



Gatwick Airport Northern Runway Project

Statement of Common Ground Between Gatwick Airport Limited and Civil Aviation Authority

Book 10

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1 Introduction

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared in support of the examination phase for the proposed Gatwick Northern Runway Project (NRP). The Application was made by Gatwick Airport Limited (the Applicant) to the Secretary of State for the Department for Transport (the Secretary of State) pursuant to Section 37 of the Planning Act 2008 (PA 2008).
- 1.1.2 The Application comprises alterations to the existing northern runway which, together with the lifting of the current restrictions on its use, would enable dual runway operations. It also includes the development of a range of infrastructure and facilities which, with the alterations to the northern runway, would enable an increase in the airport's passenger throughput capacity. This includes substantial upgrade works to certain surface access routes which lead to the airport. A full description of the Proposed Development is included in ES Chapter 5: Project Description (Doc Ref. 5.1).
- 1.1.3 SoCGs are an established means in the planning process of allowing all parties to identify and focus on specific issues that may need to be considered during the Examination. The purpose and possible content of SoCG is detailed in the Department for Communities and Local Government's guidance entitled 'Planning Act 2008: examination of applications for development consent' (2015), stating:
- "A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence."*
- 1.1.4 The SoCGs between the Applicant and the local authorities / statutory consultees comprises several documents, to which this document is one. The Statement of Commonality provides details of the structure and status of the SoCGs between all the relevant Interested Parties, including the local authorities. Naturally, the level of detail across the suite of SoCGs varies to reflect the nature and complexity of the matter, as well as the position between the parties.
- 1.1.5 This document solely relates to matters between the Applicant and Civil Aviation Authority. A summary of the meetings and correspondence that has taken place between the parties is detailed in **Appendix 1** of this document.
- 1.1.6 The engagement between the parties across the breadth of matters is ongoing. Therefore, the SoCG is an evolving document and the detailed wording within it is still being discussed in detail between the parties. Future iterations will be submitted at each deadline; and both parties reserve the right to supplement the matters identified as discussions progress, to ensure it is comprehensive and up to date.
- 1.1.7 This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties, and where agreement has not (yet) been reached, and is presented in a tabular form. This SoCG does not seek to replicate information that is available elsewhere, either within the Application and/or Examination documents, referring out where



appropriate. The terminology used within the SoCG to reflect the status between the parties is either:

- “Agreed” to indicate where a matter has been resolved to the satisfaction of the parties.
- “Not Agreed” to indicate a final position where parties cannot agree.
- “Under discussion” to indicate where matters are subject of on-going discussion with the aim to either resolve or refine the extent of disagreement between the parties.

1.1.8 It can be assumed that any matters not specifically referred to in Section 2 of this SoCG are not of material interest or relevance to Civil Aviation Authority at this time; and therefore, have not been the subject of any discussions between the parties.

2 Current Position

2.1. Agricultural Land Use and Recreation

2.1.1 **Table 2.1** sets out the position of both parties in relation to matters.

Table 2.1 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|--------|----------------------|----------------------------------|-------------|--------|
| <i>There are no issues relating to Agricultural Land Use and Recreation within this Statement of Common Ground.</i> | | | | | |

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2.2.1 **Table 2.1** sets out the position of both parties in relation to matters.

Table 2.2 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|--|--------|----------------------|----------------------------------|-------------|--------|
| <i>There are no issues relating to Air Quality within this Statement of Common Ground.</i> | | | | | |

2.3.1 Table 2.3 sets out the position of both parties in relation to matters.

Table 2.3 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|-----------|-------------------------|--|--|--|--------|
| 2.3.1.1 | Aerodrome Certification | On Aerodrome certification, we have no principal areas of disagreement at this stage. | See the associated Letter of No Impediment at Appendix 2 and the attached statement which sets out the common understanding of regulatory compliance of the Gatwick's dual runway operation concept. | Letter of No Impediment (Appendix 2) | Agreed |
| 2.3.1.2 | Economic Regulation | On Economic regulation, we have no further comments other than to note the CAA's duties and no principal areas of disagreement at this stage. | See the associated Statement of No Impediment. | | Agreed |
| 2.3.1.3 | Airspace | <p>On Airspace, we note that in response to our consultation response, GAL has amended its description of the Statement of Need it submitted to the CAA in 2019 – see Chapter 6 of the Environmental Statement on the approach to assessment (APP-031), paragraph 6.2.19. We would suggest that this wording is amended further to emphasise that the CAA has made no decision concerning GAL's use of its Northern runway; we have only agreed that, if its DCO is successful, then certain aeronautical information can be changed in line with the new use of the runway. Our proposed revised paragraph is as follows:</p> <p>6.2.19 In order to request the minor amendments to Gatwick's AIP (Aeronautical Information Publication), a necessary amendment once the DCO has been approved and works carried out to enable dual runway operations at Gatwick (with the realignment to the centreline of the northern runway), GAL submitted a Statement of Need within the scope of CAP 1616 (CAA, 2021) to the CAA on 11 November 2019. The CAA issued CAP 1908 in May 2020, assigning the airspace change as Level 0 as the proposal would not alter traffic patterns (CAA, 2020). In December 2020, the CAA issued its decision (Decide Gateway): 'The CAA has completed the Decide Gateway Assessment and is satisfied that the change sponsor has met the requirements of the Airspace Change Process. The CAA approves the implementation of this airspace change proposal.' CAP 1908 notes that all physical works associated with the Northern Runway Project would be considered through the Development Consent Order (DCO) consenting process. Therefore, provided that DCO consent is achieved the necessary amendment to Gatwick's AIP is in place to allow operations to commence as approved in the DCO.</p> | See the associated Letter of No Impediment at Appendix 2. The wording included in the Environmental Statement was originally amended to reflect the CAA proposed wording. Content for further amendment. | Letter of No Impediment (Appendix 2) | |
| 2.3.1.4 | Airspace | In Chapter 6 of the Environmental Statement on the approach to assessment (APP-031), paragraphs 6.2.13 to 6.2.18, GAL | In accordance with the Government's key environmental objectives with respect to air navigation, as set out in the | | |



| | | | | | |
|---------|----------|--|--|--|--------|
| | | discusses FASI-S, an element of the Airspace Modernisation Strategy described on the CAA's website ³ . It is the case that it is too early in the Airspace Modernisation programme to say what trade-offs will be required to resolve any conflict between the sponsors of separate airspace changes, or between different objectives. Therefore, it is also too early to say what benefits individual airports might achieve from airspace modernisation, whilst recognising that one of the goals for the AMS is to provide greater capacity overall. | <p>Government's Air Navigation Guidance (see below), airspace modernisation should minimise the environmental impact of aviation by:</p> <ul style="list-style-type: none"> ensuring that the aviation sector makes a significant and cost-effective contribution towards reducing greenhouse-gas emissions limiting and, where possible, reducing the number of people in the UK significantly affected by adverse impacts from aircraft noise, and minimising local air quality emissions and in particular ensuring that the UK complies with its international obligations on air quality. <p>Whilst GAL cannot and have not claimed any benefits associated with airspace modernisation, as the 2nd busiest airport in the UK, we are confident that any airspace change proposal put forward by London Gatwick will need to demonstrate a cost-effective contribution towards reducing greenhouse-gas emissions. Our statement in Chapter 6 of the Environmental Statement on the approach to assessment (APP-031), paragraphs 6.2.13 to 6.2.18 was based around an assumption that airspace modernisation will need to enable an improvement, and not a degradation, in Continuous Climb performance of Gatwick's departures which are currently initially limited to between 3000 and 6000ft. Nevertheless, content to amend according to the CAA view.</p> | | |
| 2.3.1.5 | Security | On Security, we have no further comments other than to note the CAA's duties and no principal areas of disagreement at this stage | See the associated Letter of No Impediment. | Letter of No Impediment (Appendix 2) | Agreed |
| 2.3.1.6 | Runway | The CAA agrees with this statement. | ICAO/EASA regulation does not specify separation requirements for parallel runways where one runway is instrumented and the other visual. However, the CAA accepts the proposed separations are safe subject to the introduction of the concept of operation and associated safety systems (to achieve the target level of safety) which have been agreed to date with GAL. | | Agreed |
| 2.3.1.7 | Runway | The CAA agrees with this statement. | The planned minimum runway separation between non-instrumented and instrumented runway is 210m. | | Agreed |
| 2.3.1.8 | Runway | The CAA agrees with this statement. | Regulation does not specify minimum separation between instrumented and visual runways. Assuming a robust safety argument is produced, it could be argued that lower than 210m separation is possible, provided designated runway safety areas are not infringed during any runway movement and there are no simultaneous runway movements. | | Agreed |
| 2.3.1.9 | Runway | The CAA agrees with this statement. | Localiser sensitive area (currently 137m) is driven by the equipment utilised and not regulations. It can therefore be reduced through upgrade to higher intensity eILS (32, 38 or 48 interlace). Osprey modelling suggests that 75m LSA is possible. | | Agreed |

| | | | | | |
|----------|--------|-------------------------------------|--|--|--------|
| 2.3.1.10 | Runway | The CAA agrees with this statement. | Relocating the localiser inwards and resulting reduction of Runway End Safety Area (RESA) is preferred to ILS interference from ATMs crossing via end around taxiways in front of ILS localiser. This assumes new ILS construction will be frangible and de-lethalised and the RESA will remain compliant. | | Agreed |
| 2.3.1.11 | Runway | The CAA agrees with this statement. | For a non-instrument runway, the position of runway holds and clearance required for compliant use of runway for take-off or landing is 75m. | | Agreed |
| 2.3.1.12 | Runway | The CAA agrees with this statement. | The instrument runway CAT 1 holding point position is a minimum of 90m from runway centreline and may need to be increased to avoid interference with navigation aids. Also 107.5m for code F. | | Agreed |
| 2.3.1.13 | Runway | The CAA agrees with this statement. | EASA regulation does not allow fixed objects within 77.5m before the runway can be used for take-off and landing. GAL considers 77.5m from the runway centreline as the point where aircraft have fully vacated the runway before issuing a landing or take-off clearance to the next movement. This is with the proviso that the vacating aircraft's tail is at or beyond 77.5m and it continues to move forward without stopping. | | Agreed |
| 2.3.1.14 | Runway | The CAA agrees with this statement. | The boundary of runway area is considered to be the "runway hold" which is 90m. The aircraft vacating is not completely clear of the runway until the whole aircraft has passed the 90m point. | | Agreed |
| 2.3.1.15 | Runway | The CAA agrees with this statement. | Assuming the runway hold boundary limit, the current Gatwick design allows 45m (210m - 75m - 90m) between the two runways, which is enough to hold a code C aircraft and maintain compliance (maximum code C length is 44.5m), GAL will explore the safest and most effective option to ensure holding aircraft only occupy the 45m area. | | Agreed |
| 2.3.1.16 | Runway | The CAA agrees with this statement. | The RESA in all runway directions is required to be a minimum of 90m and should be as long as reasonably practicable. | | Agreed |
| 2.3.1.17 | Runway | The CAA agrees with this statement. | Northern runway to be redesignated as a low visibility take off (LVTO) runway - the runway will allow departures at Runway Visual Range (RVR) distances below 400m - ensuring regulatory compliance, by introducing 15m spaced runway centre lights, runway remaining (distance to go) markers and configuring the transmissometers to provide RVR information for all runway thirds. This will be subject to implementation CAP670/760 safety case. | | Agreed |
| 2.3.1.18 | Runway | The CAA agrees with this statement. | Runway holding areas are provided on both runways and in both directions to address deviations in departure sequence. These are provided as follows: 1. For runway 26, by provision of Alpha (southern) and Charlie (northern) box area; 2. for runway 08, by provision of the Juliet spur and Juliet taxiway. | | Agreed |
| 2.3.1.19 | Exits | The CAA agree with this statement. | In order to deconflict the two runways, the exits will be positioned in the final third of the runway(s). The aim is to facilitate the 'land and cross behind' behaviour, which is intended to minimise the | | Agreed |

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| | | | risk of conflict between take off and crossing aircraft as well as the need for ATC to intervene in flow. | | |
| 2.3.1.20 | Exits | The CAA agrees with this statement. | Runway exits and crossings will facilitate 90deg crossing over the northern runway so as to provide the pilot with an unobstructed view of the runway being crossed. | | Agreed |
| 2.3.1.21 | Exits | The CAA agrees with this statement. | Current design, positioning of exits and provision of safety mitigation provides a compliant means of holding between the runways, noting points made previously. | | Agreed |
| 2.3.1.22 | Taxiways | The CAA agrees with this statement. | Moving taxiway Juliet 27m northwards allows for aircraft to simultaneously use the taxiway and the northern runway. This provides 115m of separation between the taxiway Juliet and northern runway centrelines from taxiway Uniform westward, which is sufficient for Code F operation. | | Agreed |
| 2.3.1.23 | Taxiways | The CAA agrees with this statement. | <p>Dependent end around taxiways provide alternative means to deconflict Code D and E arrival crossings and departures from the northern runway. ATC operational alternatives to use of end around taxiway are:</p> <ol style="list-style-type: none"> 1. Land and hold on the southern runway, then cross behind. Low complexity solution, however increased risk of conflict on southern runway and resulting go around due to runway occupied, may be controlled and managed through the introduction of arrivals Time-Based Separation. 2. Land and proceed to the end of the runway then cross behind a departure (around departure if it aborts and holds on the northern runway) using the last exit portion of the end around taxiway for runway 26 or Mike for runway 08. Still dependent on the northern, runway but potentially safer than the previous option since the aircraft is further along the runway and moving away from the subsequent landing aircraft. | | Agreed |
| 2.3.1.24 | Taxiways | The CAA agrees with this statement. | Taxiway Lima is an essential link to provide arrival/departure flow in DRO mode and must provide viable traffic routing for up to Code F aircraft. | | Agreed |
| 2.3.1.25 | ATC and Runway Concept | The CAA agrees with this statement. | A single AIR position is required to control both runways, due to the inherent traffic flow dependency between the two runways. A second validated ATCO in an assistant role may be required to provide additional surveillance and alleviate some of the workload. Procedures setting out the layout and coordination of the two roles will required. | | Agreed |
| 2.3.1.26 | ATC and Runway Concept | The CAA agrees with this statement. | <p>The proposed design can deliver three compliant operational modes:</p> <ol style="list-style-type: none"> 1. Dependent dual runway mode - all arrivals arrive on the southern runway, departures code C or smaller depart on the northern runway, larger than code C departures depart from the southern runway. 2. single runway mode on the southern runway - as per today's operation. | | Agreed |

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| | | | 3. single runway mode on the northern runway - modified for design changes (Juliet, Charlie Box). | | |
| 2.3.1.27 | ATC and Runway Concept | The CAA agrees with this statement. | The runway concept consists of arrivals landing on the southern runway appropriately spaced, (between 3NM and 5NM separation usually). When departing from the northern runway, Code C or smaller aircraft will depart upon a southern runway touchdown or if the arrival is more than 2NM away from the southern runway threshold. Departures heavier than Code C will depart from the southern runway as per the current process. | | Agreed |
| 2.3.1.28 | ATC and Runway Concept | The CAA agrees with this statement. | As opposed to the current operation, a landing clearance will not automatically allow any runway crossing to take place. An arrival will be issued a landing clearance initially, and after landing with speed under control, they will be issued a crossing clearance when the northern runway is safe to cross. | | Agreed |
| 2.3.1.29 | ATC and Runway Concept | The CAA agrees with this statement. | Standard Instrument Departure (SID) routes will not change. | | Agreed |
| 2.3.1.30 | ATC and Runway Concept | The CAA agrees with this statement. | Instrument approach procedures remain unchanged and as such the published missed approach procedure remains unchanged. | | Agreed |
| 2.3.1.31 | ATC and Runway Concept | The CAA agrees with this statement. | Aircraft departing from either runway will be subject to departure-departure separation minima as applicable to departures from a single runway. | | Agreed |
| 2.3.1.32 | ATC and Runway Concept | The CAA agrees with this statement. | Under all scenarios aircraft crossing the northern runway are required to hold short of northern runway and cross under positive ATC control. | | Agreed |
| 2.3.1.33 | Safety Mitigations | The CAA agrees with this statement. | A runway status light (RWSL) system is a potentially effective mitigation to runway incursions in closely spaced parallel runway scenarios and is required to provide an additional safety net to deconflict traffic using or crossing both live runways. | | Agreed |
| 2.3.1.34 | Safety Mitigations | The CAA agrees with this statement. | <p>In CAT I or better visibility conditions, the stop bar system and runway status light system provide equivalent safety function, with runway status lights being preferred as they are an automated and fully independent control, whereas stop bars require human input.</p> <p>Options:</p> <ol style="list-style-type: none"> 1. A runway status light system will operate in conjunction with the 'ring of reds' stop bar system, with both ideally operational 24/7. Benefits - potential additional layer of safety. Disadvantages - increased ATCO workload and hazard of accidental incursion due to pilot confusion or false information e.g. stop bar vs RWSL ON/OFF state mismatch. 2. In good visibility, operate the RWSL system only, with stop bars turned off and holds identified by paint markings and 'wigwags'. Only light stop bars in reduced visibility to increase conspicuity of holds - this process is adopted in CDG. | | Option 1 is the CAA's preferred option, with option 2 being a potential alternative means of compliance subject to safety assurance. |

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| 2.3.1.35 | Safety Mitigations | The CAA agrees with this statement. | The runway status light system will be upgraded to provide take-off-to-take-off deconfliction in addition to the standard functionality. | | Agreed |
| 2.3.1.36 | Safety Mitigations | The CAA agrees with this statement. | Pilot disorientation and landing on the wrong runway (especially in low visibility) has been identified as a hazard. The following solutions have been identified as effective mitigations to this hazard: 1. Approach lighting guidance to threshold on 08R/26L only ('running rabbits'). 2. Threshold light suppression on northern runway in dual runway operations. | | Agreed |
| 2.3.1.37 | Non Nominal Scenarios | The CAA agrees with this statement. | The dual runway operation concept as outlined can be operated compliantly in CAT I conditions (800m to 550m RVR). | | Agreed |
| 2.3.1.38 | Non Nominal Scenarios | The CAA agrees with this statement. | Additional mitigations can be introduced to address visibility operating minima, the main factors needing to be addressed are: 1. Aircraft in the vicinity of the aerodrome need to remain visible to the ATCO. 2. aircraft need to remain visible to other aircraft and all be able to maintain own separation. 3. landing or departing aircraft on or around the runway(s) need to remain visible to the ATCO. 4. visibility is sufficient for the pilots to taxi and avoid collision with other traffic on taxiways and at intersections by visual reference or other means. | | Agreed |
| 2.3.1.39 | Non Nominal Scenarios | The CAA agrees with this statement. | The following non-nominal scenarios have been assessed as no different to current single runway operation in terms of overall safety impact: <ul style="list-style-type: none"> - High temperatures – Aircraft require longer runway (reduced impact due to demand onto southern runway being reduced). - Tail wind – constant directional change. - CB activity. - Surface defects (breakouts). - Seismic activity. - AGL failure. - Tech aircraft. | | All impact assessments and current operational implications have been captured in the draft Concept of Operation and Safety Argument documents for Dual Runway Operations and will be developed further during implementation. |
| 2.3.1.40 | Non Nominal Scenarios | The CAA agrees with this statement. | The following non-nominal scenarios increase the risk of runway excursion on arrival, which has a significantly higher consequence in dual runway operation compared to the current single runway operation due to possibility of collision with other aircraft holding between runways: <ul style="list-style-type: none"> • Wind shear and crosswind gusts. • Runway contamination e.g. snow, slush, ice, oil, fuel. It is proposed that a detailed assessment of operating minima for each and combination of these conditions be developed as part of a detailed safety case. | | Agreed |



| | | | | | |
|----------|-----------------------|-------------------------------------|---|--|--------|
| 2.3.1.41 | Non Nominal Scenarios | The CAA agrees with this statement. | The default fallback position in all non-nominal scenarios detailed above, should the dual runway operation mode be assessed as unsafe, is to switch to single runway operation mode, with single runway operation on southern runway preferred. | | Agreed |
| 2.3.1.42 | Non Nominal Scenarios | The CAA agrees with this statement. | London Gatwick is required to provide additional Rescue and Fire Fighting Services (RFFS) cover should it desire to continue operating on the unaffected runway while an incident response is in progress. | | Agreed |
| 2.3.1.43 | Non Nominal Scenarios | The CAA agrees with this statement. | <p>Two incident response options have been developed that meet the regulatory requirements, to be further detailed by GAL:</p> <ol style="list-style-type: none"> 1. Operate from current fire station, utilising current resource Close the runways upon incident (e.g. upon arrival of planned emergency); ATC delegate access and control to the northern runway to RFFS (northern runway should be empty and sterile as it is used as a runway). RFFS position on northern runway next to the main runway and await arrival OR use the northern runway as the access taxiway to the incident - this should result in first response times commensurate or better than current. If the emergency can clear the southern runway, reopen the southern runway when clear and conditions allow. Reopen the northern runway and switch to dual runway operations once RFFS Cat returns to no less than A7, 3 Major Foam Tenders (MFT) uncommitted. 2. Provide main fire station south, with satellite north (minimum 3 MFT, 1 command vehicle and another vehicle) allowing for independent response to incident/emergency, with 'other' runway remaining open for operation. | | Agreed |



2.4. Climate Change

2.4.1 Table 2.4 sets out the position of both parties in relation to matters.

Table 2.4 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|--------|----------------------|----------------------------------|-------------|--------|
| <i>There are no issues relating to Climate Change within this Statement of Common Ground.</i> | | | | | |



2.5.1 Table 2.5 sets out the position of both parties in relation to matters.

Table 2.5 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|--------|----------------------|----------------------------------|-------------|--------|
| <i>There are no issues relating to Construction within this Statement of Common Ground.</i> | | | | | |



2.6.1 **Table 2.6** sets out the position of both parties in relation to matters.

Table 2.6 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|--|--------|----------------------|----------------------------------|-------------|--------|
| <i>There are no issues relating to Cumulative Effects and Interrelationships within this Statement of Common Ground.</i> | | | | | |



2.7.

Draft DCO and Explanatory Memorandum

2.7.1 **Table 2.7** sets out the position of both parties in relation to matters.

Table 2.7 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|--------|----------------------|----------------------------------|-------------|--------|
| <i>There are no issues relating to the Draft DCO and Explanatory Memorandum within this Statement of Common Ground.</i> | | | | | |



2.8.1 **Table 2.8** sets out the position of both parties in relation to matters.

Table 2.8 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|--|--------|----------------------|----------------------------------|-------------|--------|
| <i>There are no issues relating to Ecology and Nature Conservation within this Statement of Common Ground.</i> | | | | | |



2.9.1 **Table 2.9** sets out the position of both parties in relation to matters.

Table 2.9 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|--------|----------------------|----------------------------------|-------------|--------|
| <i>There are no issues relating to Forecasting and Need within this Statement of Common Ground.</i> | | | | | |



2.10.1 **Table 2.10** sets out the position of both parties in relation to matters.

Table 2.10 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|--|--------|----------------------|----------------------------------|-------------|--------|
| <i>There are no issues relating to Geology and Ground Conditions within this Statement of Common Ground.</i> | | | | | |



2.11.1 Table 2.11 sets out the position of both parties in relation to matters.

Table 2.11 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|--------|----------------------|----------------------------------|-------------|--------|
| <i>There are no issues relating to Greenhouse Gases within this Statement of Common Ground.</i> | | | | | |



2.12.1 Table 2.12 sets out the position of both parties in relation to matters.

Table 2.12 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|--------|----------------------|----------------------------------|-------------|--------|
| <i>There are no issues relating to Health and Wellbeing within this Statement of Common Ground.</i> | | | | | |



2.13.1 Table 2.13 sets out the position of both parties in relation to matters.

Table 2.13 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|---|--------|----------------------|----------------------------------|-------------|--------|
| <i>There are no issues relating to Historic Environment in this Statement of Common Ground.</i> | | | | | |



2.14.1 **Table 2.14** sets out the position of both parties in relation to matters.

Table 2.14 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|--|--------|----------------------|----------------------------------|-------------|--------|
| <i>There are no issues relating to Landscape, Townscape and Visual in this Statement of Common Ground.</i> | | | | | |



2.15.1 Table 2.15 sets out the position of both parties in relation to matters.

Table 2.15 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|--|--------|----------------------|----------------------------------|-------------|--------|
| <i>There are no issues relating to Major Accidents and Disasters within this Statement of Common Ground.</i> | | | | | |



2.16. Noise and Vibration

2.16.1 Table 2.16 sets out the position of both parties in relation to matters.

Table 2.16 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|--|--------|---|---|-------------|------------------|
| Baseline | | | | | |
| <i>There are no issues relating to the baseline for this topic within this Statement of Common Ground.</i> | | | | | |
| Assessment Methodology | | | | | |
| <i>There are no issues relating to the assessment methodology for this topic within this Statement of Common Ground.</i> | | | | | |
| Assessment | | | | | |
| <i>There are no issues relating to the assessment for this topic within this Statement of Common Ground.</i> | | | | | |
| Mitigation and Compensation | | | | | |
| 2.16.4.1 | Noise | We also note that GAL describes a role for the CAA as an Independent Air Noise Reviewer to scrutinise and verify the Annual Monitoring and Forecasting Reports (for example in Appendix 14.9.7 to the Environmental Statement (APP-177) paragraphs 7.1.2 to 7.1.10). GAL has not discussed the details of this role with the CAA. The CAA does not agree that it is appropriate for the DCO to designate an individual regulatory or oversight role absent a broader direction from Government. However, we are willing to explore with GAL how the requirements of such a role could become part of environmental publications which we are intending to have in place for the wider industry. | GAL has now met with the CAA and DfT to discuss details of the role of Independent Reviewer and the processes required to scrutinise the Noise Envelope Annual Monitoring and Forecasting Reports. At the time of writing (December 20, 2023) those discussions have been positive towards reaching agreement that the CAA will perform the noise envelope auditing role. | | Under Discussion |
| Other | | | | | |
| 2.16.5.1 | Noise | On Noise, GAL states in paragraph 14.2.47 that 'The Independent Commission on Civil Aviation Noise (ICCAN) was a non-statutory advisory body, established to act as the impartial expert adviser to Government and others on all matters relating to aviation noise from January 2019 to September 2021 when it was disbanded with its responsibilities being passed to the CAA.' This is not strictly correct as ICCAN was actually established in November 2018. Further, while the majority of its responsibilities were passed to the CAA, some remained within the Department for Transport on its disbanding. | Noted, we understand that many technical, research and policy advisory functions to support Government would be taken on by the CAA, with some remaining with the DfT. | | Agreed |

2.17.1 **Table 2.17** sets out the position of both parties in relation to matters.

Table 2.17 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|-----------|----------------|---|----------------------------------|-------------|---------|
| 2.17.1.1 | Policy / Noise | In Appendix 14.9.7 of the Environmental Statement (APP-177) at paragraph 3.3.2, it is asserted that “In a Gatwick Noise Management Board Meeting on 9th March 2022 the CAA was asked to confirm the status of CAP1129. They subsequently advised ‘...CAP 1129 is a guidance document that was commissioned by the DfT and produced for them by colleagues in the Environmental Research and Consultancy Document. The CAA has no statutory powers and/or regulatory role in terms of enforcing the content.” Whilst this statement may indeed have been made at the meeting, it is not correct. CAP1129 is a review of the noise envelope concept produced by the CAA to help the Government develop technical guidance on the concept. | Noted. | | Agreed. |



2.18. Project Elements and Approach to Mitigation

2.18.1 Table 2.18 sets out the position of both parties in relation to matters.

Table 2.18 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|--|--------|----------------------|----------------------------------|-------------|--------|
| <i>There are no issues relating to Project Elements and Approach to Mitigation within this Statement of Common Ground.</i> | | | | | |



2.19.1 Table 2.20 sets out the position of both parties in relation to matters.

Table 2.19 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|--|--------|----------------------|----------------------------------|-------------|--------|
| <i>There are no issues relating to Socio-Economics and Economics within this Statement of Common Ground.</i> | | | | | |



2.20.1 **Table 2.1** sets out the position of both parties in relation to matters.

Table 2.20 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|--|--------|----------------------|----------------------------------|-------------|--------|
| <i>There are no issues relating to Traffic and Transport within this Statement of Common Ground.</i> | | | | | |



2.21.1 **Table 2.21** sets out the position of both parties in relation to matters.

Table 2.21 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|--|--------|----------------------|----------------------------------|-------------|--------|
| <i>There are no issues relating to Waste and Materials in this Statement of Common Ground.</i> | | | | | |



2.22.1 Table 2.22 sets out the position of both parties in relation to matters.

Table 2.22 Statement of Common Ground Matters

| Reference | Matter | Stakeholder Position | Gatwick Airport Limited Position | Signposting | Status |
|--|--------|----------------------|----------------------------------|-------------|--------|
| <i>There are no issues relating to Water Environment within this Statement of Common Ground.</i> | | | | | |



3 Signatures

3.1.1 The above SoCG is agreed between the following:

| | |
|---|--|
| Duly authorised for and on behalf of Gatwick Airport Limited, The Applicant | Name Tim Norwood Job Title Chief Planning Officer Date March 2024 Signature |
| Duly authorised for and on behalf of Civil Aviation Authority | Name Tim Johnson Job Title Director Communications, Strategy and Policy Date Signature |

Appendix 1: Record of Engagement Undertaken

| Date | Form of Contact (meeting or correspondence) | Overview of the Matters Discussed and Key Outcomes |
|----------|---|--|
| 1/02/24 | Meeting | CAA review progress update |
| 20/12/23 | Meeting | Noise envelope oversight function |
| 14/11/23 | Meeting | Noise envelope oversight function |
| 25/10/23 | Meeting | Relevant Representation points review |
| 25/07/23 | Meeting | Safety and operations - start of operation |
| 28/04/23 | Meeting | Draft SoCG review and timelines |
| 28/04/23 | Meeting | Safety and operations final review |
| 24/04/23 | Meeting | Safety and operations review |
| 16/03/23 | Meeting | Safety and operations |
| 8/03/23 | Meeting | Safety and operations |
| 2/03/23 | Meeting | DCO update and SoCG content / requirements |
| 7/12/22 | Meeting | SoCG content / requirements |
| 20/09/22 | Meeting | SoCG content / requirements |
| 26/07/22 | Meeting | Safety and operations |
| 22/06/22 | Meeting | Safety and operations - NRP Sims Output |
| 11/04/22 | Meeting | Safety and operations - CONOPS and SoCG |
| 22/03/22 | Meeting | Economic regulation |
| 8/02/22 | Meeting | Safety and operations |



Appendix 2: Draft Letter of No Impediment

CAA Letter of No Impediment

1 Introduction and Purpose

1.1 Purpose of Letter of No Impediment

- 1.1.1 This Letter of No Impediment (“LoNI”) relates to an application made by Gatwick Airport Limited (“GAL”) to the Planning Inspectorate under sections 14 and 35(2)(ii) of the Planning Act 2008 (“Act”).
- 1.1.2 The Civil Aviation Authority (“the CAA”) is the UK’s specialist aviation regulator and is a prescribed consultee to GAL’s DCO application, by virtue of Regulation 3 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009/2264, as it relates to airport development.
- 1.1.3 The application is for a development consent order (“DCO”). The DCO, if granted, would provide GAL with development consent to authorise the alterations to the existing northern runway at Gatwick Airport which, together with the lifting of the current restrictions on its use, would enable dual runway operations, together with associated development (altogether “the Development”). In order for the runway to become operational, separate approvals will be required from the CAA including those for aerodrome and air traffic management safety and airspace change.
- 1.1.4 GAL submitted the DCO application to the Planning Inspectorate on 6 July 2023 and it was accepted for examination by the Planning Inspectorate on 3 August 2023.
- 1.1.5 This LoNI has been prepared by GAL and the CAA in respect of the Development. This LoNI focuses on the interface between the DCO application process under the Planning Inspectorate’s remit and the areas for which the CAA is responsible, including the Airspace Change process, Air Traffic Control, Aviation Security and on the Aerodrome Certification Process.
- 1.1.6 A LoNI is designed to provide the Planning Inspectorate and the Secretary of State with confidence that the competent licensing authority sees no impediment to issuing a licence in future, based on information assessed to date in respect of these proposals.
- 1.1.7 GAL and the CAA are collectively referred to in this LoNI as ‘the Parties’. The Parties have been, and continue to be, in communication in respect of the interface between the DCO application process and the CAA’s Airspace Change Process, and the Air Traffic Management and Aerodrome Certification approval processes.

1.2 The role of the Civil Aviation Authority and the DCO application

- 1.2.1 The CAA is a public corporation established by Parliament in 1972 as an independent specialist aviation regulator. As the UK’s specialist aviation regulator, the CAA works so that:

- the aviation industry meets the highest safety standards;
- consumers have choice, value for money, are protected and treated fairly when they fly;
- through efficient use of airspace, the environmental impact of aviation on local communities is effectively managed and CO₂ emissions are reduced; and
- the aviation industry manages security risks effectively.

1.2.2 The CAA is the decision-making authority in relation to safety and airspace approvals required for the alterations to the northern runway, particularly in relation to any Airspace Change Proposals (“ACP”), Air Traffic Control approval, Airport Security and the Aerodrome Certification and oversight Process:

- Airspace: the CAA considers and decides on airspace change proposals that are submitted to them, taking into account a range of factors set out in s.70 of the Transport Act 2000 including safety, the needs of users of airspace and environmental impacts.
- Air Traffic Control: Civil Air Traffic Services (“ATS”) and technical elements of associated services are principally regulated in the UK by the CAA. Regulation is achieved, as appropriate, through the grant of approval to equipment and systems, licensing and certification of personnel and through the auditing and inspection of the subsequent systems and service provision.
- Aerodrome Certification: the CAA regulates UK airports to ensure they comply with relevant international and UK safety standards. Certification by the CAA satisfies UK aviation operational and safety requirements.
- Security: there are security aspects included within Aerodrome and Air Traffic Management (ATM) regulation (covering physical and cyber security risks relating to the aerodrome certification and the air navigation service provision). However, at this stage it is relevant to acknowledge the primacy of the CAA’s Aviation Security division in respect of aviation security requirements.

2 The Development location and description

2.1 The Development includes the following key components:

- 2.1.1 alterations to the existing northern runway, including lifting current restrictions on its use and repositioning its centreline 12 metres further north to enable dual runway operations, in accordance with international standards;
- 2.1.2 reconfiguration of taxiways;
- 2.1.3 pier and stand amendments (including a proposed new pier);
- 2.1.4 reconfiguration of other airfield facilities;

- 2.1.5 extensions to the North and South Terminals;
- 2.1.6 provision of additional hotel and office space;
- 2.1.7 provision of reconfigured car parking, including new surface and multi-storey car parks;
- 2.1.8 surface access (road and potential rail) improvements;
- 2.1.9 reconfiguration of existing utilities, including surface water, foul drainage and power; and
- 2.1.10 landscape/ecological planting and environmental mitigation.

3 Relevant approvals required from the CAA for the Development

- 3.1.1 Operations at Gatwick Airport must be in accordance with the following approvals relevant to the application:
 - (a) Aerodrome Certification - GAL holds an aerodrome certificate in accordance with ADR.AR.C.035 'Issuance of certificates' of UK Regulation (EU) No 139/2014 and Article 212 of The Air Navigation Order 2016 ("ANO") and the Regulations made under it. Approval of any changes affecting infrastructure or management system is required from the CAA in relation to this certificate.
 - (b) Airspace Change - permission for a change of airspace in accordance with The Civil Aviation Authority (Air Navigation) Directions 2023 and the CAA's CAP 1616 (Airspace Design: Guidance on the Regulatory Process for changing airspace design including community engagement requirements);
 - (c) Air Traffic Service Certification and Designation - In order to provide Air Traffic Control Services at GAL an Air Navigation Service Provider must be certificated and designated in accordance with UK Regulation (EU) 550/2004 and in compliance with UK Regulation (EU) No 2017/373 and other applicable regulations.
 - (d) In addition, operations will have to be conducted in compliance with the following legislation:
 - (i) Aviation Security Act 1982;
 - (ii) The Civil Aviation Acts 1982 and 2012;
 - (iii) The Airports Act 1986;
 - (iv) Aviation and Maritime Security Act 1990;

- (v) Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on rules in the field of civil aviation security¹;
- (vi) The Civil Contingencies Act 2004;
- (vii) Policing and Crime Act 2009.

4 Aerodrome Certification

4.1 GAL, as a CAA certified aerodrome, is required by UK Regulation (EU) 139/2014 to seek prior approval from the CAA of impending changes affecting the infrastructure or management system. This requires a formal application to the CAA. The CAA's guidance document CAP791 sets out the process to be followed and there is accompanying acceptable means of compliance and guidance material in this regard.

4.2 The aerodrome certificate application will require GAL to submit details of how it intends to satisfy all the operational requirements laid down in the regulation affected by the Development including, but not limited to, the following:

- Aerodrome physical characteristics
- Lighting
- Operational procedures including runway incursion prevention
- Rescue and Firefighting
- Integrated emergency planning
- Air Traffic Services
- Communications and navigation aids
- Safety Management System
- Security Management Systems
- Work in progress
- Managing obstacles
- Maintenance
- Environmental management

4.3 Submission by the sponsor of CAA Form 2011 will begin the CAA's formal process to assess the proposed changes. However, subject to those matters set out in the Statement of Common Ground, the CAA sees no impediment to the approval of the Development with respect to the requirements of aerodrome certification.

5 Airspace Change

5.1 GAL submitted the first step of an Airspace Change Proposal (a Statement of Need (SoN)) on 12 November 2019. An Assessment Meeting was held on 15 January 2020 at which GAL outlined the following drivers for the ACP:

- (a) in July 2019, GAL announced its intention, in accordance with Government policy on making best use of existing runways ('Beyond the Horizon – The Future of UK Aviation' June 2018) to prepare a DCO application to bring into

¹ This is retained EU legislation.

operation the routine use of its existing standby/emergency runway at the same time as the existing main runway;

- (b) to enable dependant dual runway operations, it was proposed the northern runway centreline datum be repositioned 12 metres to the north to ensure European Aviation Safety Agency specifications for required centreline spacing is adhered to;
- (c) to allow for the future application for dual runway operations and the repositioning of the runway centreline datum, amendments to Gatwick Airport's entry in the UK's Aeronautical Information Publication (AIP) are required;

5.2 The proposals would not be a change in airspace design since the conventional Standard Instrument Departure routes for the standby runway, which are already notified, would continue to be used under GAL's proposed plans. The CAA published its decision in relation to the ACP process in CAP 1908. This decision document also considers whether the proposed changes would amount to a Permanent Planned Redistribution ("PPR") of air traffic and determines that this proposal is not a 'relevant PPR' as defined by Government policy, as the air traffic lateral movement is significantly less than the minimum distance required.

5.3 There is therefore no impediment in relation to the required approvals of the ACP process as far as it relates to airspace design.

6 Air Traffic Service approval

6.1 The CAA is responsible for safety oversight of all aspects of the Air Navigation Service Provider's ("ANSP's") operations and organisation. ANSPs are required to comply with the requirements in UK Regulation (EU) 2017/373 and this includes requirements for the ANSP to utilise Safety Management, Quality Management and Security Management systems all of which are subject to regular audit by the CAA.

6.2 ANSPs are required to notify the CAA of planned changes to their provision of air navigation services which may affect their compliance with the applicable common requirements or conditions of their certification.

6.3 The solution (people, procedures, equipment and facilities) enabling service provision at (and for) an expanded Gatwick will be the subject of an integrated suite of safety assurance (based on safety cases) and this will be subject to approval by the CAA. The CAA will audit the safety assurance process against the ANSPs' safety management systems.

6.4 ANSPs are required to apply to the CAA for approval of changes to their functional systems (e.g. incorporating new ATCO procedures) and for the approval of Air Traffic Services Equipment (Article 205 of the ANO).

6.5 Form SRG 1430 will formally initiate the change process in relation to UK Regulation (EU) 2017/373. A separate application will be required (if needed) for approval of changes to the Air Traffic Services Equipment.

- 6.6 The CAA will assess this application when it is received, and are not aware of any impediments to the normal consideration of that process.

7 Economic Regulation

- 7.1 Under the Civil Aviation Act 2012, the CAA is the economic regulator for airports that have substantial market power, currently Heathrow and Gatwick, and issues economic licences that typically contain price controls and other conditions. Our price controls and related conditions (which in GAL's case include a minimum level of investment and provisions related to service quality) are reviewed regularly, typically at intervals of between four and seven years. When carrying out our economic regulation functions, our primary duty is to further the interests of passengers and cargo owners regarding the range, availability, continuity, cost and quality of airport operation services ("AOS"). We also have secondary duties including (among others) having regard to the need for licensees to be able to finance their licensed activities, to secure that all reasonable demands for airport operating services are met, to promote economy and efficiency in the licensees' provision of AOS, and to allow licensees to take reasonable measures to reduce, control or mitigate the adverse environmental impacts of the airport.
- 7.2 We currently adopt a relatively light touch approach to the economic regulation of GAL, giving GAL and airlines an opportunity to negotiate terms when regulatory arrangements need to be renewed or revised, but also retaining the ability either to review the outcomes of such negotiations to ensure they are in consumers' interests or to take a more active role if the parties cannot reach agreement. Both GAL and affected airlines can appeal to the Competition and Markets Authority against our decisions on licence conditions. We are currently considering a proposal from GAL for the economic regulation that will apply from April 2025 to March 2029. We expect this review to conclude either later this year or early in 2025.
- 7.3 We would expect to take GAL's proposals for the northern runway into account when considering future price controls and service quality requirements. Consistent with our primary duty to protect consumers, we would expect GAL to demonstrate an overall business case for its plans showing how its proposals are in the interests of consumers and are affordable for airlines, financeable and to what extent they will allow for capacity to be expanded in a way that mitigates the adverse environmental impacts of the airport. Among other things, we would also expect assurances that only efficient costs will be passed on to airlines and passengers (where 'efficiency' covers both the need for the underlying activity and the costs of delivering it), and that appropriate levels of service quality and resilience will be maintained both during the construction phase and when the new northern runway is operational.

8 Security

- 8.1 The CAA has been responsible for aviation security regulatory activity and compliance monitoring since 1 April 2014, when these functions transferred from the Department for Transport ("DfT"). The respective present roles of the DfT and CAA in the aviation security field are documented in CAP1381, a Memorandum of Understanding and its annexed Statement of Responsibilities.
- 8.2 While the Government leads on international aviation security matters and UK aviation security policy (including the setting of security standards), the CAA regulates security arrangements at UK airports and for air carriers, cargo and in-flight suppliers to ensure that the relevant entities

comply with UK and international security requirements. CAP1550 gives an overview of our responsibilities, the most relevant of which for DCOs are:

- 8.2.1 Compliance and enforcement - the CAA appoints authorised persons (i.e. auditors) to carry out observations, inspections, audits and tests, and takes enforcement action if necessary (section 24A(1) of the Aviation Security Act 1982 (“ASA 1982”).
- 8.2.2 Advice and assistance to other persons - the CAA provides advice and assistance to those persons listed in subsection (3) of new section 21I of the ASA 1982 (e.g. managers of UK aerodromes and operators of aircraft registered or operating in the UK) as the CAA considers appropriate, having regard to the purposes to which Part 2 of the ASA 1982 applies (new section of 21I of the ASA 1982)
- 8.3 Therefore, for airport expansion projects, sponsors do not require an approval from the CAA in relation to security in order to proceed. However, during the construction phase and once expansion is achieved, their operations will be expected to meet all the relevant security regulations set out by Government. They will be subject to a CAA audit and, if found not to be compliant will be subject to enforcement action.
- 8.4 In relation to aviation security, it should be noted that it is important that security managers work closely with project managers and designers to ensure that the relevant threats and risks are understood, and the right security outcomes are delivered through design. Guidance to airport operators is offered in the Department for Transport publication ‘Aviation Security in Airport Development’ 2017. We would expect sponsors to be engaging with their CAA Lead Auditor on the likely changes after the development and during the construction phase to gain some comfort that it will be compliant.

9 Conclusion

- 9.1 There are several approvals required by from the CAA in order for GAL to progress the development. On the basis of the information and proposals provided to date, the CAA sees no impediment to those approvals being issued, should the DCO be granted.
- 9.2 Should the DCO be granted then the applications noted above must be formally submitted to the CAA prior to commencement of the Development.