

File Name: ISH6 30th April 2024 Part 2.mp3
File Length: 01:31:29

FULL TRANSCRIPT (with timecode)

00:00:04:27 - 00:00:40:10

So the time is now 1140. Time to resume this hearing. So we'll now move on to item four on the agenda, which is the position of the Climate Change Committee. And the agenda item says the applicant and other IPPs will be asked to comment on the recommendation of the Climate Change Committee in its Annual Progress Report 2023, in respect of airport expansion, together with the government's response. And there's a reference there to our first written question, CC 1.1, and the response is when published.

00:00:41:01 - 00:01:04:18

I'm not going to go into the detail of that question, which is quite lengthy. Um. The applicant responded and the legal partnership authorities also responded. Um. Applicant's response for reference. We have 386 and legal authorities. We have three, one, three, five.

00:01:14:23 - 00:01:32:11

So the applicants confirmed their early position about the Climate Change Committee and the legal partnership. Authorities replied in depth, but I think most of those matters are things which should be appropriately addressed elsewhere in the agenda, unless Mr. Bedford dissenting.

00:01:32:24 - 00:01:43:19

So Michael Bedford for the legal partnership authorities, that was exactly what I was going to say. Most of those points when you go through them, probably it's a gender item ten, but obviously we can pick them up. Okay. Thank you.

00:01:46:27 - 00:01:55:17

And for the applicants. Is there anything you want to add to what you said in relation to that answer to CC 1.1? Or can we pick those up later?

00:01:59:14 - 00:02:19:03

So job goes for the applicant, if I may. If I might just add one thing. Um, so I'm sure you're, you're very aware of the climate change committee's report. Uh, in fact, his recommendations in 2023 were very similar to its recommendations in 2022. And the specific recommendation

00:02:20:25 - 00:02:35:08

that no airport expansion should proceed until a UK wide capacity management framework is in place to annually assess and, if required, control sector CO2 emissions and non CO2 effects.

00:02:37:00 - 00:03:10:21

So we know what the government's response was. Um, the point that occurred to me, which I hope is relevant, is that essentially. What the government has explained through Jet Zero strategy and Jet zero one year on is that that's what the government is doing. So the government is closely monitoring that performance in order to ensure that the trajectory is met and doesn't consider, as we know, that demand management is at all necessary to achieve that.

00:03:11:05 - 00:03:34:13

But one way of describing the government's approach is that it is exactly a UK wide capacity management framework. Um, government doesn't consider that capacity constraint is necessary at the

moment, but is made clear that it would make that intervention if it was necessary. Um, the government, uh, is pursuing a.

00:03:36:17 - 00:04:13:11

Different strategy from the Climate Change Committee as to how to get there. So that we know that assumptions for SAF, for instance, are different. And we know that the modelling is different, but the end objective is the same. And the government recognises its obligation to balance the economic importance of aviation against climate change, and has a strategy for that effect. But the effect of the government's actions is consistent with the concern expressed by the Climate Change Committee to ensure that the carbon objectives are met.

00:04:15:29 - 00:04:48:25

Thank you. Um, there was only one question I had in relation to this item on the agenda, and that was to follow up, uh, comments made by Surrey County Council in, uh, relevant rep. And the applicant's response, which came through the statement of common ground, which is Rep 145. Now the matter is recorded as agreed, but there's still want to just pose a question about that.

00:04:49:01 - 00:05:28:03

So so can Council identify the concerns and criticisms of the UK aviation climate change policy and the risks to achieving net zero? And the applicant's response, uh, concluded by saying the Northern Runway Project application accords with government policy as set out in the government's response. Aviation expansion brackets, explicitly including the NRP, will not compromise the government's commitment to the UK's net zero trajectory.

00:05:28:29 - 00:05:50:02

So my question is, is the applicant's response to definitive when the government has stated that if the sector is not meeting its emissions, its emissions reductions trajectory, it will consider further measures which could include intervening directly to limit aviation growth.

00:05:59:14 - 00:06:32:20

Household items for the applicant. Um, we don't think so. No, in the sense that, um, obviously the government has set out and yet zero um, the general point that it will be monitoring emissions and it will be reviewing its own plan every five years, as well as reporting on newly, uh, on progress that's being made. Um, whilst Jet Zero sets out a number of different means by which emissions are going to be controlled at different measures, which will be which will be applied.

00:06:32:25 - 00:06:46:21

I think the broad point that was made and the representation stands, that in circumstances where it's expressed a general commitment to review, it's not ruling out or ruling in, uh, particular measures, um, uh, going forward.

00:06:47:05 - 00:06:47:29

Okay. Thank you.

00:06:50:08 - 00:07:05:06

Are there any comments or questions about the government's response to the Climate Change Committee's report, or can we take those as detailed matters further on the agenda? And I won't say anything further now.

00:07:07:03 - 00:07:07:22

Nope.

00:07:08:06 - 00:07:42:06

Okay. On that basis, let's move on to item five on the agenda, which is future baseline. And the agenda says the applicant will be asked to explain why the environmental statement uses for future baseline categories for greenhouse gas emissions. Um, I should say that there will be further discussion about future baseline at ish seven tomorrow. This hearing will be focused on the future baseline just for greenhouse gases.

00:07:43:28 - 00:08:35:19

And context is that paragraph 16 .6.1 of the Is says that the baseline refers to get weeks greenhouse gas emissions in the calendar year 2018. Um, and just to clarify their 16 .6.1. So table 16 .6.1 um, provides a breakdown of emissions. Which had taken from various appendices and the total, including international air transport, is 0.571 million tonnes carbon dioxide equivalent and the total, including international air transport, is 5.190 million tonnes of carbon dioxide equivalent.

00:08:36:06 - 00:08:47:23

So just for reference, that's table 16 .6.1. Can I just clarify that international air transport figure? Does that cover?

00:08:50:03 - 00:08:56:00

Departures and arrivals, or is it just departures in the way? That's the, um.

00:08:58:01 - 00:09:00:01

Assessment that's been carried out more generally.

00:09:01:17 - 00:09:07:23

Keith Olbermann for the applicant. Yes. It's just departure. It's just departing the aircraft. Okay. Thank you. Inform that number.

00:09:08:01 - 00:09:18:23

That's helpful. We'll come on to some more detailed matters about that shortly. Thank you. So future baseline conditions. Um.

00:09:21:20 - 00:09:55:22

I'd like the applicant to explain the future baseline years with reference to paragraph 16 .6.2 and the following paragraphs within the years, and explain why those years differ from the assessment years. In paragraph 6.3. 11 of chapter six, slightly different. There's some overlap, but we're looking at the future baseline emissions for 2029, 2038, 2047 and 2050.

00:09:58:26 - 00:10:01:00

So, Mr. Linus.

00:10:02:10 - 00:10:04:25

Which they just come from.

00:10:05:00 - 00:10:16:11

So the years in paragraph 16 .6.2, yes, differ from those in paragraph 6.3. 11.

00:10:17:23 - 00:10:19:19

6.3.17.

00:10:20:02 - 00:10:30:00

So I don't think I think the key one is probably the introduction of 2032 as an interim. Yes.

00:10:30:28 - 00:11:01:24

I think we're just trying to work out what any difference might be, if there is any, because the future baseline Emissions Scotland, as the applicant referred to in 16 .6. 3 or 2029, 2038, 2047 and 2050. Whereas, um, in the main baseline future baseline description, uh, we've got 2029, 2032 is an interim assessment, uh, year 2030 and 2047, Mr.

00:11:01:26 - 00:11:35:06

Robertson, I'm sure, but certainly 2050 was probably added in the, um, uh, greenhouse gases chapter to reflect the, um, 2050 net zero, uh, timeline. 2032, as you'll be aware, was an interim assessment year that was mainly related to surface access improvements. So it may have been I take a risk of Mr. Robertson, uh, correcting me here, but it may have been excluded because it wasn't necessary to do that for tracking carbon emissions. Specifically, given the given the specific purpose of the 2032, uh, baseline year.

00:11:35:08 - 00:11:36:22

But I'll ask him to confirm that.

00:11:36:28 - 00:12:04:01

Thank you. Yes. Keith Iverson for the applicant. Yeah, that's entirely correct. 32 I think it was driven by the the, uh, the transport assessment, uh, and was in for that, but we didn't see it as necessary for this, uh, GHG chapter, although all those figures for those years are, are presented in the appendices. So the future baseline is specified for each of the years between 2018 and 2050 across the four topics. Thank you.

00:12:17:07 - 00:12:17:22

Um,

00:12:19:10 - 00:12:24:05

and then paragraph 16.4 .69.

00:12:27:24 - 00:12:29:02

FC is.

00:12:41:27 - 00:12:47:14

So this says in order to assess significance, which will come on to um.

00:12:49:19 - 00:12:57:18

The guidance, which is the. I am. The guidance states that several aspects must be considered.

00:12:59:09 - 00:13:13:15

One of those third bullet points is consideration of the emissions from the project as a whole, rather than just consideration of net increases in emissions from a future baseline.

00:13:16:02 - 00:13:34:06

Can you comment on that, please, in terms of future baselines and how they relate to the future baseline which you have adopted for the project as a whole, and these future baselines for, um, greenhouse gases?

00:13:34:16 - 00:14:09:11

Um, Scott, for the applicant, again, I'll introduce the point and ask Mr. Robertson to explain, um, further, as you're aware, from the debate that's taken place already and perhaps will continue tomorrow in the future baseline, the approach that we've taken generally throughout the project is to look at the change resulting from the project alone, by reference to future baseline. Um, as for

greenhouse gases, um, you'll be aware from the various cases that have, uh, looked at greenhouse gas emissions.

00:14:09:15 - 00:14:47:27

At that, the nature of the impact involved in relation to greenhouse gases, that justifies often the bespoke approach to be taken to, uh, greenhouse gas emissions. And that has informed the approach that we've taken. Um, we've looked at the incremental change resulting from the project, as has been identified and for reasons that will come on to that's our preferred approach of looking at the effect of this project. But we've also looked at the airport as a whole, mainly because the context here, which is different from other environmental topics, is you have a fixed carbon budget that applies to the entire economy.

00:14:47:29 - 00:15:07:02

So we thought that it was relevant that if one is comparing against that overall carbon budget, it was at least relevant to look at the whole of the whole airport within that context. And secondly, as you've pointed to already, uh, so the contextualization against Jet Zero,

00:15:08:25 - 00:15:41:24

um, the Jet zero was directed at the aviation sector, um, as a whole. Um, and therefore we considered it appropriate to at least consider the airport as a whole, given the nature of the contextualization that jet zero uh, requires. So our preferred approach is to look at the project. But, um, given the approach to carbon budgets and to the jet zero contextualization, we accept that it would be relevant to look at the airport as a whole in that specific GHG context, regardless of the approach that we were taking.

00:15:41:28 - 00:15:43:27

Uh, elsewhere in the. Yes.

00:15:45:04 - 00:15:45:24

Okay. Thank you.

00:15:47:29 - 00:16:02:18

So you're considering both net emissions, which is based on the future baseline, 67 million, and the gross emissions from the operation of the airport under the Project Scotland applicant.

00:16:02:21 - 00:16:10:01

Yes. Um, but as Mr. Robertson explained later on, our preference is to use the project, uh, emissions.

00:16:11:21 - 00:16:12:06

Thank you.

00:16:15:21 - 00:16:29:13

Okay, let's then move on to the construction future baseline, which is set out at paragraph 16.5. Sorry, 16.6 0.5. And that talks about um.

00:16:32:23 - 00:16:39:22

Already consented construction projects due to take place between 2023 and 2026.

00:16:41:29 - 00:16:58:12

So, including already consented construction projects. Does the construction future baseline include permitted developments, which is also included in schedule one of the DCO?

00:16:59:12 - 00:17:03:23

If I was then for the applicant, yes. Future baseline includes that consented development.

00:17:04:24 - 00:17:08:06

So would it include all the consented developments in schedule one?

00:17:20:00 - 00:17:23:26

As Scotland applicant? We think so. Can we take that away, sir? And check that.

00:17:24:03 - 00:17:24:19

Thank you.

00:17:39:07 - 00:18:08:18

And then moving on to the airfield building and ground operations. Baseline. Um, so the future baseline are set out at 16.6.7. This reflects the applicant's commitments to a net zero airport for scope one and two by 2030, and a zero emission airport by scope one and two by 2040.

00:18:11:24 - 00:18:18:02

So to these future baseline does this future baseline. Um.

00:18:20:01 - 00:18:31:08

Reflects estimated future energy consumption of already consented growth. And how does that element differ from the construction future baseline?

00:18:37:09 - 00:19:10:15

If I wasn't for the applicant. The the, um, the buildings and ground operations is a different set of emission sources from what is included for the construction assessment. So the construction future baseline is about physical materials and construction processes for that development which will come forward, which is planned but already consented, which which will come forward. When we look, when we look at airport buildings and ground operations, that's looking at energy use within those buildings in the future.

00:19:10:17 - 00:19:21:12

So the first part of the construction is how you build it, and the greenhouse gases related to the construction materials. And the second part then is the operation of those buildings.

00:19:21:14 - 00:19:25:09

Is that Keith Ellison for the applicant? Yes, absolutely. Absolutely. That's that's.

00:19:25:11 - 00:19:26:00

Fine. Thank you.

00:19:28:04 - 00:19:31:29

Um, moving on to surface access. Future baseline.

00:19:34:20 - 00:19:35:05

Um.

00:19:36:18 - 00:19:44:15

Again. Does this include any works which are covered by schedule one of the DCO?

00:19:46:02 - 00:19:54:02

And how related to how are users of the airport included in this surface access future baseline.

00:20:06:28 - 00:20:37:23

Because Scotland. The applicant will clarify the schedule one point, sir, because, um, schedule one will include developments authorized by the project. And we probably just need to, uh, check against schedule, um, one how that relates to future baseline projects. But we'll build that into the other action point that relates to schedule one under the construction, um, uh, baseline, if we can clarify that for you. Thank you. And then Mr. Robertson can answer the rest of them.

00:20:39:12 - 00:20:53:27

It's Keith Robertson for the applicant. So for the surface access that is focusing on the emissions associated with passengers and staff and freight accessing the airport, uh, under the future baseline, uh, scenario.

00:20:56:21 - 00:21:05:03

You said passengers. So that would include people arriving. Um. Um.

00:21:06:19 - 00:21:16:23

And various routes, both um, by well, not both by public transport. Uh rail and road.

00:21:17:11 - 00:21:21:22

Is open for the applicant. Yes. So it includes car, car travel and public transport.

00:21:22:25 - 00:21:23:14

Okay. Thank you.

00:21:27:24 - 00:21:30:20

And then the aviation future baseline.

00:21:33:10 - 00:21:55:11

So. Here's paragraph 16 .6. 11 says the future baseline aircraft movements are forecast to increase out to 2047, increasing to approximately 326,000 air traffic movements. So.

00:21:57:24 - 00:22:06:24

If that increase of 326,000 occurs by 2047.

00:22:09:20 - 00:22:15:19

Wouldn't that only be achievable if the northern runway project wasn't implemented? You're looking at.

00:22:18:18 - 00:22:33:00

Given your timescale for for complete completion of the northern runway, which is early 2030, I think then 2047 is it's not a future baseline. It's a fallback position, isn't it?

00:22:34:07 - 00:23:15:23

Um, so New Scotland for the for the applicant. I know we can come on to this, uh, tomorrow. Um, this picks up on the debate that began during the transport, um, session. And we think this sort of use of the term fallback, um, may be, um, uh, unclear in the sense that, uh, it can in a planning sense, it can be regarded as a term of art that's often applied in circumstances where a developer saying, give me my planning permission because I have an alternative permission that I can use, which will have the same or worse impacts.

00:23:16:10 - 00:23:49:15

And the underlying assumption there is that there is a sort of choice between two different things. If they don't have the project and implement something else, um, that's not what would be happening.

It's not the basis of our approach to the future. Uh, baseline. Um, the future baseline is a fallback, and it's a broad and general sense, insofar as it means what would happen if the project weren't implemented. And that's really what we have to do when conducting our future baseline, uh, assessment under the EIA regulations.

00:23:49:17 - 00:24:22:24

We have to effectively assess the effect of the project, uh, against, um, the baseline scenario and the likely evolution thereof without the project being implemented. So, um, one takes that approach, and what the project does is building on it builds on air traffic movements that would arise in the absence of the project. There's not a mutual exclusivity between the project and the future baseline. What the project is doing is building on air traffic movements that would arise in the absence of the project.

00:24:22:26 - 00:24:57:07

So it's not a fallback in that sense. We're not choosing between the project and the future baseline of mutually exclusive options. What the project is doing is adding to movements that would otherwise take place without the project being in place, and that's why it's appropriate to include those in the future baseline. So I think the term fallback may be, um, introducing a degree of confusion, which it doesn't end in the sense it's used in the planning world often to really reflect what the future baseline is supposed to do in an EIA context, or what we've done in this case.

00:24:57:16 - 00:25:05:02

Okay, understood that position on fallback. But coming back to the point about.

00:25:06:22 - 00:25:11:04

That's future baseline for aviation being 2047.

00:25:12:27 - 00:25:13:13

Um.

00:25:14:29 - 00:25:22:00

How does that relate then? Because 2047 you, if you get your development consent, you will have implemented.

00:25:22:02 - 00:25:52:11

Yes, but F1 is assessing the effect of the project throughout time. Various stages 20, 32, 2030 at 2047 and you have to track the impact of the project at those dates. You still have to compare the effect of that project as at those dates 2038, 2047, and the only realistic way of doing that is considering what the future baseline would be about 2047, i.e. how the airport would operate in the absence of the NRP as about 2047.

00:25:52:13 - 00:26:24:03

Otherwise, you're fixing this rather artificial position, trying to assess the effect of the project of 2047, potentially against, say, a 2019 baseline where the airport hadn't shifted at all. So in order to conduct an assessment, the effect of the project over a long period of time, you've got to do that tracking the future baseline over a longer period of time, i.e., how the airport would operate without the project as up 2030 and 2047. So we say it's appropriate to include 2047 as part of future baseline.

00:26:24:05 - 00:26:29:06

Otherwise, it introduces entirely artificial approach to comparing the project with any baseline.

00:26:29:16 - 00:26:42:12

Okay. Thank you. Um, as I say, this issue will come up in the wider context tomorrow, but I think that's addresses it for the the aviation future baseline for greenhouse gases. Thank you.

00:26:49:00 - 00:26:55:18

I have no further questions on the future baseline. Does anyone else wish to comment or question Mr. Bedford?

00:26:57:24 - 00:26:58:09

Um.

00:26:59:03 - 00:27:05:13

Thank you sir. Um, Michael Bedford for the, uh, joint, uh, local authorities.

00:27:06:29 - 00:27:49:06

So, so far as, um, the broader discussion, obviously we will talk about that more tomorrow. And you appreciate that there are still, I'm afraid, some issues between us and the applicant on how the future baseline should be addressed. We don't have an issue with the applicant for the purposes of the carbon assessment, breaking down the carbon assessment into the four component parts and then, um, carrying out um assessments, both of those component parts separately, but then also bringing them together, which the chapter 16 does.

00:27:49:17 - 00:27:50:03

Exactly.

00:27:50:23 - 00:28:18:27

Uh, we do, uh, have a related issue, uh, about the, um, limited degree of sensitivity testing, uh, in the way that the carbon assessments have been undertaken. But I think that's probably more a matter for the next agenda item than it is for this agenda item. Uh, so, sir, I think with those, as it were, markers. That's all I think I need to say about this. Thank you.

00:28:19:01 - 00:28:24:15

Thank you. Anyone else wish to comment? Yes. Councillor. Essex.

00:28:25:08 - 00:28:58:12

Thank you. Two comments. Firstly, I do have concern and this builds on on the comments made by York Aviation particularly I think under the, um, Mr. Bedford's team in the previous one of the previous sessions about the the risk of understatement of the overall impact, um, by overstating the future baseline so that then the scale of the project is understated. And I think the scale of the project and its significance on on the climate emissions is, is important in that regard.

00:28:58:14 - 00:29:10:21

But I assume that that will come on your discussions tomorrow when you go into the future baseline, uh, more fully. But I think it is a climate concern. Um. In terms of.

00:29:14:25 - 00:29:46:22

In terms of the project though, so. It seems that there's an assumption here that the impact of the project on climate change is, is that, um, impact the project has on future carbon budgets for the UK, but as has already been stated and confirmed by the applicant, that is only based on departing flights. But clearly if you expand on the airport, the the impact of that airport expansion will be additional planes both taking off and landing.

00:29:46:28 - 00:30:19:27

Clearly, half of that impact will for international flights will be at other airports around the world. Now, that doesn't sit within the UK's climate responsibility, but it is a significant climate impact and it is, um, created at the point when the project is either given or not given planning permission. And I

think that that should be considered somehow. Um, and in terms of the significance of the project, I again, um, Cagney's representation talked about the need to link to science based policy targets.

00:30:19:29 - 00:30:52:07

And we've got zero one year on, well, one year on from a year ago, we've now had a whole year where the world has been above the 1.5 degrees Paris Carbon Agreement targets. Now, the question therefore is, is maybe not just about comparing to net zero, but the degree to which we comply with our commitments to the Paris. Climate agreement. And and whether, you know, the significance of expanding aviation in that context should be considered differently.

00:30:52:09 - 00:31:10:05

So I don't know how that focus on science based targets and how the recognition that the project creates both leaving. As well as arriving flights would be taken on by the Planning Inspectorate. But I think it's a real impact and I think it should be considered in some way.

00:31:10:21 - 00:31:47:01

Thank you. Um, let's please go. Can we not applaud it? It can be distracting. We know that there is support for many of the IPS speaking, but it's it doesn't help with our management of the process. Please. Um, Mr. Lyness, um. Some of the issues that Council of Essex has raised will be dealt with elsewhere on the agenda. We will come back to them and I'm sure, Councillor Essex, you will keep a note if you don't get the responses, uh, the time you raise those points.

00:31:47:09 - 00:31:52:06

So bring that in mind. Do you want to come back on on what you've heard from.

00:31:52:11 - 00:32:34:01

One very brief point? Sir, please. Scotland. As for the applicant, uh, we understand that glas mid point about, um, the the future of baseline. But just to be clear, we don't understand that issue, to relate to the in-principle approach that we've taken to assessing the project against the future baseline. We do accept that there raised issues regarding the calculation of the quantification of the future baseline based on the forecasts, but as far as we're concerned, we don't understand that to be taking any point to suggest that the approach we're taking by looking at the project against the future baseline, whether it's in 2038 or 2047, is inappropriate.

00:32:34:03 - 00:32:36:11

I just want to make that, uh, clear.

00:32:36:28 - 00:32:37:13

Thank you.

00:32:37:26 - 00:33:09:15

Sir. Sir. Michael, perhaps if I can just clarify. Certainly for the purposes of most environmental impact assessment topics. Then we don't disagree with the general approach. Of assessing, first of all, how the environment would be expected to evolve without the project, then assessing what the effect of the project is and seeing what the materiality of the difference is.

00:33:09:17 - 00:33:42:06

But we do think in the same way that the applicant has done it, that with carbon, it is in a it does sit in a different, um, bracket. Because of the nature of carbon emissions. And therefore. We share the view of the applicant that it is relevant not only to compare the project submissions with a future baseline. But it is also relevant.

00:33:43:11 - 00:34:18:11

To understand the total emissions of the project operating in the context of the existing airport. So that you have got the overall, which is information that the applicant presents, we consider that that is relevant. And unlike the applicant, I don't think we on carbon would say that there should be a preference for the former. We think they are both relevant to your assessment and therefore you need to understand both the net effect and the gross effect.

00:34:18:13 - 00:34:21:20

If I can sort of distinguish the two concepts like that.

00:34:23:17 - 00:34:24:02

Thank you.

00:34:30:08 - 00:35:07:13

Okay. Thank you. So I think that concludes item five on the future baseline which obviously leads into other discussions on the agenda. Let's move on then to item six which is assessment criteria and significance. And the agenda item says the applicant and other IPS will be asked about the greenhouse gas assessment criteria, including but not limited to firstly downstream or well to tank emissions and secondly, risks associated with the achievement of the Jet zero strategy.

00:35:07:15 - 00:35:45:21

So, clearly picking up on some of the themes we talked about earlier. I'd like to begin with what I quoted earlier, which was paragraph 5.82 from the NPS, which says to repeat, any increase in carbon emissions alone is not a reason to refuse development consent unless the increase in carbon emissions resulting from the project is so significant that it would have a material impact on the ability of government to meet its carbon reduction targets, including carbon budgets.

00:35:45:28 - 00:36:17:01

Interestingly, its carbon reduction targets and budgets are mentioned there. So I suppose. One of the key questions for us is two parties agree. That's related to greenhouse gases. The emissions of sorry, the emissions from the proposed developments are so significant that they would materially affect the ability of the government to meet its carbon reduction targets.

00:36:19:12 - 00:36:41:15

Including carbon budgets. I, um. I think I might ask the IPS to comment first on that. Then the applicant can wrap up with with its position because I think, um, the applicant's position is fairly well set out, comprehensively set out. Mr. Bedford.

00:36:41:21 - 00:37:11:23

Thank you sir. Michael Bedford, joint local authorities. So we would say that at the moment it is unclear whether you have been given sufficient information from the applicant to be confident that you actually have the means to assess whether all emissions associated with the project have been brought into account.

00:37:13:26 - 00:37:45:08

And therefore. Whether you've got the. Information. You need to be able to make those judgments on the significance and the materiality of the result. So it's not that we're putting, as it were, a definitive case to you to say, well, we know what the answer is. What we're saying is that we don't think at the moment you've been provided sufficient information to enable the question to be answered. I hope that helps.

00:37:45:10 - 00:37:48:06

By way of the, as it were, the overarching position.

00:37:48:11 - 00:37:53:21

Thank you. I think Cagney's the comments here.

00:37:54:02 - 00:38:43:10

So yes. Thank you. Estelle, on on behalf of Cagney. Uh, we support the Joint Partnership's position that in this topic, as in many other topics, the information that you, as the examining authority need to be satisfied on this is not sufficient. We would go one step further, though, and we would say in terms of information that's cogent and convincing as to the extent of the impact and therefore the answer to the question on material effect materially affecting the ability to meet the budgets and targets, that AAF analysis is strong and cogent, and that gives a clear indication, um, that it would be so significant.

00:38:44:03 - 00:38:52:11

And in the absence of anything that displaces that from the applicant, that should be the examining authority's conclusion. Thank you, thank you.

00:38:54:00 - 00:38:56:28

Any other comments before I ask the applicants?

00:38:58:15 - 00:39:01:20

No. Uh. Councillor. Essex.

00:39:03:06 - 00:39:05:29

I think my other comments relate to this I guess. Thank you.

00:39:08:17 - 00:39:09:12

Was the Linus.

00:39:10:06 - 00:40:00:11

Scott Linus for the applicant. It wouldn't surprise you to hear so that we. We don't regard the emissions would be at so significant as to materially affect the ability of the government to meet its, uh, carbon reduction targets or its, uh, budgets. Um, I can ask Mr. Robertson to explain how we've reached that, um, uh, conclusion. But, uh, in short, there is a table and, uh, the is, uh, chapter table 16 .9. ten on page 16.61, which looks at the contribution of the project, um, towards the national carbon at target or the success of budgets, I should say, and also looks at the contribution of the total airport aviation emissions between the third and the sixth carbon budget.

00:40:00:19 - 00:40:35:10

As I said, our preference is to look at the project only figure, which, uh, as written, there is a 0.5%, the total airport is three, uh, is 3.038%. Um, and in short, uh, for the reasons that are set out in the assessment, Mr. Robertson can expand further. We do not accept that when those figures are taken into account, that they would amount to any breach of the, uh, the policy, um, at test. Um, as for the approach we've taken, perhaps I could just add a couple of other points.

00:40:35:24 - 00:41:12:12

Uh, and Mr. Robertson can explain the approach of comparing the emissions of either the project or the airport against the national carbon budget should not be in dispute as an appropriate means of assessing significance of effect. It's been well established in previous decisions and cases that that is an appropriate, uh, benchmark or comparator to use. But secondly, what we've done is we have contextualized the emissions of, uh, the airport and the project, um, against Jet Zero in a way that Mr.

00:41:12:16 - 00:41:48:16

Robertson can explain. That's entirely consistent. We say, with the guidance on the approach that should be taken to significance. And the results of that show, again, uh, that we would not be having a significant impact in environmental terms or therefore, um, a significant effect on the ability of the UK to meet its carbon targets. That's our that's our broad position. Um, as for the position of the Glas and to some extent kindly looking for further information, we can perhaps come on to that.

00:41:48:20 - 00:42:00:29

But, um. What we. What we haven't seen, certainly, at least from the local authorities, is a view that if one were to take the figures of 0.5% or, say, 3%,

00:42:02:15 - 00:42:28:12

if those figures, if they were, uh, taken as the appropriate figures for the projects, whether the jail would be saying that we were in breach of policy, we accept there may be some debate about whether or not the figures need to change, but we haven't. We don't understand the jailer to be saying that those figures would of themselves mean that we are in breach of the the policy, and our position is that we wouldn't be.

00:42:28:29 - 00:42:37:26

So sorry on that last point then. Yeah. Um, I can ask the IPS for their view on where.

00:42:39:27 - 00:43:03:05

That issue of, um. Not not accommodating policy is reached. So your view is it's not reached with the 3%. I'm wondering, does the applicant have a view of where what percentage could be reached, or it would be reached to reach the policy?

00:43:04:16 - 00:43:21:09

And we haven't taken that approach Scotland with Africans, sir, because frankly, we are charged with assessing the effects of our scheme on reaching a judgment based on the information we have on the assessment work that we have done. So we haven't reached a view on that, sir. Okay.

00:43:21:14 - 00:43:22:09

That's fine. Thank you.

00:43:34:00 - 00:43:44:28

Scotland for the applicant, so the reference to 16 tables 16 .9. ten should be in fact to 16 .9. 13.

00:43:47:22 - 00:43:48:07

That's right.

00:43:48:09 - 00:43:49:29

That was something I was going to ask to clarify.

00:43:50:05 - 00:43:52:12

16 .9.1 was slightly altered.

00:43:52:14 - 00:43:55:08

The percentages, albeit not not significantly.

00:43:55:10 - 00:44:07:08

Yes. 16 .9.1 was the aviation. Point 11 aviation emissions 16.9. 13 is with project emissions. But the position doesn't change. And Mr. Rhodes has something to add as well.

00:44:08:26 - 00:44:39:22

So John Rhodes for the applicant. And so the other thing to bear in mind in relation to that question is the nature of the government's policy and the government's commitment. In other words, the government. Can't won't let the emissions from this or other projects breach its obligations for carbon reduction and climate change. Um, so if one was in a situation where one had consented, more airport development.

00:44:40:20 - 00:45:13:12

With hindsight in a few years time than was consistent with the budget, because perhaps technology hadn't emerged in the way that was anticipated then. The government has other measures and mechanisms to put in place to control the impact of aviation, and it's committed to do so. So. The most up to date statement of one of the most up to date statements of that is in the national networks NPS. The duty lies with the Secretary of State to meet the carbon reduction obligations.

00:45:14:02 - 00:45:44:02

Um, and the government has policies in place to achieve that. And they're not just, um, through the planning process. In fact, they're not principally through the planning process, through a range of other measures. So. If there was a concern about this, one should take into account the fact that the government is setting out its position, that it will not allow that position to arise. And it's the government's view that it's not necessary to control airport capacity in that respect.

00:45:46:19 - 00:45:47:04

Thank you.

00:45:49:08 - 00:45:49:23

Um.

00:45:50:06 - 00:46:07:19

I'm sorry, sir, I might just just add, um, it's, of course, aviation which generates the emissions. Not strictly airport capacity. Airport capacity enables. But the government's measures are aimed at the aviation sector as a whole.

00:46:09:18 - 00:46:16:10

Yep. Okay. Thank you. Uh, there's a hand up online, which is, I think, um, Mr. Asher.

00:46:17:14 - 00:46:48:20

Yes, it's Finlay Asher from Safe Landing. I'd just like to pick up on something the applicant said there, which was around. Um, the UK government is sort of legally bound to hit these carbon budget targets. And it has the policy means to do so to control carbon. Um, this was also mentioned just earlier around the Committee on Climate Change, saying there needs to be policies in place to control carbon via a carbon management plan.

00:46:49:21 - 00:47:20:01

Or airport expansion should go ahead. And so just specifically thinking about this sixth carbon budget that's coming, um, in the mid 2030s, the CDC have said that we're off track in most sectors to deliver this. So we don't have wiggle room. Um, we know that we're missing our targets in other sectors as well. So therefore we know if we increase emissions in aviation, um, that it will make the government's task at hand much more difficult.

00:47:20:03 - 00:47:52:29

And, and from that, you can imply, if we expand one of the biggest airports in the UK, it's likely to make the task of controlling emissions and staying within the budget more difficult. I think the question I would put to you is just and maybe you could put this for me, is just acknowledging that the

UK doesn't have isn't able to control carbon emissions. You mentioned the jet zero strategy. Um, but that that's just a sort of projection of how technology could progress.

00:47:53:04 - 00:48:35:17

Um, there is an emissions trading scheme for the UK and Europe that is a cap and trade scheme. But I'm just wondering if you could ask the question, can we acknowledge that actually for international aviation emissions outside of the UK and Europe? Um, there is no such cap and trade scheme in place. There's no limit on aviation emissions. And if we expand the airport, um, and the government then tries to control emissions because it's failing to meet its targets, that actually it won't be able to do so because it can't influence independently the Corsia scheme, which is an international scheme and doesn't currently limit aviation emissions.

00:48:35:19 - 00:48:36:27

Does that make sense?

00:48:38:18 - 00:48:44:18

I think it does to me. I will ask the applicants to respond. Thank you, Mr. Asher.

00:48:47:01 - 00:49:19:10

Boss, Mr. Robertson, to pick up on that final point. But, um, at the risk of sort of repeating points we've made, um, already, uh, we do regard it as relevant for this policy test to be applied and the context of the government accepting, uh, in previous decisions that it has a strategy to meet net zero in the through as expressed through jet zero, and that will review that and take the steps that must be taken in order to meet Jet zero in the aviation sector.

00:49:19:12 - 00:49:39:18

And secondly, that it has its duties under the legal um, under legislation to hit um, uh, net zero more broadly across the economy. And those two factors are relevant when one's considering the figures in the US. As for the approach to um, international aviation missions, I'll just ask Mr. Robertson to confirm that point of detail, sir.

00:49:41:02 - 00:50:13:29

A question for the applicant. I think the the the respondent who called and mentioned costs here, which is there as an existing mechanism to, uh, to, to manage international aviation. And it's still a mechanism which is under review and will continue to be reviewed. Uh, jet zero itself doesn't differentiate between, uh, the domestic and international emissions in terms of the government's commitment to manage that trajectory.

00:50:14:09 - 00:50:27:04

So I think it comes back to that view that government has that stated commitment in jet zero, um, to to maintain that and to do what's required to, to ensure that trajectory is met.

00:50:29:17 - 00:50:30:02

Thank you.

00:50:32:21 - 00:50:37:17

Did I give a sort of example of this? Just, um, you know, the UK government.

00:50:37:28 - 00:50:43:12

Moving on in terms of assessment criteria and significance? Um.

00:50:48:07 - 00:51:35:06

National Highways made a comment in their relevant representation. I don't think National Highways are here. I can't see anyone on. Anyone in the room? I don't think there is, and not on virtually that. So maybe this is a point which needs to be an action point. But, um, they raised the points that the reporting of the applicant's proposals as minor adverse does not align to the decision making framework that is set by the government in the the national Network National policy statement reporting appears to align to the AMA guidance.

00:51:35:11 - 00:51:48:02

But national networks National networks requests clarity on how this minor adverse effect aligns to the applicant's decision making framework.

00:51:50:19 - 00:52:14:00

The applicant has replied um, in the response to the relevant representations, but I wonder if something the applicant wants to say further to that and then say we will put this as an action point in the, uh, the ends of the hearing.

00:52:15:25 - 00:52:30:27

So. Mr.. The key is, um, National Highways isn't convinced that it is a minor adverse effect and doesn't align with the decision making framework set by government.

00:52:31:27 - 00:53:23:26

Uh, Scotland for the applicant. Um, so, yes, if this was an action point, we can explain this further. But in short, uh, the judgment on minor adverse, we say as one that's entirely justified applying the approach that's taken in the EMA, um, guidance. Um, as you'll be aware, from reading the environmental step in chapter, and Mr. Robertson can explain this further. The EMA guidance takes the approach whereby if you contextualize the emissions of a project and an appropriate manner against an appropriate benchmark, and one can conclude that the project doesn't interfere with or is consistent with a trajectory that moves towards net zero, uh, that's adopted as part of that benchmark, there is scope for you to to conclude that no significant effect will arise.

00:53:23:28 - 00:54:03:15

And that's the approach that we have taken. That's the first point. At the second point is that we're aware that the policy test, uh, relates to asking whether or not emissions are so significant as to materially affect the ability to reach, um, carbon budgets. Um, we see a relationship between the application of the EMA guidance and the judgment on significance effect under under that guidance. Uh, on the one hand, with applying the policy test, we don't quite understand, uh, the position, uh, whereby not national highways are suggesting that you apply the amber guidance and then one takes a different approach to the word significance and the policy.

00:54:03:18 - 00:54:15:15

We've taken the aim, the guidance, and treat it out as relevant to the judgment which needs to be made under policy. So we don't see, um, the a sort of mutual exclusivity in the way that the National Highways position seems to suggest.

00:54:17:21 - 00:54:18:13

Okay. Thank you.

00:54:20:21 - 00:55:05:26

As I say, we'll pick that up with National Highways if they want to come back separately. Moving on then, um, another relevant rep submission or maybe by various parties, including, uh, Cagney GAC and Councillor Essex, was that significance should be assessed against the 1.5°C compliance trajectory, as in the EMA guidance. Um, page 24 of that guidance states that when setting this impacts

into context to determine significance, it's important to consider the net zero trajectory in line with the Paris Agreement's 1.5°C pathway.

00:55:05:28 - 00:55:19:09

I think Councillor Essex might have mentioned this earlier, but in any event, um, can you explain the points about the significance? And that's 1.5°C compliance trajectory.

00:55:22:05 - 00:55:54:21

It's got liners for the applicant. Again, Mr. Roberts will correct me if I'm wrong, but as far as any reference to the 1.5°C point is concerned in the Paris Agreement. Our position is that if you assess the scheme against the UK's statutory position, in other words, looking at the success of carbon budgets, um, that is the means by which you would establish, um, consistency with, uh, the, the Paris Agreement and previous decisions have accepted that's an appropriate way of looking at this.

00:55:54:23 - 00:56:08:13

If you are consistent with the national scheme, uh, then you can conclude that there will be consistency with, uh, with treaty obligations. And that's reflected in the approach we've taken in the significance assessment. Can I ask Mr. Robertson to explain that?

00:56:10:20 - 00:56:41:04

Keith Robertson for the applicant. I was just going to draw your attention. The aim of guidance is clear that the 2050 target and the interim budget set are, according to the committee and climate change, compatible with the required magnitude and rate of GHG emissions reductions required in the UK to meet the goals of the Paris Agreement. So I think it's valid that we interpret the carbon budgets as the appropriate, uh, benchmark against which we're comparing the emissions arising from the project.

00:56:41:26 - 00:56:52:25

Okay. Thank you. Um, did any of those parties raise that point, want to come back? So that was Councillor Essex, Cagney or GAC.

00:56:55:08 - 00:56:56:09

And Mr. Han.

00:57:02:27 - 00:57:08:01

Let's see what you want me to repeat the question? I know you were at the room, so thank you.

00:57:08:03 - 00:57:15:21

Yes. I managed to time my exit and entry brilliantly, didn't I? Just held on for the applicant for. For Cagney? Yes, please. I'd be grateful.

00:57:15:23 - 00:57:34:01

So I was quoting, um, relevant submission that Cagney had put in, which said that significance should be assessed against the 1.5°C compliance trajectory, as in the EMA guidance, when, um.

00:57:37:05 - 00:57:50:05

And that the guidance states that when setting this impacts into context to determine significance, it's important to consider the net zero trajectory in line with the Paris Agreement pathway. So I wondered if you wanted to comment further on that.

00:57:50:12 - 00:58:24:18

Yeah. So thank you very much. Um, for Cagney. So there's this picks up on there just being a slight nuance to what the applicant has said about taking the carbon budgets as essentially a cipher for being

able to comply with Paris obligations. Um, carbon budgets four and five, um, were not set in a way that was Paris compliant. And the Climate Change Committee recognizes that they're not even set in a way that is net zero compliant, because they only looked at the 80% reduction rather than the 100% reduction.

00:58:25:02 - 00:59:03:13

So to the extent that there's evidence before the examining authority that the UK is on track to meet the fourth and fifth carbon budgets, that is not evidence that it is on track to meet its Nationally determined contribution obligations, or the Paris 1.5 degree obligation. It's different for carbon budget six. For carbon budget six, there's been a realignment and the, uh, advice from the Climate Change Committee is that the carbon budget, six levels and the nationally determined contribution levels under Paris should align.

00:59:03:18 - 00:59:15:03

So the extent to which there's evidence before the examining authority that we are off track to meet carbon budget six is evidence that we are off track to meet our international obligation under Paris as well.

00:59:16:19 - 00:59:55:07

And just stepping back, um, there is also an argument to be made, um, that to the extent that the examining authority is looking overarching at the science, um, there's a very clear indication from that that the UK is not alone, um, in being off track to meet its Paris obligations generally. Um, although the nationally determined contribution is, um, I would say, arguably more carefully thought through than some others in the international arena.

00:59:55:20 - 01:00:33:04

Um, but overall, there's still a significant question. And when one looks at the more recent IPCC reports, that question is being put with more and more and more force, because we are getting further and further away from the position we need to be in in order to meet our 1.5 degree obligations. And the United Kingdom, as a, um, developed economy with an obligation in terms of common but differentiated responsibility to go further, faster.

01:00:33:06 - 01:01:07:01

That means that we in particular are significantly under pressure to decarbonise and decarbonise quickly. And it is questionable, um, especially in circumstances where an increase from, uh, the expansion of a large airport like Gatwick, um, will have immediate impacts within the crucial, um, decade of action that's necessary. Um, it is that I think poses a very significant climate change question, um, for, for this decision.

01:01:08:15 - 01:01:11:24

Thank you. I just wish to respond.

01:01:13:01 - 01:01:16:04

Uh, Scotland. As for the, uh, the applicants, um.

01:01:17:25 - 01:01:53:27

The position that we've, uh, taken, we say, has been established in previous, uh, decisions, including some of the highways decisions, including the A30 at Derby Junction, DCU, where the Paris Agreement was specifically, uh, considered uh, the UK's NDC uh commitments as well. And uh, it was concluded there that um, uh, effectively applying a test which considered the carbon, uh, the success of carbon budgets was sufficient to, uh, show that one was acting and, uh, consistently with the, with the Paris Agreement.

01:01:54:06 - 01:02:34:04

Secondly, um, even if, um, there were evidence that the UK as a whole was it was off and it was off target again, it gets back to the point we've raised before that that is a position which applies on economy economy wide basis, and one cannot jump from that position to a conclusion that allowing this project, um, uh, would be in breach of policy because as we've said, um, any uh, measures that are required to meet, um, successive carbon budgets are managed by government as part of a whole system, a whole economy at transition.

01:02:34:08 - 01:02:56:01

One cannot conclude, even if there were any difficulties. That somehow creates an issue for this scheme, because these matters will be managed as part of an economy wide transition. So those are our those are our basic responses to, uh, to those points. Sure. If any sort of further submissions are made on this, we can we can respond to these in writing.

01:02:56:28 - 01:02:57:15

Thank you.

01:02:59:19 - 01:03:00:26

Yes. Councillor. Essex.

01:03:02:24 - 01:03:39:20

My understanding from i.e. my guidance on air quality is if you're an air quality management area where you've already exceeded the limits, then additional air pollution emitters should be considered more seriously than if that isn't the case. Now surely that approach would also be taken on with regards to climate change. If we already already off track, we're already behind the curve. And and I think it would be grateful if, um, the applicant could be required to show how their emissions trajectory in the future does compare to jet zero.

01:03:39:22 - 01:04:13:10

So we can see whether it's their case or a case which is correct in terms of their future proposals. Then significance is is going to be greater. And if we are off track, then the question is how do you get back on track? And it seems at the moment that the planning process science needs evidence. So there's a delay. Then you have peer reviewed papers, then politicians make commitments, then policy finally arrives and then planning decisions are made which do ought to know, do, do not lock us in in certain places to continue things.

01:04:13:12 - 01:04:45:19

And then the private sector responds. And that process doesn't seem to be a way in which allows us to get back on track through making, you know, fairly creative. Carbon accounting justifications for business as usual. It would seem that a different approach is taken. Many have called such an approach declaring a climate emergency, and I think that should apply to planning as well. I think we need to take a different approach and look beyond the current framework. The current governance framework is not delivering.

01:04:45:21 - 01:05:19:10

We are outside of our commitments. What do we need to get to do to get back inside that framework? And what do national planning decisions, which frame all things that happen at a subsidiarity level, right down to, you know, an SRM, um, impact on transport emissions, for example, impacts what happens to the local road network. You know, what happens in terms of the propensity here happens in other places, you know, so so I think in that regards, the question of significance is quite personal when looking at where we sit against our obligations.

01:05:19:12 - 01:05:41:09

And the other thing is, is that question of leadership, um, if I use that word as Stella was referring to the way we lead internationally by facilitating other countries to increase their carbon emissions as we increase our own, doesn't seem to be a way that we can encourage other countries to reduce carbon emissions as we seek to do that here.

01:05:42:29 - 01:05:43:21

Thank you.

01:05:45:10 - 01:05:48:05

No response. We'll pick this up.

01:05:50:06 - 01:05:50:21

Um.

01:05:52:11 - 01:05:54:02

I think our position is being set up really in.

01:05:55:28 - 01:06:00:19

Okay. We will pick up some of these issues later as well. Thank you.

01:06:03:18 - 01:06:05:21

Are you moving from this agenda item?

01:06:06:23 - 01:06:11:17

Um, there's more on this agenda item. Quite a bit more, I think. Um.

01:06:36:28 - 01:06:40:12

Okay. I think those are hand upon line. Yes, Mr. Johnson.

01:06:44:20 - 01:06:45:15

Thank you Tim.

01:06:45:17 - 01:07:23:19

Johnson for Aviation Environment Federation. I think I have a clarification on on the last discussion point. I think the interested parties were explicitly asking about a 1.5 trajectory. I think the applicant's answers, in particular in relation to Iemma, didn't explicitly refers to 1.5. They referred to the Paris Agreement. Um, and it's not clear to me whether the quote from the CDC that the carbon budgets and the target were aligned with the Paris Agreement is the same thing as being necessarily aligned with 1.5.

01:07:23:21 - 01:07:41:03

Obviously, the Paris Agreement sets below two degree target, aiming for 1.5. I wondered whether the applicants could clarify explicitly whether EMA and the CTC reference that they quoted relates to 1.5, or whether it's to the wider Paris temperature goals.

01:07:42:17 - 01:07:43:03

Thank you.

01:07:47:21 - 01:08:00:04

Keith Hobson for the applicant, and I was quoting from the AMA guidance. We all go and look into the detail behind that quote and check the reference associated with the key that that's pointing to.

01:08:01:29 - 01:08:09:27

Okay. Thank you. Is that sufficient for you, Mr. Johnson? If the applicant comes back in writing. I'll take that as an action point. It is.

01:08:09:29 - 01:08:11:10

Thank you. Thank you.

01:08:16:28 - 01:08:29:14

I'm going to move on to downstream in world tank emissions in a moment. But just in terms of the EMA guidance, which we have been talking about, um.

01:08:32:11 - 01:08:52:18

So paragraph 16.4 .64 of chapter 16 talks about the aim of guidance and the National Policy Statement. Don't provide a single consolidated approach to assessing impacts and significance.

01:08:54:18 - 01:09:17:17

Uh, there's also reference in paragraph 16 .4.5 to IMA encourages the contextual contextualization of greenhouse gas emissions. And yet in 16.4 .65 it says Aim emissions must be contextualized.

01:09:19:15 - 01:09:43:15

I must admit, since I've. We read the chapter 16. I haven't gone back to look at the AMA guidance itself, so possibly I could find the answer to those. But I wonder possibly you, Mr. Robinson, could comment on what the the inner guidance is saying about contextualization of those emissions.

01:09:47:11 - 01:09:57:21

Keith Hobson for the applicant. I'm not sure I can quote verbatim what it says, I think, and and we we can we can clarify the wording with reference.

01:10:00:00 - 01:10:44:16

The. I think it's useful to remember the EMA is updated guidance. They carried out an update, uh, to this second edition to try and reflect what had been seen as the limitations of the first edition, which was to consider all effectively consider all increases in in GHG emissions to be significant in the second edition. They they they clarified the importance of quantification. They acknowledge the fact that there isn't a quantitative threshold that can be pointed at to assess significance, uh, and to supplement the quantification process they directed us to, to contextualize.

01:10:44:18 - 01:11:29:03

And also and that's contextual, the contextualization against, uh, carbon trajectories. But it's also to look at the efforts being undertaken by the applicant to mitigate, uh, the emissions from, from the project. So the contextualization exercises in there to try and provide a more nuanced approach to what the previous guidance had been. So I think there's, uh, I think you will not see, uh, an S chapter looking at GHG, which will not contextualize at the minimum comparing to national budgets and national carbon budgets, although obviously within this year we've tried to contextualize further beyond just the, uh, the carbon budget comparison.

01:11:29:20 - 01:11:30:10

Thank you.

01:11:34:26 - 01:12:10:04

So might I say something like that as well? Thank you very much. As for Cagney, um, our position on Iemma is that to the extent that guidance can ever indicate a must, the contextualization in terms of significance is very clearly a must. And what the guidance says on page 24 is that it's essential to

provide context for the magnitude of greenhouse gas emissions reported in the EIA in a way that aids the evaluation of these effects by the decision maker.

01:12:10:06 - 01:13:06:15

And that is not just contextualization against national carbon budgets, but further contextualization against available sectoral and or local carbon budgets. And so obviously, it's guidance and a must can be stepped away from if there's clear reasons for why. But in our submission, it is a must to contextualize not just in relation to national, but also other contextualization. And it is also relevant that the emboldened paragraph on page 24 of our EMA, um, reminds us that the crux of significance is not really even the extent of the emissions or their magnitude alone, but the contribution that that makes to reducing greenhouse gas emissions comparable to a trajectory that keeps us within the net zero obligation.

01:13:06:24 - 01:13:31:11

Now, of course, that focuses on reduction in greenhouse gas emissions. Um, that I suppose, is an obvious point to make because it's reduction that will keep us within that trajectory. Most clearly, um, for a project that is recognised to increase emissions. Uh, the question comes back to quite how difficult it makes the achieving of those targets, which is one we've been discussing already.

01:13:31:14 - 01:13:35:01

Thank you. Thank you. It's the applicant wish to come back on that.

01:13:35:21 - 01:14:08:05

Scotland is for the applicant. Um, so you don't need to worry about whether it's guidance or it says must, uh, within it. We've done the contextualization exercise pursuant to, um, EMA. So we accept however you treat the guidance, it's a relevant matter. And we've incorporated that into our cumulative assessment. And we have, as far as we are concerned, followed the approach taken in the build aspect on page 24. And that's informed the contextualization exercise that we have that we have done.

01:14:08:26 - 01:14:15:23

Um, so there's no dispute between us and Carney on the need to apply EMA guidance in this respect.

01:14:17:06 - 01:14:37:14

So just picking up on the points from 16.4 .64 where you say that EMA and the apps do not provide a single consolidated approach. Do you want to explain what the different approaches are and have you covered both sides?

01:14:46:22 - 01:15:29:00

Scott Landers for the for the applicant. Um, I think what, um, that text was referring to was that there was not necessarily a single legally prescriptive way in which this had to be done. The policy itself sets out a broad test without being prescriptive about exactly how that test is carried out. Um, equally, the EMA guidance sets out a way in which it can be done, which we have, which we have followed. But there's no single prescriptive approach which has to be followed in all cases in a way that translates directly in the wording of the apps and and the guidance.

01:15:29:02 - 01:15:42:25

All that said, what we have done is that when we've applied the policy test, we have taken into account the results of applying the EMA guidance, because we say that informs, um, whether or not the policy test has been met.

01:15:47:25 - 01:15:48:10

Thank you.

01:15:54:22 - 01:15:56:29

Let's come back. Sorry to.

01:15:57:01 - 01:16:08:10

You. Thank you. Thank you sir. Michael Bedford, the joint local authorities. Um. So in terms of the IMF guidance, um, in section 6.3.

01:16:10:02 - 01:16:51:13

Um, it does give the advice that an indicative threshold of 5% of the UK, or a devolved administration carbon budget in the applicable time period is proposed at which the magnitude of CHC emissions, irrespective of any reductions, is likely to be significant. A project that meets this threshold can in itself materially affect the achievement of the carbon budget. So that's the position when one's looking at the national budgets and they give the the guidance that a 5%, uh, is capable of being seen as, uh, significant.

01:16:52:17 - 01:17:17:13

Um, and I don't repeat the point I made earlier on that if it was sufficient to point to the government's legal obligations as an answer to the point, we wouldn't be dealing with this, uh, in our, uh, approach to policy application. So far as the applicants, uh, position on the correct table, uh, 16 .9. 13 and on a

01:17:19:02 - 01:17:49:09

gross basis, uh, their contribution in carbon budget six is 3.136%. So, as it were, superficially, if one took simply the applicant's material as presented, they're sitting below that 5% threshold. Um, we would welcome confirmation from the applicant either, uh, in today's session or in the post hearing submissions.

01:17:49:24 - 01:18:05:23

Um, firstly, that the assessment has been conducted so as to embrace in the figures that have gone into table 16 .9. 13 A whole life carbon.

01:18:07:14 - 01:18:38:16

Assessment approach, because at the moment we're not satisfied that they are. And secondly, and it's probably part of a whole life carbon approach. Are the well to tank emissions, which I know is an item in your agenda. So we welcome confirmation that the figures presented across all four of the topic areas that they've broken them down into, uh, include whole life, um, carbon assessment and well, to tank emissions where relevant.

01:18:38:23 - 01:19:18:04

So so that's all I say about the the 5%. And obviously you can see the significance of the point that although 3.1% is below five, obviously, if you have to alter the inputs, we would like to know we're not dealing with the situation that we're so far below the five that there's no margin for, as it were, error if you have to change the inputs. So we just welcome that clarification. Then the second point, which is the contextualization, uh, issue, uh, and the EMA, uh, guidance, uh, in section 6.4 uh, deals with that.

01:19:19:12 - 01:19:36:28

Um, and amongst uh, the contextualization that it refers to is taking into account sector based, um, strategies and budgets, which obviously brings us directly in an aviation context to jet zero,

01:19:38:22 - 01:19:49:06

uh, what the applicant has provided, uh, in chapter 16, in relation to um,

01:19:50:27 - 01:19:57:00

uh, that is a diagram 16 .9.3.

01:20:00:07 - 01:20:01:27

Uh. Which presents.

01:20:05:13 - 01:20:12:12

A comparison of project aviation emissions with Jet zero residual emissions trajectory.

01:20:14:26 - 01:20:41:11

Um, and uh, again, it would be helpful to have clarification as to whether that, uh, the line showing, uh, the jet zero high ambition is actually showing jet zero or jet zero. Uh, one year on. Um, it doesn't make a massive difference, but it does make a difference. Uh, and then secondly.

01:20:43:00 - 01:21:20:21

Why the aviation emissions from the application? Which is the blue line at the bottom of that uh, diagram, again includes, um, a whole lifecycle assessment. Um, but what would also be helpful is even taking the figures as presented in that diagram at face value. What it doesn't directly give us. Is what proportion of the trajectory for Jet zero is accounted for by the project.

01:21:22:19 - 01:21:30:26

But just looking at it, as it were, crudely. One might think that it's in the region of 15 to 20%.

01:21:33:03 - 01:21:47:18

And it would be helpful if the applicant could give us the figures so that we can actually see how that sits. And that again feeds into this issue of significance. So so those were the points that it would be helpful if the applicant had some further information on.

01:21:47:25 - 01:21:52:00

I'll ask the applicant to respond shortly. But there's a lady here who wanted to speak, I think.

01:21:53:27 - 01:22:16:03

Thank you. Um, Morag Warwick from Horsham, Trafalgar Neighbourhood Council. Um, it's just for my own clarity. Um, a much simpler question. Um, so as I understand it, there is no upper limit set of when the carbon budget would be breached. And yet the government commitment is that they will not breach it.

01:22:18:17 - 01:22:26:29

Okay. And the gentleman online just said it's essential to provide a magnitude in a way that aids the decision maker. So it's aligned with that.

01:22:27:10 - 01:22:27:25

Okay.

01:22:29:24 - 01:22:32:23

Mr. Linus, are you okay to answer that question as well?

01:22:34:00 - 01:22:39:01

Um, I'm sorry, sir, I was conversing with, uh, Mr. Robertson, do you mind, uh, repeating it?

01:22:39:16 - 01:22:46:00

You're pointing out about when the, um, limits is breached? Essentially, yes.

01:22:46:02 - 01:23:05:16

So, um, as I understand it, there's no upper limit set of when the carbon budget would be bridge breached, despite the government's commitment that they won't breach it. And thinking what the gentleman on line just now said, it's essential to provide a magnitude in a way that aids the decision maker.

01:23:19:27 - 01:23:29:03

Um, Scotland. I'm not sure we quite understand the question that's being put. Um, finally. But, um, insofar as, um,

01:23:30:22 - 01:23:43:23

let's reflect on on that. Let's see if Mr. Robertson is able to add anything. If I can just, um, deal with Mr. Bedford's point, uh, relating to whole life carbon world, uh, world tank specifically.

01:23:45:24 - 01:24:31:06

Um, we recognise at this point has been raised by, um, by other parties. And I think, as we've highlighted in our deadline, three material, um, we're prepared to look at, um, allowing for some well to tank emissions within the assessments haven't been allowed at so far, but there's an important qualification to that, which, again, Mr. Robertson can explain, which is that for matters including sort of, uh, aviation fuel and fuel, uh, generally there will be well to tank emissions, which are effectively caused outside the UK and which effectively don't contribute towards the UK carbon budget.

01:24:31:08 - 01:25:07:28

Similarly, they haven't been allowed for within the jet zero. So one has to be careful if one's being asked to consider well to tank emissions that if one does so that that care is taken because, um, if they're not included in the UK carbon budget, it introduces a potential mismatch. If we're being asked to look at emissions that arise outside the UK, we don't think we should do that. But we are prepared to look at world tank emissions insofar as they arise within the UK, and provided that some care is taken to explain that as part of the contextualisation exercise under Jet Zero, which doesn't allow for them.

01:25:08:10 - 01:25:48:00

Um, so we're prepared to, um, look at, well, to tank in that, in that context. And we don't think it'll have any significant change to the figures that we have, uh, that we've presented you um, with, um, as far as other points are concerned, relating to contextualization, perhaps the easiest thing is for me to ask Mr. Robertson to explain, um, what the graph that Mr. Bedford refers to is intended to show, and why we think that is sufficient to amount to the contextualization that is asked for in EMA policy.

01:25:48:15 - 01:26:18:15

Um, so I don't think we've quite understood the point that was made by, um, the lady just now. But it may be that insofar as there is being, um, uh, don't expressed about, uh, the ability of government to manage progress towards, um, any towards its carbon commitments, I think we just go back and rely upon the points we've made, um, already these are matters within the control of government.

01:26:18:17 - 01:26:40:26

It knows what budget it needs to meet. It knows what its policy is in relation to to net zero. And we're entitled to say to the Secretary of State that he can rely upon his economy wide or aviation related objectives to to achieve that. Perhaps I can turn to Mr. Robertson and ask for an explanation of that contextualization approach.

01:26:42:03 - 01:27:15:18

Thank Keith. Keep Keith Robertson for the applicant. Yeah. So contextualization we start with sort, as I say, beyond just looking at the the comparison of the overall net emissions to the carbon budgets,

we, we, we, we look to across these four topics to consider them in in turn, um, and for the aviation emissions. Yes. We show that chart, um which plots the, the overall uh aviation emissions from the airport.

01:27:15:20 - 01:27:49:25

So that's, that's the entire aviation emissions, not just the net change. That's, that's this, this attempt to contextualize the full impact of the airport. So we plot that and we plot the high ambition, um, scenario, uh, and Scott and the I mean, the intent there is to is to give an idea of the scale. And as I, as I document in the text underneath the chart, you know, we note that the aviation emissions increase to 2032 and then and then they fall out to 2050.

01:27:50:04 - 01:27:50:28

The.

01:27:53:08 - 01:27:54:11

The zero.

01:27:55:26 - 01:27:59:07

Strategy modeling includes.

01:28:01:01 - 01:28:32:25

For for for the expansion. At Gatwick Airport that is baked into the modelling that sits behind the Jet Zero modelling. So while you know, we can certainly present information on the relative share and how that changes over time. But, um, as I say, the modelling allows. For what? For what is proposed under under the project at Gatwick, within within the modelling that has informed the Jet zero strategy development.

01:28:32:29 - 01:28:46:07

It's also clear that, um, it's not the intention of jet zero to allocate aviation emissions to individual airports. It's taken a sector wide approach to aviation emissions.

01:28:53:26 - 01:28:58:12

Okay. Thank you. Does that address your question? Do you want to?

01:29:00:12 - 01:29:01:05

Do you want to?

01:29:01:07 - 01:29:23:21

Yes. So perhaps I can help I think what will the easiest thing to. Yes. I'm sorry to. Sorry to cut across. I think what the best thing to do is we can take an action point away to go back, listen to the recording. We think we may be able to understand what the question was about, but we'll deal with that in writing rather than try and guess here today if that's acceptable.

01:29:23:23 - 01:29:29:07

Sir, are you okay? That's the applicant goes away and thinks about it. Or do you want to ask.

01:29:29:14 - 01:29:36:14

A simple question to me so that there's no upper limit of when the carbon budget would be breached? Is what I heard here this morning.

01:29:36:16 - 01:29:59:26

Well, I think well, as a matter of fact, I think there is a there is a carbon budget with a limit in it, and it's provided for under the, on the legislation. So I think the simple answer is that if I've understood

that correctly, that there is there is a there is a budget with a limit to it, which is, as a matter of fact, capable of being, um, uh, breached, but I'm not sure.

01:29:59:28 - 01:30:04:11

So the budgets, do you want to explain what the budget level is then.

01:30:04:24 - 01:30:37:22

This will under the under the legislation, the government is required to set successive budgets and monitor and report on its ability to achieve those budgets. Um, the latest budget to have been set as the as the sixth carbon budget. I don't have the precise figure to mind what that budget is. It's 965. Thank you. Um, uh, and, uh, it is, as a matter of law, obliged to try and hit that budget.

01:30:37:24 - 01:30:47:25

But I think at the simple answer to the question, as a matter of fact, uh, that budget is capable of being breached, but I'm not sure that I think.

01:30:47:27 - 01:31:21:14

We will come on to this in more detail this afternoon anyway, because there are further issues. But, um, thank you for the question, and we'll try and unravel it, uh, with parties later. Um, we'll also return to diagram 16.3 9.3. Um, that will come up further later as well. The standing matters on that. So I think now it's just, uh, 1:10 will adjourn for lunch and reconvene at 2:10.

01:31:21:16 - 01:31:22:11

Thank you very much.