon for the joint local authorities. Yes. I just wanted to draw out three points, really, about what policy tells me about how we look at the need for this development. First of all, just in relation to the amps, and I draw your attention to paragraph 142. It does talk there about Heathrow

being the preferred location for a new runway, but I quote the government accepts that that it may well be possible for existing airports to demonstrate sufficient need for their proposals, i.e.

00:53:22:09 - 00:53:55:00

making best use proposals additional to or different from the need which is met by the provision of a north northwest runway at Heathrow. And that is broadly consistent again with what happened at Manston and the Manston decision letter. The second decision letter where that decision made clear that need is. Manifests itself as the demand for a proposal and the benefits that flow from it. And I think that's where we still have concerns.

00:53:55:02 - 00:54:37:27

As will become clear later in the day that the applicant hasn't yet produced, we believe, robust demand forecasts that underpin the development to enable you to assess the benefits and the harms that arise from it. So I think it's quite important in that context, and it's also important in the context of the discussion about the Jet zero data set. The Jet zero data set deliberately assumed all possible airport developments that might come forward in order to test whether or not the maximum demand that might arise at a future date in the UK system could be handled, could be accommodated without placing in jeopardy the meeting of the carbon targets.

00:54:39:11 - 00:55:10:03

That modelling took into account the provision of a third runway at Heathrow. It took into account the provision of developments at other airports. If those developments did not take place, then the quantum of demand that they would have modelled would be lower. So, as we'll come to later in the day, I'm sure when you come to compare the forecasts for this development with the quantum of demand, you have to net off an element that would be lost if Heathrow does not come forward.

00:55:14:11 - 00:55:20:01

Thank you, Mr. Bedford. Miss Compton. Uh, Mr. Linus, sir, if you wish to respond to.

00:55:20:03 - 00:55:54:06

On this point, I'm sure Mr. Royce may have something to say. But as far as Mr. Bedford's initial points are concerned for the applicants, um, as far as Amber is concerned, I think it's important is not to read that policy to legalistic Lee and the courts are often saying that one has to interpret policy, uh, with a degree of latitude and reality, and the fact that there is a reference to the existing runway of existing infrastructure, the words are used interchangeably. We don't think anything should be read into a particular paragraph using the word existing runway.

00:55:54:08 - 00:56:29:05

But even if it did, for the reasons Mr. Rhodes give, we're quite confident this is an existing runway for reasons that we hope will become apparent on the on the site visit. Secondly, as far as the question of the works is concerned, really don't think too much should be read as appears to be done into this use of the word resurfacing. This is work that takes place has taken place recently in respect of the main runway, with no suggestion. What was happening there involves the creation of a of a new runway. The works, as we will endeavour to explain, come nowhere near.

00:56:29:13 - 00:56:40:14

We're confident saying the creation of a of a new runway displaying that a little bit more detail. As for other points that were raised, um, I'll just ask. Mr. Rhodes has anything.

00:56:44:25 - 00:56:49:23

Uh, John Rhodes for the applicant. Um, just to make two points in response. Um.

00:56:51:16 - 00:57:03:13

The first in relation to bead and paragraph 1.42. Um, I'm not quite sure what the point is that's being made, but I don't think.

00:57:05:02 - 00:57:36:27

As far as I know, from the discussions that we've held with the authorities, there's any doubts that there is a need for this project. It's not. In fact, this project is unusual compared with others that are promoted, for instance, at Luton or elsewhere, which are based on forecast demand. What's unusual about the need case at Gatwick is it's evident today in two particular respects. One is there is an overhang of unmet demand, documented unmet demand that cannot be satisfied today by the existing capacity at Gatwick.

00:57:37:12 - 00:58:21:03

Simply a matter of documented fact. And the other is that there's a need for resilience purposes. The airport, which has the busiest. Single daytime runway in the world to be able to use properly its other runway. I'm not sure that that's disputed either, that there may be a debate about the degree of need, but the principle of need for this project, I suggest, is self-evident. The second point to make is that whilst Jet Zero did look to assess the capacity of current runway proposals elsewhere in order to satisfy itself that jet zero and net zero could still be met.

00:58:21:12 - 00:58:31:19

What the documents demonstrate is that those represented the government's understanding of projects which were consistent with Mbu and with the airport's national policy statement.

00:58:35:26 - 00:58:49:00

Thank you. Um, one specific point, um, from Mr. Bedford that he raised. Was there possibility of a, um, engineering specification? Scope of works. To be submitted. Deadline one, for instance.

00:58:49:02 - 00:59:20:21

Yes. Um. Scotland. For the applicant. Uh, I don't want to commit to anything that might be taken as detail, as detailed as an engineering specification. I'm sure we can provide some information as to what the resurfacing works involve, but I wouldn't want to commit without taking instructions to an engineering specification to say. Hopefully when you see the explanation that comes at deadline one, you'll realise that, um, it's not necessary to go as far as to get anything like an engineering specification. Um, perhaps the best approach is for us to provide that information.

00:59:20:23 - 00:59:25:09

Then if any further details are required, we could we could provide them.

00:59:26:10 - 00:59:27:04

Thank you. Uh.

00:59:29:04 - 00:59:36:21

I understand the point about the engineering specification, but could you, for instance, provide cross-sections of exactly what you're intending to do? Showing.

00:59:38:03 - 00:59:51:26

Scotland. So I'll take that away. I need to take instructions on the nature of the information that can be provided. But we'll bear in mind that request, and we'll will give you what we think is reasonable for us to provide based on that.

00:59:52:12 - 00:59:52:27

Thank you.

00:59:54:19 - 01:00:00:04

Okay. Thank you. Um, before I move on to other parties, Mr. Bedford, is there anything else should come back on that?

01:00:02:19 - 01:00:39:28

Mark Bedford, uh, for the joint authorities. So only limited. Certainly I was not using the term engineering specification to, as it were, seek anything beyond what one would normally expect to see in a development consent order application documents. I mean, clearly you will be aware of the nature of many highway projects which are supported through development consent order applications and the type of construction information that's provided for those similar.

01:00:40:00 - 01:01:05:13

We would seek something similar in relation to this and Mr. Humphreys point about cross-sections and an actual indication of what the, um, depth of construction is, whether there is a need for particular drainage and or foundations, that sort of thing could be provided rather than, I say, a full specification. This is what you would give to the contractor. Clearly, we wouldn't expect that at this stage of the process.

01:01:06:11 - 01:01:09:08

Let's go. We have the point. We'll take it away.

01:01:09:10 - 01:01:16:15

Okay. Thank you. Okay. Um, okay. Um, I'd like to take representations for Mr. Holness.

01:01:20:00 - 01:01:22:27

So thank you very much, Estelle Dawson for Cagney.

01:01:26:18 - 01:01:28:24

So if I may make three points.

01:01:31:00 - 01:01:40:24

First on the air and pass. Just to emphasize what Miss Condon said for the local authorities about paragraph 1.42.

01:01:42:12 - 01:02:20:01

When looked at carefully, that language is very clear that what the government accepts may be possible for airports other than Heathrow to demonstrate is sufficient need for their proposals, which is additional to this is the wording I quote additional to or different from the need, which is met by the provision of a northwest runway at Heathrow. Quote. And on the documents thus far provided by the airport by Gatwick.

01:02:20:03 - 01:02:31:00

It's not clear that the applicant has demonstrated a need that is different from, or additional to in the way described by the policy.

01:02:33:26 - 01:02:36:28

The second point on Embu.

01:02:38:14 - 01:03:09:06

Obviously the correct interpretation of the policy is a matter of law. And as with all the parties, we will make um, submissions on that in, uh, our deadline one representations. But. Just to stand back and be pragmatic about it. The reality of this proposal is that Gatwick will go from an airport, which is a single runway airport, to an airport, which is a dual runway airport.

01:03:11:06 - 01:03:31:09

And in our view. Making best use of any existing runway or existing infrastructure does not extend. Two. The creation of a dual runway system through extensive new infrastructure.

01:03:36:11 - 01:03:39:22

Third on the jet zero strategy.

01:03:41:27 - 01:04:20:21

We very much support what Mr. Bedford submitted about the extent of policy support or otherwise, for Gatwick expansion. And we just draw attention to the fact that the jet zero modeling itself clarifies in paragraph 3.17. That the capacity assumptions required by the model do not prejudice the outcome of any future planning applications, including decisions taken by ministers.

01:04:22:03 - 01:04:40:06

And in our submission, it would be wrong to interpret Jet Zero as giving any policy support to any of the schemes. That constituted its pool of modelling.

01:04:49:29 - 01:04:51:02

So thank you very much.

01:04:51:12 - 01:04:52:16

Thank you, Mr. Hunt.

01:04:54:25 - 01:04:55:13

Mr. Linus.

01:04:56:28 - 01:05:27:11

Ascott Lounge to the applicant. Again, Mr. Rhodes will say more if necessary. Just very briefly, though, um, on the airport MPs this reference in paragraph 1.2 to demonstrating sufficient need additional to or different from the need met by um third runway at Heathrow. That must be interpreted in the context of an assumption whereby it is known that runway three would be coming forward. Circumstances where there isn't there was uncertainty about that.

01:05:27:15 - 01:06:07:21

That must affect the approach that's taken, that element of the policy. But in any event, that is, um, to some extent academic, because for the reasons that Mr. Rhodes has outlined them can be explored further and evidence today, we do say that we would be, um, demonstrating a need that's essentially complementary to the need for the third runway. Um, uh, pursuant to paragraph 1.2, namely the existing overhang of demand in relation to Gatwick and their need for resilience, um, which even on their own would qualify to meet that policy aspect of policy.

01:06:08:08 - 01:06:35:10

And secondly, as far as this dual runway, um, airport point is concerned, we think there's too much more we need to say. It's quite clear that the policy applies to any existing runway or existing infrastructure, which would include, for the reasons we've given the northern runway in this in this case. Um, as far as the zero strategy is concerned and providing more comment on that, Mr. Rhodes has dealt with it, unless it's anything else he wants to add to.

01:06:38:21 - 01:07:10:16

Uh, Sir John Rhodes for the applicant. Um, so far as paragraph 1.42 of the impasse is concerned. Um, certainly welcome a close reading of it, I think. Um, a close reading of it will identify that applications, um, come forward for making best use, as it explains, not to be judged on their merits. Um, it does say that, um, it may well be possible for a neat case to be demonstrated, although it's not a requirement of an application.

01:07:10:20 - 01:07:44:09

Applications to be judged on its merits. We don't shy away from from demonstrating a need, as you say. So to some extent the question may be academic, but I think it would be a misreading of the. And to suggest that that's a test. Um, and there are 2 or 3 ways to. The approach that, or demonstrate that one is at this point has been considered before. So in the Stansted decision at paragraph 17, the inspectors were clear that there is no requirement to show a need for Mbu proposals quite explicit.

01:07:44:11 - 01:08:22:23

And similarly in the Manston case, at paragraph 37, same point is made by the Secretary of State. There's no requirement to show a need, and I think that is the proper interpretation of that paragraph of the A and B s. And I say that also because paragraph 1.39, which precedes it, is quite explicit. Government's confirmed that it is supportive of airports beyond Heathrow making best use of their existing runways. It's not qualified by saying if there's a need, because of course, the NPS identifies a need both for best use and for the runway at Heathrow.

01:08:23:10 - 01:08:40:21

But we're very happy to look later today whether the need that's generated here is different from or additional to the need at Heathrow. There are very unique characteristics of both airports, but the policy position is that both are required.

01:08:42:23 - 01:08:43:08

Thank you.

01:08:47:10 - 01:08:51:12

Um. Is there anybody else who'd like to speak on this, uh, agenda item? Uh.

01:08:52:18 - 01:08:53:04

Mr. Bedford.

01:08:54:22 - 01:09:37:03

Like you said Michael Bedford, joint local authorities. Just in relation to the last point that Mr. Rhodes, uh, made that, uh, policy doesn't necessarily require a need to be demonstrated. So you'll be familiar with how the applicant is framed, the application and the reliance that the applicant places on meeting a need. And that is clearly important, uh, irrespective of what the policy position is, because the applicant relies on meeting that need as an argument to outweigh the undoubted benefits that the proposal causes.

01:09:38:09 - 01:10:06:07

So to the consequence of that instance, one can't shy away with grappling with whether there is or isn't a need, and if so, what is the extent of the need? Because in any planning balance, your conclusions on that matter will be highly material to what you then think as to whether any such need outweighs the adverse impacts, which obviously we will be talking about at a later stage of the examination.

01:10:08:11 - 01:10:13:22

Okay. Thank you. So I'll come back to you in due course, Mr. Linus. And, um, you have a point.

01:10:15:12 - 01:10:20:21

Yes, please. Yes. Should be a microphone on its way. If you could just introduce yourself as well, please. Thank you.

01:10:20:23 - 01:10:54:24

Thank you. Thank you very much. Anna Christie. Um, from representing the Sussex Chamber and, um, supportive of the applicant, I wish to, um, just pick up that point about the demand. There is currently an unmet demand for local businesses who are now having to rely on transporting their goods or, um, passengers that are having to fly from other alternative airports because the current airport cannot meet that demand. If I'd just like to give one example of the future need that businesses are, um, looking at.

01:10:54:26 - 01:11:30:10

So we look at Sussex. It's the largest wine producer in the UK, has world famous wine, over 140 vineyards, and it has a plan to grow. It's primed for significant growth in tourism by 2040. This economy in Sussex will attract more higher spending through international and domestic tourists, having a £283 million impact and over 3500 new jobs. The UK wine industry is projected to be worth more than 658 million in the UK by 2040.

01:11:30:12 - 01:11:55:12

This can only be supported through increased tourism, through new routes, new um, and also for the ability for those that are producing the wine to be able to export that locally. So they're not putting more pressure on logistics, um, having to transport that further afield. So I thought I'd just give that one example. But there are many other examples. Thank you.

01:11:56:12 - 01:12:05:07

Thank you for that. Um, if there's any other points anyone wishes to raise on the policy and extent of the proposed works. Under this agenda item.

01:12:07:11 - 01:12:14:19

Yes, yes. If you could introduce yourself, please. Um, morning. My name is Brent North. I'm chief executive of the Gatwick Diamond Initiative.

01:12:15:01 - 01:12:52:03

Uh, a business representation group. Um, following on from the conversation piece, we've just talked about the documented, uh, unmet demand that is, is currently around. The situation is as the UK economy is transitioning towards, uh, further, is being encouraged by UK government to transition further. And we're seeing small to medium enterprises in this region under pressure to grow their, uh, overseas trade into areas of Pacific and Asia, etc.. My question to the applicant would be if we are unable to meet the unmet demand currently and we're already pivoting, how without the current plan that there is in the growth, will we plan to meet that going forward?

01:12:53:09 - 01:13:23:21

Okay. Thank you, Mr. Knauf. Um, I think probably both of those points were probably later on in the agenda, to be fair, probably under agenda item five when we're talking about, um, future demand and growth, um, as opposed to the policy that we're talking about in the present. But of course, um, I'll open that to you, to the applicant to respond to. But, uh, we can come back to those points later on as well. Um, just before I do that, does anyone else wish to make any points on. Yes. If you could introduce yourself, please.

01:13:24:13 - 01:13:32:04

Thank you. Uh, Dan Osborne, uh, campaign for rural England Cpre Sussex. We're normally known as. Um.

01:13:34:13 - 01:13:35:07

I find the.

01:13:35:09 - 01:14:05:13



Policy position very difficult to understand for the from from the for the reasons that have been raised already and questions put to to the applicant. Um and when they are combined with other factors which you said we would take later, such as climate change, um, it becomes very difficult to see, um, how the, the, the policy context, uh, for your decision can be easily resolved.

01:14:06:09 - 01:14:30:14

Um. I'm just wondering, is there anything that you yourselves can say as a panel about the balance of these, these points that have been made today? Um, that would certainly help us, uh, make a detailed written submission. Uh, subsequent to today, who may be unable to do that as the examining authority. But I'd just like to know if you do have a view on that.

01:14:31:15 - 01:14:54:03

Thank you, Mr. Osborne. I'm afraid the answer would be would be no to that. Um, we're here today to examine in part the policy, uh, that applies to the airport. Um, and as you'd have heard today already, that there's differing views over how that policy applies. Um, it's part of our job in our in our recommendation, if you like, is to, uh, come to our own view on that.

01:14:54:25 - 01:14:57:27

Okay. Thank you very much. We'll make further points in writing.

01:14:58:15 - 01:15:00:05

Of course. That'd be useful. Thank you, Mr. Osborne.

01:15:01:21 - 01:15:09:14

Just before. Is there anyone else who'd like to make any comments before I revert back to Mr. Linus on this agenda item, or anybody online?

01:15:15:24 - 01:15:19:10

Okay. I'm not seeing any of these hands. So, Mr. Linus.

01:15:20:21 - 01:15:54:05

Very briefly. You'll be pleased to hear. I won't be asking the panel for a view on how bond policy needs to be balanced. But as far as Mr. Bedford's point is concerned, um, I think it's just clear we're not shying away from giving evidence on the need for this project. We're very happy to do, and we can explore that better today. I think the point that's being made, it's important just ones looking at policy to understand that there isn't a fundamental determinant of need to test when that policy is looked at, um, properly. We're not suggesting that need isn't an important, relevant consideration in this case.

01:15:54:07 - 01:15:57:12

And we provided evidence in that context.

01:16:00:13 - 01:16:31:00

Thank you, Mr. Linus. Okay. Thank you. Um, it's 11:15, but I think we'll move on to the next agenda item. Um, for the next quarter of an hour. So before we break, um, just run through a few of my questions before we break. So that's acceptable to all. Okay, so if we can move on to agenda item four,

which is, um, recent growth. Um. And if I can start off with a few questions around, um, long haul traffic, if I may.

01:16:31:17 - 01:16:32:02

Um.

01:16:33:14 - 01:17:09:13

So to start with your your needs case outlines in, uh, paragraph 4.1. ten that in the last ten years at Gatwick, there has been, um, the last ten years. I think this is up to 2019. There's been 10 million passengers per annum growth. That's MPA in short haul overseas, primarily low cost driven and four MPA in long haul overseas. Um, and you mentioned new interconnect on intercontinental markets and a range of carriers. Um, where does this long haul traffic come from and is any of it due to constraints? Uh London Heathrow.

01:17:11:22 - 01:17:34:07

Scott Linus for the applicant. May I introduce to my right. Jonathan Pollard. Ask him to give his full details. And perhaps, given that we've moved on to the rest of the agenda item. Um, could I ask others who may be providing supplementary answers to what Mr. Pollard says introduce themselves so they don't need to do so as we go through a useful.

01:17:34:09 - 01:17:34:24

Thank you.

01:17:34:27 - 01:18:05:05

Morning, everyone. So I'm Jonathan Pollard, I'm chief commercial officer at Gatwick Airport. Um, so you're absolutely right in terms of long haul growth in the period up to 2019. Uh, we saw about a 12% CAGR across the five year period. Prior to that, we added about 4 million passengers on long haul. Um, post-Covid, we've seen a significant rebound in long haul markets. Um, the predominant sources of that growth are China, uh, Asia, um, Indian markets in particular.

01:18:05:23 - 01:18:40:25

Um, I think in terms of your question about, uh, to what degree is the Heathrow constraint played into some of the, uh, volume that we're seeing? I think the realities are it's probably a bit of a mixed mixed bag. I think there are certain carriers that, uh, have not been able to fulfil their growth ambitions at Heathrow, to which, uh, Gatwick has been the beneficiary. Um, but equally, I think there are carriers. I would probably quote Mauritius as a good recent example that have deemed that the Gatwick catchment and the Gatwick operation is more, um, better suited to the type of operation that that particular carrier is operating.

01:18:41:14 - 01:18:51:26

So I think to be quite clear in terms of the response, um, it isn't purely the case that all of the long haul volume at Gatwick has been driven by the constraint that's, uh, exerts itself at Heathrow.

01:18:56:00 - 01:19:15:13

Thank you. Um, as I understand it, some of Heathrow's long haul traffic is due to it being a hub airport. Um, so certain percentage of passengers use the airport, um, as a hub for transfers between

different flights and don't actually leave the airport. Um, there's Gatwick being a point to point airport primarily hinder your long haul growth at all.

01:19:18:14 - 01:19:58:20

Jonathan Pollard for the applicant. Um, now, I think as has been demonstrated, uh, the and I quote the, um, the extent of uplift in long haul passengers, the cargo that we've been witnessing, um, demonstrates that there are there are a significant depth of markets that are not reliant on connecting traffic that are predominantly point to points, um, in demand characteristics. Um, and I think when we've looked forward to across the next sort of 20 to 25 years of the growth forecasts that we've submitted, the sorts of markets that we're suggesting will entertain most of the growth, principally North America, uh, China and Asia, um, have significant depth that is not reliant on connecting traffic.

01:19:59:01 - 01:20:04:06

Um, and I think that would be the reason that they've already proven to be successful at Gatwick for the period that they have.

01:20:06:07 - 01:20:13:20

Thank you. You're just, um, pick up on, uh, some of your terminology there. You use a phrase. Could you just explain that for the benefit of all? Thank you.

01:20:13:22 - 01:20:24:04

Jonathan Pollard for the applicant. Yet that is compound annual growth rates. Um, so taking a period of five years, what is the average level of growth across from the start to the end period?

01:20:24:24 - 01:20:33:22

Okay. Thank you. Um. Can you envisage a scenario where Gatwick began to begin to become more of a hub airport, particularly if Heathrow remains constrained?

01:20:36:07 - 01:21:08:14

Dalton Pollard for the applicants. Um, I mean, I think it's firstly worthwhile highlighting that we have transfer traffic that does already self connect at Gatwick. Um, you know, we have one of the largest low cost, um, operations in Europe. Significant volume of passengers connect from those low cost services onto long haul. Um, I think our aspirations aren't to create a comparable operation to Heathrow. I think that's reflected in the forecasts that we have put forwards. Um, and I think if you look at the nature of the carrier that will be operating at Gatwick over the future.

01:21:08:23 - 01:21:22:28

Uh, whilst I think we've increased capacity, you'll see an increasing overlap with the type of premium proposition that you may see. Heathrow. Um, we're not intending to create the, uh, anywhere near the same extent of hub type operation, that is, that is seen at Heathrow currently.

01:21:31:03 - 01:21:48:10

Okay. Thank you. Um, Mr. Linus, did you. Did you want to know? It looked like your your finger was poised by the button. Okay. Um, you mentioned, um, again in your news case that Stansted only has a minimal long haul network. Um, can you identify any reasons why that might be the case?

01:21:50:00 - 01:22:21:10

Jonathan Pollard for the applicant. Yeah, I think I think there's a number of reasons, I think. Um, look, I think in fairness, they have tried a number of different carriers over the last ten, 15 year period. And regrettably, most of those have not been able to stick, as we would say. They're not being sustained. I would probably draw the attention to the location. So the distance that Stanstead falls away from London as the core catchment. Um, I think the appropriateness of the infrastructure is also problematic. Um, it is undeniably a low cost hub.

01:22:21:20 - 01:22:53:18

Um, it doesn't have premium airline lounges, for example. It doesn't have peer service level. Um, so a very important characteristic for long haul carriers is that when they've got a between 300 and 500 seat aircraft, that it can park connected to the terminal and allow passengers to disembark. Um, Stansted has a very limited, if not non-existent, um, peer service, um, operation. So I think those would probably be the principal factors that have, um, continued to prohibit the growth that we've seen in long haul at Stansted.

01:22:55:09 - 01:23:22:29

Okay. Thank you. Um, if you just have a few questions now about the low cost, um, market. Um, you'll need to case refers to the fact that, um, 70% of easyJet's London operations are from Gatwick. And that's 62 of your throughput is low cost airlines. Um, I note the relevant representation submitted by Easyjet, which outlined a number of issues that they currently have with the airport. Um, do you have any comments on this representation at this time?

01:23:27:03 - 01:23:32:09

Jonathan Pollard for the applicant. Um, no, I don't think we have any particular comments that we'd like to make immediately.

01:23:41:03 - 01:23:44:27

Okay. Thank you. I'll return to their representation later on, I think.

01:23:49:28 - 01:23:57:27

Um. Could you explain to me why, um. But like Gatwick, has as more destinations in London Heathrow.

01:24:00:14 - 01:24:31:07

Jonathan Pollard for the applicants. It's a good question. Um, you're absolutely right. I think we've got 219 8 or 9 more than Heathrow, about 35 more than Stansted. Um, I think the extent of the low cost operation that serves points or points, short haul demand is one of the key drivers. We have one of the largest low cost operations in Europe. And as you rightly say, we've got the second largest carrier in Europe, Easyjet, with their largest base at Gatwick, uh, with 25% of their fleets in situ at the airport.

01:24:31:17 - 01:25:07:26

Um, so I think, uh, the, the, the network offering is to some degree driven by the airline mix. But I would also point towards the depth of the quality of the catchment that we have in the local area. Uh, we sit in one of the most prosperous parts of the UK. We have a very significant, uh, sum total of people, but also with a very high propensity to fly and with that richness of demand, that is what

supports new services and new networks. Um, and to some degree, d risks matters from an airline's perspective. So combination of airline mix, but also the depth and quality of the passenger catchment in the locality.

01:25:10:16 - 01:25:24:01

Thank you for that. Um, 2019, I believe, um, the figure was the airport handled 15% business travelers. Um, how does that rate compare to other London airports?

01:25:25:14 - 01:25:58:01

Jonathan Pollard for the applicants is significantly lower than Heathrow is probably the most prominent example, probably broadly proportionate, but I would need to check. But I suspect it's not too dissimilar to perhaps Stansted and Luton. Um, you know, 85% of our business is leisure. We have an extremely strong foundations in that market. Um, the business market has still recovered. Um, we are still probably in the region of, um, 10% in terms of total business traffic currently.

01:25:58:15 - 01:26:04:24

Um, but that's the core core difference, certainly versus Heathrow is the nature of airline mix and destinations served.

01:26:08:13 - 01:26:22:27

Sorry. Thank you for that. Um, I think that probably quite a good time to break now at 1125. So if we now, uh, break until, um. 1140. Hearing is adjourned. Thank you.